

**HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD
FULL BOARD REGULAR MEETING**

March 13, 2025

6:00 P.M.

**CITY HALL, HEARING ROOM # 1
ONE FRANK H. OGAWA PLAZA
OAKLAND, CA 94612**

AGENDA

PUBLIC PARTICIPATION

The public may observe or participate in this meeting in many ways.

OBSERVE:

• To observe the meeting by video conference, please click on the link below:

When: **March 13, 2025 06:00 PM Pacific Time (US and Canada)**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87805764414>

One tap mobile: +16694449171,,89781545220# US, 16699009128,,89781545220# US (San Jose)

Or by telephone: +1 669 444 9171 US, +1 669 900 9128 US (San Jose), +1 253 205 0468 US, +1 253 215 8782 US (Tacoma), +1 346 248 7799 US (Houston), +1 719 359 4580 US, +1 564 217 2000 US, +1 646 558 8656 US (New York), +1 646 931 3860 US, +1 689 278 1000 US, +1 301 715 8592 US (Washington DC), +1 305 224 1968 US, +1 309 205 3325 US, +1 312 626 6799 US (Chicago), +1 360 209 5623 US, +1 386 347 5053 US, +1 507 473 4847 US

Webinar ID: 897 8154 5220

Find your local number: <https://us02web.zoom.us/j/87805764414>

The Zoom link is to view/listen to the meeting only, not for participation.

PARTICIPATION/COMMENT:

There is one way to submit public comments:

• To participate/comment during the meeting, you must attend in-person. Comments on all agenda items will be taken during public comment at the beginning of the meeting. Comments for items not on the agenda will be taken during open forum towards the end of the meeting.

If you have any questions, please email hearingsunit@oaklandca.gov

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HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD MEETING

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**
 - a. Comments on all agenda items will be taken at this time. Comments for items not on the agenda will be taken during open forum.
4. **CONSENT ITEMS**
 - a. Approval of Board Minutes, 02/27/2025 (pp.4-7)
5. **APPEALS***
 - a. T24-0138, Little v. Advent Properties (pp.8-71)
 - b. L24-0002, University President Associates LP v. Tenants (pp.72-301)
6. **INFORMATION AND ANNOUNCEMENTS**
7. **NEW BOARD BUSINESS**
8. **SCHEDULING AND REPORTS**
9. **OPEN FORUM**
 - a. Comments from the public on all items will be taken at this time.
10. **ADJOURNMENT**

**Staff appeal summaries will be available to review at the end of the packet. The Rent Adjustment Program and the Clerk's office has at least 72 hours prior to the meeting to post all meeting materials pursuant to O.M.C. 2.20.080.C and 2.20.090*

As a reminder, alternates in attendance (other than those replacing an absent board member) will not be able to take any action, such as with regard to the consent calendar.

Accessibility: Contact us to request disability-related accommodations, American Sign Language (ASL), Spanish, Cantonese, Mandarin, or another language interpreter at least five (5) business days before the event. Rent Adjustment Program (RAP) staff can be contacted via email at RAP@oaklandca.gov or via phone at (510) 238-3721. California relay service at 711 can also be used for disability-related accommodations.

Si desea solicitar adaptaciones relacionadas con discapacidades, o para pedir un intérprete de en Español, Cantones, Mandarín o de lenguaje de señas (ASL) por favor envíe un correo electrónico a RAP@oaklandca.gov o llame al (510) 238-3721 o 711 por lo menos cinco días hábiles antes de la reunión.

需要殘障輔助設施, 手語, 西班牙語, 粵語或國語翻譯服務, 請在會議前五個工作天電郵 RAP@oaklandca.gov 或致電 (510) 238-3721 或 711 California relay service.

**HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD
FULL BOARD REGULAR MEETING**

February 27, 2025

6:00 P.M.

CITY HALL

**1 FRANK H. OGAWA PLAZA, HEARING ROOM #1
OAKLAND, CA 94612**

MINUTES

1. CALL TO ORDER

- a. The Board meeting was administered in-person by Nyila Webb from the Rent Adjustment Program (RAP), Housing and Community Development Department. Nyila Webb explained the procedure for conducting the meeting. The HRRRB meeting was called to order by Interim Chair C. Oshingua at 6:12 p.m.

2. ROLL CALL

MEMBER	STATUS	PRESENT	ABSENT	EXCUSED
D. INGRAM	Tenant	X		
C. MUNOZ RAMOS	Tenant	X		
Vacant	Tenant Alt.			
M. GOOLSBY	Tenant Alt.		X	
C. OSHINUGA	Undesignated	X		
M. CUCULLU LIM	Undesignated	X		
R. SAMATI	Undesignated	X		
K. BRODFUEHRER	Landlord	X		
C. JACKSON	Landlord	X		
Vacant	Landlord Alt.			

**Member Jackson arrived at 6:10pm.*

Staff Present

Oliver Luby
Marguerita Fa-Kaji
Nyila Webb
Victor Ramirez
Jessica Leavitt

Deputy City Attorney
Senior Hearing Officer (RAP)
Administrative Assistant II (RAP)
Department Manager (RAP)
Assistant Manager (RAP)

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3. PUBLIC COMMENT

- a. No speaker cards were submitted.

4. ELECTION OF CHAIR & VICE CHAIR

- a. Deputy City Attorney, Oliver Luby informed the board that they have the option to vote on moving the election of officers to the end of the meeting.
- b. **Interim Chair C. Oshingua made a motion to move the election of officers to end of meeting. Member Munoz Ramos seconded the motion.**

The Board voted as follows:

Aye: C. Munoz Ramos, M. Cucullu Lim, D. Ingram, C. Oshinuga, C. Jackson, R. Samati, K. Brodfuehrer

Nay: None

Abstain:

The motion was approved.

5. CONSENT ITEMS

- a. **Approval of Board Minutes, 02/13/2025:**

Member C. Jackson made a motion to approve the Board Minutes from 02/13/2025. Member M. Cucullu Lim seconded the motion.

The Board voted as follows:

Aye: C. Munoz Ramos, M. Cucullu Lim, D. Ingram, C. Oshinuga, C. Jackson, R. Samati, K. Brodfuehrer

Nay: None

Abstain:

The motion was approved.

6. APPEALS*

- a. **T24-0072, Mitchell v. VA7 Merritt, LLC (pp.7-52)**

Member D. Ingram made a motion to 1) find that the appellant has not demonstrated good cause for failure to appear at the hearing and 2) to affirm the hearing decision. Member C. Jackson seconded.

The Board voted as follows:

Aye: C. Munoz Ramos, M. Cucullu Lim, D. Ingram, C. Oshinuga, C. Jackson, R. Samati, K. Brodfuehrer
Nay: None
Abstain:

The motion was approved.

b. T24-0092, Gold v. Mill Creek Residential (pp.53-112)

Member C. Jackson made a motion to affirm the decision. Member D. Ingram seconded.

The Board voted as follows:

Aye: C. Munoz Ramos, M. Cucullu Lim, D. Ingram, C. Oshinuga, C. Jackson, R. Samati, K. Brodfuehrer
Nay: None
Abstain: None

The motion was approved.

7. INFORMATION AND ANNOUNCEMENTS

- a. THANK YOU'S!
- b. Board members announced services available for the community.

8. NEW BOARD BUSINESS

- a. Member Jackson would like to propose a resolution.
- b. Training suggestions discussed amongst Board.

9. SCHEDULING AND REPORTS

- a. Presentation of RAP Annual Report (pp.113-130)
- b. Discussion of strategies to ensure quorum (including, but not limited to shifting to one Board meeting a month and invoking the new teleconference rules)

10. ELECTION OF CHAIR & VICE CHAIR (continued)

- a. **Nominations of Chair and Vice Chair**

Member K. Brodfuehrer made a motion to nominate Member M. Cucullu Lim to Chair and Member R. Samati as Vice Chair.

The Board voted as follows:

Aye: C. Munoz Ramos, M. Cucullu Lim, D. Ingram, C. Oshinuga, C. Jackson, R. Samati, K. Brodfuehrer
Nay: None

Abstain: None

11.OPEN FORUM

- a. No speaker card was submitted.

12.ADJOURNMENT

- a. Meeting adjourned at 9:06 pm.

CHRONOLOGICAL CASE REPORT

Case No.: T24-0138

Case Name: Little v. Advent Properties Inc.

Property Address: 8343 International Blvd. Oakland, CA 94621

Parties: Mario Little (Tenant)
Amie Chang (Owner)
Kelly Gurly- Manager (Owner)
Brian Schoonover-Representative (Owner)

TENANT APPEAL:

<u>Activity</u>	<u>Date</u>
Tenant Petition Filed	August 27, 2024
Remote Hearing Date Scheduled	October 9, 2024
Administrative Decision Mailed	October 3, 2024
Owner Response to Petition	October 7, 2024
Appeal Filed	October 22, 2024

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City of Oakland Rent Adjustment Program
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

T24-0138 HM/RC

TENANT PETITION

RECEIVED

AUG 27 2024

10/9

Property Address: 8343 INTERNATIONAL BLVD
Case: Petition: 17808
Date Filed: 08-27-2024

**RENT ADJUSTMENT PROGRAM
OAKLAND**

Party	Name	Address	Mailing Address
Owner	Advent Properties Inc.	1600 MacArthur Blvd Oakland, CA 94602	1600 MacArthur Blvd Oakland, 94602 (510) 250-7918 team@adventpropertiesinc.ca
Manager	Kelly Gurly Advent Properties Inc.	1600 MacArthur Blvd Oakland, CA 94602	1600 MacArthur Blvd Oakland, 94602 (510) 250-7918 team@adventpropertiesinc.ca
Tenant	Mario J Little	8343 International Boulevard Oakland, CA 94621	(510) 372-4607 MI9800@yahoo.com

Number of units on the property 8

Type of unit you rent Condominium

Are you current on your rent? Yes

If you are not current on your rent, please explain. (If you are legally withholding rent state what, if any, habitability violations exist in your unit.)

Grounds for Petition

For all of the grounds for a petition see OMC 8.22.070 and OMC 8.22.090. I (We) contest one or more rent increases on one or more of the following grounds:
I received a rent increase above the allowable amount.

Rental History

Date you moved into the Unit

Initial Rent \$ 1,995.00 /month

Current Rent \$ 2,409.00 /month

Is your rent subsidized or controlled by any government agency, including HUD (Section 8)? No

When, if ever, did the property owner first provide you the City form, NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM ('RAP Notice')? I first received the RAP Notice on 7/27/2024

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City of Oakland Rent Adjustment Program
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

TENANT PETITION

List the case numbers of any relevant prior Rent Adjustment case(s):

t22-0084



City of Oakland Rent Adjustment Program
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

TENANT PETITION

List all rent increases that you want to challenge*.

Date you received the notice	07-27-2024
Date increase goes into effect	09-01-2024
Monthly rent increase From	\$ 2,409.00
Monthly rent increase To	\$ 2,649.90
Did You Receive a Rent Program Notice With the Notice Of Increase?	Yes

Date you received the notice	06-01-2023
Date increase goes into effect	07-01-2023
Monthly rent increase From	\$ 2,190.00
Monthly rent increase To	\$ 2,409.00
Did You Receive a Rent Program Notice With the Notice Of Increase?	Yes

** You have 90 days from the date of notice of increase or from the first date you received written notice of the existence of the Rent Adjustment program (whichever is later) to contest a rent increase. (O.M.C. 8.22.090 A 2) If you did not receive a RAP Notice with the rent increase you are contesting but have received it in the past, you have 120 days to file a petition. (O.M.C. 8.22.090 A 3)*

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City of Oakland Rent Adjustment Program
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

TENANT PETITION

**List case number(s) of all Petition(s) you have ever filed for this rental unit
and all other relevant Petitions:**

t22-0084



City of Oakland Rent Adjustment Program
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

TENANT PETITION

Description of Decreased or Inadequate Housing Services

Decreased or inadequate housing services are considered an increase in rent. If you claim an unlawful rent increase for problems in your unit, or because the owner has taken away a housing service, you must complete this section.

Mediation

Mediation is an optional process offered by the Rent Adjustment Program to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. The purpose of mediation is to find a mutual agreement that satisfies both parties. A trained third party will discuss the issues with both sides, look at relative strengths and weaknesses of each position, and consider both parties' needs in the situation. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing process. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you want to request mediation for your case.

I/We agree to have my/our case mediated by a Rent Adjustment Program staff mediator. No

Consent to Electronic Service

Check the box below if you agree to have RAP staff send you documents related to your case electronically. If all parties agree to electronic service, the RAP will only send documents electronically and not by first class mail.

I/We consent to receiving notices and documents in this matter electronically at the email address(es) provided in this petition. Yes

Interpretation Services

If English is not your primary language, you have the right to an interpreter in your primary language at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

I request an interpreter fluent in the following language at my Rent Adjustment proceeding: No

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City of Oakland Rent Adjustment Program
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

TENANT PETITION

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this petition is true and that all the documents attached to the petition are true copies of the originals.

Mario Little

8/27/2024

Signature

Date

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250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

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PERSON(S) SERVED:

Name	Advent Properties Inc. c/o Brian Schoonover
Address	1600 MacArthur Blvd, Oakland, Ca 94602
City, State, Zip	Oakland, CA, 94602

Name	
Address	
City, State, Zip	

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

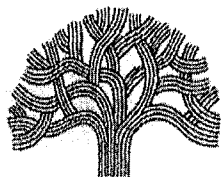
Mario Little

PRINTED NAME

[Signature]

SIGNATURE

8/27/2024
DATE SIGNED



CITY OF OAKLAND

CITY OF OAKLAND RENT ADJUSTMENT PROGRAM

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

TENANT PETITION

Please fill out this form as completely as you can. Use this form to contest a rent increase, seek a rent decrease, and/or contest an owner exemption from the Rent Adjustment Program. Failure to provide the required information may result in your petition being rejected or delayed. See the last pages of this petition packet ("Important Information Regarding Filing Your Petition") or the RAP website for more information. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR PETITION BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Rental Unit Information

8343 International Blvd Oakland, CA 94621
Street Number Street Name Unit Number Zip Code

Move-In Date: Initial Rent at Move-In: \$1995.00 Current Rent: \$2409.00

Is your rent subsidized or controlled by a government agency (such as HUD or Section 8), other than Oakland Rent Adjustment Program? (See page 5 "Jurisdiction" for more information)

- ☐ Yes
☒ No
☐ Not sure

[Reserved]

When (if ever) did the property owner first provide you with the City form, NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM ("RAP Notice")?

- ☒ I first received the RAP Notice on: 7-27-2024
☐ I was never provided with the RAP Notice
☐ I do not remember if I ever received the RAP Notice

Case number(s) of any relevant prior Rent Adjustment case(s): T22-0084

Tenant Information (List each tenant petitioner in unit. If you need more space, attach additional sheet.)

Mario Little Little
First Name Last Name

Mailing Address (if different from above):

Primary Telephone: (510) 372-4607 Other Telephone: Email: ML9800@yahoo.com

First Name Last Name

Mailing Address (if different from above):

Primary Telephone: Other Telephone: Email:

Tenant Representative (Check one) ☐ No Representative ☐ Attorney ☐ Non-Attorney

First Name Last Name Firm/Organization (if any)

Mailing Address:

Phone Number: Email:

Property Owner Information		
Property Owner		
First Name	Last Name	
Company/LLC/LP (if applicable): <u>Advent Properties Inc.</u>		
Mailing Address: <u>1600 MacArthur Blvd, Oakland, CA</u>		
Phone Number: <u>(510) 250-7918</u>	Email: <u>Team @ adventpropertiesinc.com</u>	
Property Manager (if applicable)		
First Name	Last Name	Name of Management Company
Mailing Address:		
Phone Number:	Email:	

GROUNDS FOR PETITION

Select the grounds for this petition from the list below. Check all that apply. You must check at least one box. To contest a rent increase, select item(s) from Category A. If you have experienced a decrease in housing services and/or have issues with the condition of your unit, or are being charged for utilities in violation of the law, select item(s) from Category B. For more information on each of the grounds, see Oakland Municipal Code (O.M.C.) Sections 8.22.070 and 8.22.090 (Rent Adjustment Ordinance) and the corresponding Regulations. A copy of the Ordinance and Regulations are available here: www.oaklandca.gov/resources/read-the-oakland-rent-adjustment-program-ordinance

A.	Unlawful Rent Increase(s) <i>(Complete section A on page 3)</i>	<input checked="" type="checkbox"/> (A1) I received a rent increase above the allowable amount.
		<input type="checkbox"/> (A2) I received a rent increase that I believe is unlawful because I was not given proper notice, was not properly served, and/or was not provided with the required RAP Notice ("Notice to Tenants of the Residential Rent Adjustment Program").
		<input type="checkbox"/> (A3) I received a rent increase and do not believe I should be required to pay it because a government agency has cited my unit for serious health, safety, fire, or building code violations. (You must attach a copy of the citation to your petition.)
		<input type="checkbox"/> (A4) Before serving the rent increase notice, the property owner failed to substantially comply with the annual registration and reporting obligations as required under Oakland Municipal Code, Section 8.22.510.
B.	Decreased Housing Services <i>(Complete section B on page 3)</i>	<input type="checkbox"/> (B1) The property owner is providing me with fewer housing services than I previously received and/or I am being charged for services originally paid for by the owner. (Check this box for petitions based on bad conditions/failure to repair.)
		<input type="checkbox"/> (B2) I am being unlawfully charged for utilities.
C.	Other	<input type="checkbox"/> (C1) My rent was not reduced after: a) a prior rent increase period for capital improvements, or b) after the owner received undeclared capital improvement benefits, or c) after an additional tenant for whom the owner was allowed an increase, vacated from the premises.

<input type="checkbox"/>	(C2) I wish to contest an exemption from the Rent Adjustment Ordinance because the exemption was based on fraud or mistake.
<input type="checkbox"/>	(C3) The initial rent amount when I first moved in was unlawful because the property owner was not permitted to set the initial rent without limitation. O.M.C. § 8.22.080 (C).

A.	Unlawful Rent Increase(s)
	(Complete this section if any of the grounds for petition fall under category A, above)

List all rent increases you wish to contest. Begin with the most recent increase and work backwards. If you never received the RAP Notice, you can contest all past increases. See the "Important Information" page at the end of this petition packet for more information on time limits for contesting rent increases. If you need additional space, attach a separate sheet or an additional copy of this form.

- For petitions contesting a rent increase on the grounds that the unit has been cited by a government agency for serious health, safety, fire, or building code violations, **you must attach a copy of the citation** to your petition. Failure to attach a copy of the citation may result in your petition being dismissed.

Date received rent increase notice: (Month/Day/Year)	Date rent increase went into effect: (Month/Day/Year)	Amount of Increase:		Received RAP Notice with notice of rent increase?	
		FROM	TO	YES	NO
7/27/2024	9/1/2024	\$ 2409.00	\$ 2649.90	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		\$	\$	<input type="checkbox"/>	<input type="checkbox"/>
		\$	\$	<input type="checkbox"/>	<input type="checkbox"/>
		\$	\$	<input type="checkbox"/>	<input type="checkbox"/>
		\$	\$	<input type="checkbox"/>	<input type="checkbox"/>

B.	Decreased Housing Services
	(Complete this section if any of the grounds for petition fall under category B, above)

List all the conditions that you believe entitle you to a rent decrease. If your petition is based on problems related to your unit, or because the owner has taken away service(s) or is charging for services originally provided by the owner, you must complete this section. If you need more space, attach a separate sheet or an additional copy of this form.

- You are strongly encouraged to submit documentary evidence** (photographs, inspection reports, correspondence with your landlord, etc.) together with your petition. Evidence may be submitted up to seven calendar days prior to your hearing.
- You may wish to have a City inspector come inspect your unit** for possible code violations in advance of your hearing. Copies of any inspection report(s) may be submitted in support of your petition. To schedule an inspection, contact the City of Oakland Code Enforcement Unit at (510) 238-3381, or file a complaint online at <https://www.oaklandca.gov/services/file-a-complaint-with-code-enforcement>. *Note: If additional items are cited in an inspection report that were not included in your original petition (below), you must file an additional petition listing those items in order for RAP staff to consider them as a part of your claim.*

	Description of problem or decreased housing service (list separately):	Date problem or decreased service started: (Month/Day/Year)	Date first notified owner or manager of problem: (Month/Day/Year)	Date problem or service was fixed, if ever: (Month/Day/Year)	What is the dollar value of your claimed loss?
1					\$

2.						\$	
3.						\$	
4.						\$	

TENANT VERIFICATION*(Required)*

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this Tenant Petition is true and that all of the documents attached to the Petition are true copies of the originals.

Tenant 1 Signature8-24-2024
Date_____
Tenant 2 Signature_____
Date**CONSENT TO ELECTRONIC SERVICE***(Highly Recommended)*

Check the box below if you agree to have RAP staff and the OTHER PARTY/ PARTIES send you documents related to your case electronically. If you agree to electronic service, the RAP and other parties may send certain documents (except a response to petition) only electronically and not by first class mail.

- ☒ I/We consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) provided in this petition.

MEDIATION PROGRAM

Mediation is an optional process offered by RAP to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. A trained third party will work with the parties prior to the hearing to see if a mutual agreement can be reached. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you agree to mediation in your case.

I agree to have the case mediated by a Rent Adjustment Program staff mediator.

Tenant Signature_____
Date**INTERPRETATION SERVICES**

If English is not your primary language, you have the right to an interpreter in your primary language/dialect at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

- ☐ I request an interpreter fluent in the following language at my Rent Adjustment proceeding:

- ☐ Spanish (Español)
☐ Cantonese (廣東話)
☐ Mandarin (普通話)
☐ Other: _____

-END OF PETITION-

PERSON(S) SERVED:

Name	Advent Properties Inc c/o Brian Schconover
Address	1600 MacArthur Blvd, Oakland, Ca 94602
City, State, Zip	Oakland, CA, 94602

Name	
Address	
City, State, Zip	

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Mario Little

PRINTED NAME

[Signature]

SIGNATURE

8/27/2024

DATE SIGNED



Housing and Community Development Department
Rent Adjustment Program
250 Frank Ogawa Plaza, Suite 5313
Oakland, CA 94612-2034

TEL (510) 238-3721
FAX (510) 238-6181
CA Relay 711

NOTICE OF REMOTE SETTLEMENT CONFERENCE AND HEARING

File Name: Little v. Advent Properties Inc.
Property Address: 8343 International Boulevard, Oakland California, 94621
Case Number: T24-0138

The Settlement Conference and Hearing will be held remotely on Zoom, a free application for audio/video conferences.

The Hearing Officer will conduct a Settlement Conference to attempt to resolve this matter unless the owner is seeking an exemption. If the Settlement Conference is not successful, the Hearing will begin immediately after the Settlement Conference. The Settlement Conference or Hearing (if there is no settlement conference) will begin on.

Date: October 9, 2024
Time: 10:00 AM
Place: REMOTELY via Zoom

You will receive the Zoom invite prior to the hearing date. Please make sure the Case Analyst assigned to your case has your updated email address to assure timely communication as the Rent Adjustment Program office remains closed and staff is working remotely. If you do not have an email address, please contact the Case Analyst by phone to discuss best ways to contact you.

Submitting Evidence

If you wish to submit other documents in addition to those submitted with the Petition or Response form, you may do so by emailing the documents to the assigned Case Analyst and serving a copy of the documents on the other party. Documents must be received not less than seven (7) days prior to the scheduled Settlement Conference and Hearing date and must be submitted together with a proof of service indicating that the documents were served on the other party. There is a proof of service form on the RAP website that you can use for any documents you serve. See Blank Proof of Service Form. Documents submitted later (or without a proof of service) may be excluded from consideration.

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We request that all documents you submit be numbered sequentially, but submissions of more than 15 pages must be numbered. Please black out all sensitive information, such as bank or credit card account numbers and Social Security numbers. The Hearing Officer can also use the official records of the City of Oakland and Alameda County Tax Assessor as evidence if provided by the parties for consideration. If you do not have access to email, the documents may be submitted to the Case Analyst by mail.

Request to Change Date

A request for a change in the date or time of the Settlement Conference and Hearing ("continuance") must be made on a form provided by the Rent Adjustment Program, which can be found at the Rent Adjustment Program website: Request for Continuance. A continuance will be granted only for good cause and the Hearing Officer will issue an Order granting or denying the continuance.

Hearing Record

The Rent Adjustment Program makes an audio recording of the Hearing. Either party may bring a court reporter to record the hearing at their own expense. The Settlement Conference is not recorded. If a settlement is reached, the Hearing Officer will draft a Settlement Agreement to be signed by the parties.

Representatives

Any party to a Hearing may designate a representative in writing prior to the Settlement Conference or on the record at the Hearing.

Interpreter

The Hearing must be conducted in English. The Rent Adjustment Program will provide interpreters if it is requested on the petition or response forms or in writing in advance of the Hearing. Any party may also bring a person to the Hearing to interpret for them. The interpreter will be required to take an oath that they are fluent in both English and the relevant other language and they will fully interpret the proceeding to the best of their ability.

Failure to Appear for Hearing

If a petitioner fails to appear at a properly noticed hearing, the Hearing Officer may, in the Hearing Officer's discretion, dismiss the case, subject to the petitioner showing good cause for the failure to appear. If the respondent fails to appear at the Hearing as scheduled, the Hearing Officer may either issue an administrative decision without a Hearing or conduct the Hearing and render a decision without the respondent's participation.



Housing and Community Development Department
Rent Adjustment Program
250 Frank Ogawa Plaza, Suite 5313
Oakland, CA 94612-2034

TEL (510) 238-3721
FAX (510) 238-6181
CA Relay 711
www.Oaklandca.gov/RAP

September 05, 2024

Petitioner

Tenant
Mario J Little
8343 International Boulevard
Oakland, CA 94621

Manager

Manager
Kelly Gurly
Advent Properties Inc.
1600 MacArthur Blvd
Oakland, CA 94602

000026

RE: Notice to Parties of Petition Filed

Dear Parties:

The Rent Adjustment Program has received a Petition filed by the **Petitioner** listed above. The Proof of Service filed with the Petition states that the Petition was served on the **Respondent(s)** listed above. If you are a Respondent, and you did not receive the Petition, please contact the case analyst (listed below).

As instructed on the Petition, the Respondent(s) have 30 days from the date of service (if served personally) and 35 days (if served by mail) to file a Response to the Petition. To file a Response, the Respondent(s) must serve a Response on the Petitioner and file the Response (along with a Proof of Service) with the Rent Adjustment Program.

Both the Tenant and Property Owner Response forms can be found at <https://apps.oaklandca.gov/rappetitions/Petitions.aspx>. Each response form contains additional filing instructions.

If you do not file a timely Response, the Petition may be granted without a Hearing, or, if a Hearing does occur, you may not be permitted to produce testimony or evidence.

The case has been assigned Case No. T24-0138

The case title is Little v. Advent Properties Inc.

The analyst assigned to your case is , who can be contacted either by telephone at or by email at

Please note that you are required to serve a copy of any documents filed with the Rent Adjustment Program on the other party (or parties). You must file a Proof of Service with the Rent Adjustment Program together with the document(s) being filed indicating that the document(s) have been served.

Property Owner Petitions that include more than 25 pages of additional documents with the petition are exempt from this requirement, and the owner may choose to not serve all tenants with those documents. If the Owner Petition indicates that additional documents exist that are not being served pursuant to this exception, a tenant may request a copy of the documents in their Tenant Response form or view the documents by scheduling a file review with RAP. If the Tenant Response form indicates that the tenant wishes to receive copies of all filed documents, the owner must provide them within 10 days.

All documents filed by either party are available for review at the Rent Adjustment Program Office **by appointment only**. If you wish to review the case file, call (510) 238-3721 to schedule an appointment.

If you have questions or need additional information, please contact your assigned analyst.

Thank you.

Rent Adjustment Program

000027

PROOF OF SERVICE

Case Number: T24-0138

Case Name: Little v. Advent Properties Inc.

I am a resident of the State of California at least eighteen years of age. I am not a party to the Residential Rent Adjustment Program case listed above. I am employed in Alameda County, California. My business address is 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California 94612.

Today, I served the attached documents listed below by placing a true copy in a City of Oakland mail collection receptacle for mailing on the below date at 250 Frank H. Ogawa Plaza, Oakland, California, addressed to:

Documents Included

Notice of Remote Settlement Conference and Hearing
Notice to Parties
Copy of Tenant Petition
Landlord Response Form

Manager

Kelly Gurly
Advent Properties Inc.
1600 MacArthur Blvd
Oakland, CA 94602

Tenant

Mario J Little
8343 International Boulevard
Oakland, CA 94621

I am readily familiar with the City of Oakland's practice of collection and processing correspondence for mailing. Under that practice an envelope placed in the mail collection receptacle described above would be deposited in the United States mail with the U.S. Postal Service on that same day with first class postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **September 05, 2024**, in Oakland, California.

Deborah Griffin

Deborah Griffin
Oakland Rent Adjustment Program

000028



ADMINISTRATIVE DECISION

CASE NUMBER: T24-0138
CASE NAME: Little v. Advent Properties
PROPERTY ADDRESS: 8343 International Blvd. Oakland, CA
PARTIES: Mario Little, Tenant
Advent Properties, Owner

SUMMARY OF DECISION

The Tenant's petition is granted in part.

INTRODUCTION

Reason for Administrative Decision: An Administrative Decision is issued without a hearing. The purpose of a hearing is to allow the parties to present testimony and other evidence to allow resolution of disputes of material fact. However, in this case, sufficient uncontested facts have been presented to issue a decision without a hearing, and no material facts are disputed. Therefore, an administrative decision, without a hearing, is being issued.

BACKGROUND

On August 27, 2024, the Tenant filed the petition herein. The petition contests two rent increases: from \$2,190.00 to \$2,409.00, effective July 1, 2023; and from \$2,409.00 to \$2,649.00, effective September 1, 2024, on the following ground:

- The rent increase was above the allowable amount.

The petition was completed under penalty of perjury and stated that the Tenant received a RAP Notice with each rent increase.

No Owner Response was filed by the response deadline.¹

RATIONALE FOR ADMINISTRATIVE DECISION

Rent Increases

The Rent Adjustment Ordinance (Ordinance) requires an owner to serve a RAP Notice at the start of a tenancy¹ and together with any notice of rent increase or change in any term of the tenancy.²

Here, the petition states under penalty of perjury that the Tenant received the RAP Notices with the Notices of Rent Increase for 2023 and 2024. When a rent increase is served with a RAP Notice, a tenant has 90 days to challenge the rent increase.²

Tenant Little received a notice of rent increase on June 1, 2023, effective July 1, 2023, for a rent increase from \$2,190.00 to \$2,409.00 per month. According to the Ordinance, Tenant Little had 90 days from the date of the notice to challenge the increase, which means that he would have had to file a petition challenging this increase by August 30, 2023. Tenant Little filed his petition on August 24, 2024, nearly one year *too late* to challenge this rent increase.

Accordingly, the tenant's challenge of the 2023 rent increase is denied as untimely filed.

For the 2024 rent increase, Tenant Little received a notice of rent increase on July 27, 2024, effective September 1, 2024, for a rent increase from \$2,409.00 to \$2,649.90 per month. Any challenge would be due by October 25, 2024. Tenant Little filed his petition on August 24, 2024, which is well before the deadline of October 25, 2024, and therefore his challenge to this rent increase is timely.

As of August 1, 2024, the annual Consumer Price Index (CPI) rate is 2.3%. Therefore, the maximum allowable CPI increase to the Tenant's base rent is 2.3%, or \$55.41 per month. Even if the proposed rent increase includes banking in addition to a CPI rent increase, the maximum allowable increase to the Tenant's rent would be three times the CPI as of the effective date of the rent increase, which is 6.9% (three times the CPI on September 1, 2024), or \$166.22 per month.³ The proposed increase of the Tenant's rent from \$2,409.00 to \$2,649.90 is an increase of \$240.90 per month— which amounts to 10% – and therefore exceeds the maximum allowed.⁴

Therefore, the 2024 rent increase is invalid, and the tenant's legal rent remains

¹ The response deadline was 35 days from the date on the Proof of Service, August 27, 2024, which was October 1, 2024.

² O.M.C. §8.22.090A(2)(b)

³ Regulations Section 8.22.070.B.1

\$2,409.00 per month.⁴

ORDER

1. Petition T24-0138 is granted in part.
2. The challenge to the 2023 rent increase is denied as untimely filed.
3. The 2024 rent increase is invalid. The legal rent for the subject unit remains \$2,409.00 per month. If the Tenant has paid an amount over the legal rent for the subject unit, then the parties are instructed to calculate the total rent overpayment and deduct the credit amount in two or fewer monthly installments from the Tenant's monthly rent after this decision becomes final. The decision becomes final if no party files an appeal within twenty (20) days after service.
4. Nothing in this order prevents the Owner from increasing the rent according to the laws of the Rent Adjustment Ordinance and the State of California at any time, at least 12 months from the last rent increase.
5. The Remote Settlement Conference and Hearing, scheduled for October 9, 2024, is canceled.

Right to Appeal: This decision is the final decision of the Rent Adjustment Program Staff. Either party may appeal this decision by filing a properly completed appeal using the form provided by the Rent Adjustment Program. The appeal must be received within twenty (20) days if served by first-class mail. If the last day to file is a weekend or holiday, the appeal may be filed on the next business day. The date and service method are shown on the attached Proof of Service.

Dated: October 2, 2024



Helene Momita
Hearing Officer
Rent Adjustment Program

⁴ The figure of 10% also exceeds the current state cap on rent increases, which is 8.8%.

PROOF OF SERVICE

Case Number T24-0138

I am a resident of the State of California at least eighteen years of age. I am not a party to the Residential Rent Adjustment Program case listed above. I am employed in Alameda County, California. My business address is 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California 94612.

Today, I served the attached documents listed below by placing a true copy in a City of Oakland mail collection receptacle for mailing on the below date at 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California, addressed to:

Documents Included

Administrative Decision

Owner

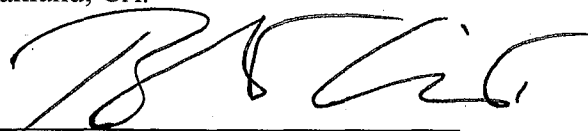
Kelly Gurly
Advent Properties Inc.
1600 McArthur Blvd.
Oakland, CA 94602

Tenant

Mario J. Little
8443 International Boulevard
Oakland, CA 94621

I am readily familiar with the City of Oakland's practice of collection and processing correspondence for mailing. Under that practice an envelope placed in the mail collection receptacle described above would be deposited in the United States mail with the U.S. Postal Service on that same day with first class postage thereon fully prepaid in the ordinary course of business.

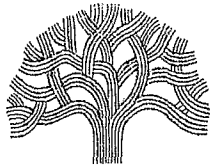
I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **October 03, 2024** in Oakland, CA.



Robert F. Costa
Oakland Rent Adjustment Program

000032

RECEIVED



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

OAKLAND RENT
ADJUSTMENT PROGRAM

CASE NUMBER T - 24-0138

**PROPERTY OWNER RESPONSE
TO TENANT PETITION**

Please fill out this form as completely as you can. Use this form to respond to the Tenant Petition you received. By completing this response form and submitting it in the required time for filing, you will be able to participate in the hearing. Failure to provide the required information may result in your response being rejected or delayed. See "Important Information Regarding Filing Your Response" on the last page of this packet for more information, including filing instructions and how to contact the Rent Adjustment Program ("RAP") with questions. Additional information is also available on the RAP website. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR RESPONSE BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Rental Unit Information

8343 International Boulevard Oakland, CA 94621
Street Number Street Name Unit Number Zip Code

Is there more than one street address on the parcel? ☐ Yes If yes, list all addresses: _____
☒ No

Type of unit(s) (check one): ☒ Single family home Number of units on property: 1
☐ Condominium Date acquired property: 6/21/2013
☐ Apartment, room, or live-work

Case number(s) of any relevant prior Rent Adjustment case(s): T22-0084

Tenant Information

Name of Tenant Petitioner(s): Mario J. Little

Date tenant(s) moved into rental unit: 5/14/2018 Initial rent amount: \$ 1,800 Is/are tenant(s) current on rent? ☒ Yes
☐ No

Property Owner Information

Amie Chang
First Name Last Name

Company/LLC/LP (if applicable): _____

Mailing address: 27741 Via Cerro Gordo, Los Altos Hills, CA, 94022

Primary Telephone: 650-948-9339 Other Telephone: _____ Email: tennislady88@gmail.com

Property Owner Representative (Check one): ☐ No Representative ☐ Attorney ☒ Non-attorney

Brian Schoonover Advent Properties, Inc
First Name Last Name Firm/Organization (if any)

Mailing Address: 1600 MacArthur Blvd, Oakland, CA, 94602

Phone Number: 510-250-7918 Email: Team@AdventPropertiesInc.com

GENERAL FILING REQUIREMENTS

To file a Response to a Tenant Petition, the property owner must be current on the following requirements and submit supporting documentation of compliance. Property Owner Responses that are submitted without proof of compliance with the below requirements will be considered incomplete and may limit your participation in the hearing.

Requirement	Documentation
<input checked="" type="checkbox"/> Current Oakland business license	Attach proof of payment of your most recent Oakland business license.
<input checked="" type="checkbox"/> Payment of Rent Adjustment Program service fee ("RAP Fee") or evidence of exemption from the RAP Fee	Attach proof of payment of the current year's RAP Fee for the subject property or evidence of exemption from the RAP Fee (e.g., Certificate of Occupancy).
<input checked="" type="checkbox"/> Service of the required City form entitled "NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM" ("RAP Notice") on all tenants <i>*Exception for units not covered by the Residential Rent Adjustment Program</i>	Attach a signed and dated copy of the <u>first</u> RAP Notice provided to the petitioning tenant(s) or check the appropriate box below. <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> I first provided tenant(s) with the RAP Notice on (date): May 8, 2018 <i>*If RAP Notice was first provided on or after September 21, 2016, RAP Notice must be provided in English, Spanish, and Chinese.</i> </div> <div style="margin-left: 20px;"> <input type="checkbox"/> I have never provided a RAP Notice. </div> <div style="margin-left: 20px;"> <input type="checkbox"/> I do not know if a RAP Notice was ever provided. </div>
Evidence of registration for all affected cover units (check one of the following boxes) <input checked="" type="checkbox"/> On <u>3/9/2024</u> , I/we used all reasonable diligence in preparing my annual registration statement, reviewed it and submitted it to the Rent Adjustment Program, and, to the best of my knowledge, the information contained in the statement was true and complete. To the extent I was unable, despite the use of reasonable diligence, to ascertain the exact information to be reported, I provided the most accurate approximation possible based on information and belief where possible or, where such approximation was not feasible, I stated that the information was unknown. <input type="checkbox"/> The subject unit(s) are exempt from the registration requirement	To support this declaration, I am providing: <div style="margin-left: 20px;"> <input type="checkbox"/> If property not registered online: Copy of the Property Registration and Residential Unit Registration forms submitted to RAP for the affected covered unit in the building. </div> <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> If property registered online: Copy of a document containing the registration data related to property registration and residential unit registration of the affected covered unit since the registration was done online. </div> <p style="text-align: center; margin: 10px 0;">OR</p> Declaration of Exemption: <div style="margin-left: 20px;"> <input type="checkbox"/> The residential property involved in this petition matter is not covered by either the city's Rent Adjustment Ordinance or the Just Cause Ordinance. Thus, the subject unit(s) are not subject to the registration requirements under the Oakland Municipal Code, Section 8.22.090.B.1.c.ii. </div>

PROPERTY OWNER CLAIM OF EXEMPTION

If you believe that the subject property is exempt from the Rent Adjustment Ordinance (pursuant to O.M.C. § 8.22.030), check each box below that is the claimed basis of exemption. Attach supporting documentation together with your response form. If you do not claim any exemption, proceed to the "Response to Tenant Petition" section on the following page.

- ☒ The unit is a single-family residence or condominium exempted by the Costa Hawkins Rental Housing Act (Civil Code 1954.50, et seq.). *If claiming this exemption, you must answer the following questions. Attach a separate sheet if necessary.*
1. Did the prior tenant leave after being given a notice to quit (Civil Code Section 1946)? No
 2. Did the prior tenant leave after being given a notice of rent increase (Civil Code Section 827)? No
 3. Was the prior tenant evicted for cause? No
 4. At the time the prior tenant vacated were there any outstanding violations of building housing, fire or safety codes in the unit or building? No
 5. Is the unit separately alienable, meaning it can be sold separately from any other unit on the parcel? Yes
 6. Did the petitioning tenant have roommates when he/she moved in? Yes

7. If the unit is a condominium, did you purchase it? If so: 1) From whom? 2) Did you purchase the entire building?
The unit is not a condominium

- ☐ The rent for the unit is controlled, regulated, or subsidized by a governmental unit, agency, or authority other than the City of Oakland Rent Adjustment Ordinance. (Attach documentation.)
- ☐ The unit was newly constructed and issued a Certificate of Occupancy on or after January 1, 1983. (Attach copy of Certificate of Occupancy.)
- ☐ The unit is located in a motel, hotel, or rooming/boarding house, which the tenant petitioner has occupied for less than 30 days.
- ☐ The unit is in a building that was previously issued a certificate of exemption from RAP based on substantial rehabilitation. (Attach copy of Certificate of Exemption.)
- ☐ The unit is an accommodation in a hospital, convent, monastery, extended care facility, convalescent home, non-profit home for the aged, or dormitory owned and operated by an educational institution. (Attach documentation.)

RESPONSE TO TENANT PETITION

Use the chart(s) below to respond to the grounds stated in the Tenant Petition. Enter your position on each claim in the appropriate section(s) below. You may attach any documents, photographs, or other tangible evidence that support your position together with your response form. If you need more space, attach additional copies of this page or state your response in a separate sheet attached to this form.

A.

Unlawful Rent Increase(s)

Complete this section if any of the grounds for the Tenant Petition fall under Category A on the Tenant Petition.

List all rent increases given within the past five years, starting with the most recent increase.

Date tenant given notice of rent increase:	Date rent increase went into effect:	Amount of increase:		Did you provide a RAP Notice with the notice of rent increase?		Reason for increase (CPI, banking, or other):
		FROM	TO	YES	NO	
(mm/dd/yy)	(mm/dd/yy)					
4/28/2019	5/1/2019	\$ 1,995.00	\$ 2,190.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4/28/2023	6/1/2023	\$ 2,190.00	\$ 2,409.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7/23/2024	9/1/2024	\$ 2,409.00	\$ 2,649.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		\$	\$	<input type="checkbox"/>	<input type="checkbox"/>	
		\$	\$	<input type="checkbox"/>	<input type="checkbox"/>	

If the Tenant Petition is based on either of the following grounds, state your response in the space below or in a separate sheet attached to this form.

Tenant Petition Grounds		Owner Response
(A2)	Tenant did not receive proper notice, was not properly served, and/or was not provided with the required RAP form with rent increase(s).	
(A3)	A government agency has cited the unit for serious health, safety, fire, or building code violations.	

B.

Decreased Housing Services

Complete this section if any of the grounds for the Tenant Petition fall under Category B on the Tenant Petition.

Tenant Petition Grounds		Owner Response
-------------------------	--	----------------

(B1)	The owner is providing tenant(s) with fewer housing services and/or charging for services originally paid for by the owner.	
(B2)	Tenant(s) is/are being unlawfully charged for utilities.	
C.	Other	
	<i>Complete this section if any of the grounds for the Tenant Petition fall under Category C on the Tenant Petition.</i>	
	Tenant Petition Grounds	Owner Response
(C1)	Rent was not reduced after: a) a prior rent increase period for capital improvements, or b) after the owner received undeclared capital improvement benefits, or c) after an additional tenant for whom the owner was allowed an increase, vacated from the premises.	
(C2)	Owner exemption based on fraud or mistake.	
(C3)	Tenant's initial rent amount was unlawful because owner was not permitted to set initial rent without limitation (O.M.C. § 8.22.080 (C)).	

OWNER VERIFICATION*(Required)*

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this response is true and that all of the documents attached to the response are true copies of the originals.

Amie Chang

Property Owner 1 Signature

10-3-2024

Date

Property Owner 2 Signature

Date

CONSENT TO ELECTRONIC SERVICE*(Highly Recommended)*

Check the box below if you agree to have RAP staff and the OTHER PARTY/IES send you documents related to your case electronically. If you agree to electronic service, the RAP and other parties may send certain documents (except a response) only electronically and not by first class mail.

- ☐ I/We consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) provided in this response.

MEDIATION PROGRAM

Mediation is an optional process offered by RAP to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. A trained third party will work with the parties prior to the hearing to see if a mutual agreement can be reached. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you agree to mediation in your case.

I agree to have the case mediated by a Rent Adjustment Program staff mediator.

Amie Chang

Property Owner Signature

10-3-2024

Date

INTERPRETATION SERVICES

If English is not your primary language, you have the right to an interpreter in your primary language/dialect at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

- ☐ I request an interpreter fluent in the following language at my Rent Adjustment proceeding:

- ☐ Spanish (Español)
☐ Cantonese (廣東話)
☐ Mandarin (普通话)
☐ Other: _____

-END OF RESPONSE-

IMPORTANT INFORMATION REGARDING FILING YOUR RESPONSE

TIME TO FILE YOUR RESPONSE

Your Property Owner Response form must be received by the Rent Adjustment Program within 35 days after the Tenant Petition was mailed to you (30 days if the Petition was delivered in-person). RAP staff cannot grant an extension of time to file.

CONTACT A HOUSING COUNSELOR TO REVIEW YOUR RESPONSE BEFORE SUBMITTING

To make an appointment, email RAP@oaklandca.gov or call (510) 238-3721. Although the Housing Resource Center is temporarily closed for drop-in services, assistance is available by email or telephone.

DOCUMENTS SUBMITTED IN SUPPORT OF RESPONSE

All attachments submitted together with your Response must be numbered sequentially. You may submit additional evidence in support of your Response up to seven days before your hearing.¹ You must serve a copy of any documents filed with RAP on the other party and submit a PROOF OF SERVICE form.

REMINDER: Once a petition and its attachments are submitted to the RAP they become public records. Please redact any private information (such as social security numbers, bank account numbers, credit card numbers and similar financial data) from the documents you submit as part of this petition. If you have any questions, you may contact RAP staff by phone at (510) 238-3721 or by email at RAP@oaklandca.gov.

Additionally, all documents submitted to the RAP, including but not limited to emails, petitions, attachments, potential evidence, text messages, screenshots, etc., are a part of the file in your case and all parties to a case are entitled to have access to this information.

SERVICE ON TENANT(S)

You are required to serve a copy of your Property Owner Response form (plus any attachments) on the tenant or the tenant's representative and submit a PROOF OF SERVICE form together with your Response.

- (1) Serve a copy of your Response on the tenant(s) by mail or personal delivery.
- (2) Complete a PROOF OF SERVICE form (*included in this Response packet and available on RAP website*) indicating the date and manner of service and the person(s) served.
- (3) Provide the tenant with a completed copy of the PROOF OF SERVICE form together with the document(s) being served.
- (4) File a completed copy of the PROOF OF SERVICE form together with your Response when submitting to RAP.

You may serve the tenant(s) and/or the tenant's representative by mail or personal delivery. A copy of the completed PROOF OF SERVICE form must be submitted to RAP together with your Response. Your Response will not be considered complete until a PROOF OF SERVICE form is filed indicating that the tenant has been served. Note that you cannot serve a Response by email, even if you have an agreement to electronic service between the parties, because the Ordinance requires service by mail or in person.

FILING YOUR RESPONSE

Although RAP normally does not accept filings by email or fax, RAP is temporarily accepting Responses via email during the COVID-19 local state of emergency. You may also fill out and submit your Response online through the RAP website or deliver the Response to the RAP office by mail. If the RAP office is closed on the last day to file, the time to file is extended to the next day the office is open. If you send your

¹ Note that certain documents are required to be submitted with the Response. See Response form for details.

Response by mail, a postmark date does not count as the date it was received. Remember to file a PROOF OF SERVICE form together with your Response.

Via email: hearingsunit@oaklandca.gov

Mail to: City of Oakland
Rent Adjustment Program
250 Frank H. Ogawa Plaza, Ste. 5313
Oakland, CA 94612-0243

File online: <https://www.oaklandca.gov/services/respond-to-a-tenant-petition-for-the-rent-adjustment-program>

In person: TEMPORARILY CLOSED
City of Oakland
Dalziel Building, 250 Frank H. Ogawa Plaza, Suite 5313

AGREEMENT TO ELECTRONIC SERVICE

Except for service of a petition or a response to a petition, documents may be electronically served on you when you have agreed to receive electronic service from the Rent Adjustment Program and from the other party/parties to the case.

AFTER RESPONSE IS FILED

In most cases, RAP will schedule a hearing to determine whether the Tenant Petition should be granted or denied. You will be mailed a Notice of Hearing indicating the hearing date. If you are unable to attend the hearing, contact RAP as soon as possible. The hearing will only be postponed for good cause.

FILE/DOCUMENT REVIEW

Either party may contact RAP to review the case file and/or to request copies of any documents pertaining to the case at any time prior to the scheduled hearing.

FOR MORE INFORMATION

Additional information on the petition and hearing process is located on the RAP website and in the Residential Rent Adjustment Program Ordinance and Regulations (see Oakland Municipal Code 8.22.010 *et seq.*). For more information on rent increases, including the list of the annual allowable CPI rates and calculators for certain justifications, see: <https://www.oaklandca.gov/resources/learn-more-about-allowable-rent-increases>, or you can refer to the Guide on Oakland Rental Housing Law at <https://cao-94612.s3.amazonaws.com/documents/Guide-to-Oakland-Rental-Housing-Law-1.pdf>. You may also contact a RAP Housing Counselor with questions at any time by emailing RAP@oaklandca.gov or calling (510) 238-3721.

THIRTY-DAY NOTICE OF CHANGE OF MONTHLY RENT
(Properties Exempt from AB 1482)

TO: Amir A. Elmhdi, Mario J. Little

All Residents (tenants and subtenants) in possession (full name) and all others in possession

of the premises located at:

8343 International Blvd.

(Street Address)

Unit # (if applicable) _____

Oakland

(City)

CA 94603

(Zip)

You are hereby notified, in accordance with Civil Code Section 827, that 30 days after service upon you of this Notice, or

July 1, 2023

(Date)

, whichever is later, your monthly rent which is payable in advance on or before the 1st

day of each month, will be the sum of \$ 2,409.00, instead of \$ 2,190.00, the current monthly rent.

Except as herein provided, all other terms of your tenancy shall remain in full force and effect.

If you fail to fulfill the terms of your credit obligations, a negative credit report may be submitted to a credit reporting agency.

Amie Chang

Landlord

by

William Lynn
Individual Signing for Landlord

Advent Properties, Inc.

Management Co. (If Applicable)

Agent for Landlord

April 28, 2023

Date

Proof of Service

I, the undersigned, being at least 18 years of age, declare that I served this notice, of which this is a true copy, on the 28th day of April (month), 2023 (year), on the above-mentioned resident(s) in possession, in the manner indicated below. (Select one)

☒ BY MAILING by first class mail on said date a copy to each resident by depositing said copies in the United States Mail, in a sealed envelope, with postage fully prepaid, addressed to the above-named resident(s) at their place of residence

Place of Mailing: Oakland, California

Date of Mailing: April 28, 2023

☐ BY DELIVERING a copy of the Notice to the following resident(s) PERSONALLY: _____

I, declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct and if called as a witness to testify thereto, I could do so competently.

Executed this 28th day of April (month), 2023 (year), in Oakland (city), CA (state).

William Lynn

Name of Declarant (Print)

William Lynn
(Signature of Declarant)



California Apartment Association Approved Form
www.caanet.org
Form CA-157 - Revised 12/19 - ©2019 - All Rights Reserved
Page 1 of 1

**Unauthorized Reproduction of
Blank Forms is Illegal.**



000040

CITY OF OAKLAND
BUSINESS TAX CERTIFICATE

**ACCOUNT
NUMBER**
00158751

The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other agency of the City of Oakland and/or any other ordinance, law or regulation of the State of California, or any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per Section 5.04.190(A), of the O.M.C. you are allowed a renewal grace period until March 1st the following year.

DBA

CHANG AMIE TR

BUSINESS LOCATION

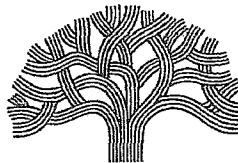
8343 INTERNATIONAL BLVD
OAKLAND, CA 94621-1801

BUSINESS TYPE

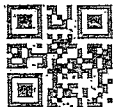
O2 Rental - Residential Property

EXPIRATION DATE

12/31/2024



Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to:
<https://www.dca.ca.gov/publications>



CHANG AMIE TR
ADVENT PROPERTIES INC
1600 MACARTHUR BLVD
OAKLAND, CA 94602-1607

A BUSINESS TAX CERTIFICATE
IS REQUIRED FOR EACH
BUSINESS LOCATION AND IS
NOT VALID FOR ANY OTHER
ADDRESS.

ALL OAKLAND BUSINESSES
MUST OBTAIN A VALID
ZONING CLEARANCE TO
OPERATE YOUR BUSINESS
LEGALLY. RENTAL OF REAL
PROPERTY IS EXCLUDED
FROM ZONING.

PUBLIC INFORMATION ABOVE
THIS LINE TO BE
CONSPICUOUSLY POSTED!

000041

Overview

Parcel Number : 042425502900 | Site Address : 8343 INTERNATIONAL BLVD OAKLAND CA 94621 US

Year Built : 1987 | Assessor Total Unit Count : 1 | Total Units Added : 1

Property Status : Registration Completed

← Back

INSTRUCTIONS TO REGISTER YOUR PROPERTY

Step 1: Update Contact Information. Scroll down to "Contacts" and click "Add Contact" to add necessary contacts (Primary Owner and Property Manager). You must add BOTH a Primary Owner and Property Manager contact. If there is no property manager, then you can indicate that the Property Manager contact information is the same as for the owner. After adding both contacts, use "Contact Preferences" button to designate who should receive future rent registry communications.

Step 2: Add Units. Scroll down to "Unit Inventory."

- To add units to Unit Inventory: Click on "Add Unit" (top right) and add ALL residential units to the unit inventory. If the property has 10 or more units, use the "Import Units" button to upload the required unit information. After adding units to inventory, you may claim individual unit(s) exempt by clicking on each unit's yellow "Action" button.
- If all units on the property have already been added to the Unit Inventory: Go to Step 3.

Step 3: Update Registered Units. Review all previously registered unit information. If there are no changes, go to Step 5. To update occupancy and rent information for registered units:

- Update Occupancy. If the occupancy of a unit has changed, scroll down to Unit Inventory and use yellow "Action" button to "Report New Occupancy."
- Report Rent Increase for Current Tenancy. Use yellow "Action" button to "Report Rent Increase."
- Claim an Exemption. Use yellow "Action" button to "Apply for Exemption."

Step 4: Claim Exemption(s) . Use each unit's yellow "Action" button to claim an exemption for individual units (e.g., "Owner-occupied").

Note: If you believe your entire property is exempt from rent registration requirements, then use the blue property "Action" button to submit a property-wide exemption.

Step 5: Submit Registration: After you have reviewed/updated all tenancy information and/or claimed any exemptions, click on the blue property "Action" button at the top right corner of the page and select "Submit Rent Registration." After submitting, you will receive a confirmation email from RAP.

Address



City of Oakland

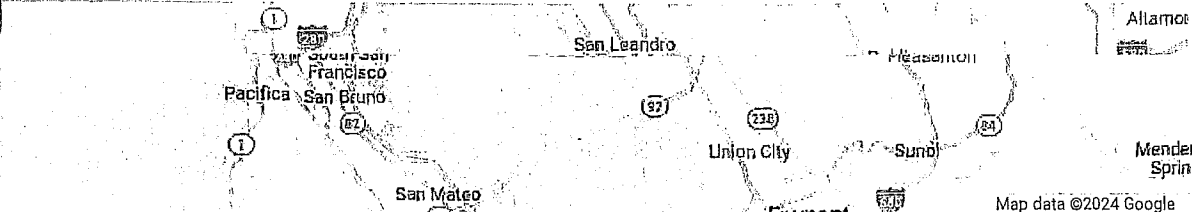


Image View Map View

Address

8343 INTERNATIONAL BLVD OAKLAND CA 94621 US

Click on green "Add Contacts" button to add necessary contacts (Primary Owner and Property Manager). You must add BOTH a Primary Owner and Property Manager contact in order to claim an exemption and/or submit your property for registration. If there is no property manager, then you can indicate that the Property Manager contact information is the same as for the owner. Use Action buttons next to each contact name to edit address and other contact information. After you have added both an Owner and Property Manager contact, use "Contact Preferences" button to designate who should receive future Rent Registry communications.

Contacts Contact Preferences

Columns ▸ Search... Q

Associated to asset as	Contact Type	Business Name	Name	Address	Phone Number
Property Manager	Individual	Advent Properties Inc	Advent Properties Inc	1600 MacArthur Boulevard Oakland CA 94602 US	(510) 866-124
Owner	Individual		AMIE TR CHANG	27741 VIA CERRO GORDO LOS ALTOS HILLS CA 94022 US	

1

5 items per page

1-2 of 2 items

To add units to the Unit Inventory : Click on green "Add Unit" button and add **ALL residential units** on the property, including exempt units, to the unit inventory. If property has 10 or more units, click on "Import Units" to download a formatted spreadsheet that can be used to upload unit information. Instructions are included in first tab of spreadsheet. After adding all units to inventory, you may claim individual unit(s) exempt by clicking on each unit's yellow "Action" button and selecting "Apply for Exemption."

To update previously registered units : To report a new occupancy for a previously reported unit, click on the yellow "Action" button and select "Report New Occupancy." To report a change in the rent for an already-registered tenancy, click on the yellow "Action" and select "Report Rent Increase." To claim a non-exempt unit exempt, click on the yellow "Action" button and select "Apply for Exemption."

After reviewing/updating all unit information: Click on the blue "Action" button at top of page to submit registration.

Unit Inventory

☒ Export to Excel




Drag a column header and drop it here to group by that column

Unit Site Address	Unit Name	Status	Occupancy Type	Initial Rent	Current Rent	Occupancy Start Date	Date of Most Recent Rent Increase
8343 INTERNATIO NAL BLVD OAKLAND CA 94621 US		Non-Exempt	Tenant	\$ 1,995.00	\$ 2,409.00	05/14/2018	07/01/20

1

5

Items per page

1-1 of 1 items

My Cases

Columns ▾

☒ Export to Excel




Case Number

Created On Entity

Case Type

Created On ↓

Updated Date

Unit:,8343

INTERNATIONAL

BLVD OAKLAND CA

94621 US

Rent Increase for
Current Tenant

05/21/2024

05/21/2024

APN: 042425502900

Rent Registry

03/29/2024

05/21/2024

APN: 042425502900

Rent Registry

04/05/2023

07/06/2023

1

10

▼ items per page

1-3 of 3 items

Property Action Menu

[← Back](#)



NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland has a Rent Adjustment Program ("RAP") that limits rent increases (Chapter 8.22 of the Oakland Municipal Code) and covers most residential rental units built before 1983. For more information on which units are covered, contact the RAP office.
- Starting on February 1, 2017, an owner must petition the RAP for any rent increase that is more than the annual general rent increase ("CPI increase") or allowed "banked" rent increases. These include, but are not limited to, capital improvements and operating expense increases. For these types of rent increases, the owner may raise your rent only after a hearing officer has approved the increase. No annual rent increase may exceed the maximum increase which changes annually with a 10% cap. You have a right to contest the proposed rent increase by responding to the owner's petition.
- **Contesting a Rent Increase:** You can file a petition with the RAP to contest unlawful rent increases or decreased housing services. To contest a rent increase, you must file a petition (1) within ninety (90) days of the notice of rent increase if the owner also provided this Notice to Tenants with the notice of rent increase; or (2) within 120 days of the notice of rent increase if this Notice to Tenants was not given with the notice of rent increase. If the owner did not give this Notice to Tenants at the beginning of your tenancy, you must file a petition within ninety (90) days of first receiving this Notice to Tenants. Information. The petition forms are available from the website at [Rent Adjustment Program Petition and Response Forms](#).
- If you contest a rent increase, you must pay your rent with the contested increase until you file a petition. If the increase is approved and you did not pay the increase, you will owe the amount of the increase retroactive to the effective date of increase.
- Oakland has eviction controls (the Just Cause for Eviction Ordinance and Regulations, O.M.C. 8.22) which limit the grounds for evictions in covered units. For more information contact the RAP office.
- Oakland charges owners a Rent Program Service Fee per unit per year. If the fee is paid on time, the owner is entitled to get half of the fee from you. Tenants in subsidized units are not required to pay the tenant portion of the fee.
- Oakland has a Tenant Protection Ordinance ("TPO") to deter harassing behaviors by landlords and to give tenants legal recourse in instances where they are subjected to harassing behavior by landlords (O.M.C. 8.22.600).
- The owner ____ is ____ is not permitted to set the initial rent on this unit without limitations (such as pursuant to the Costa-Hawkins Act). If the owner is not permitted to set the initial rent without limitation, the rent in effect when the prior tenant vacated was _____.

TENANTS' SMOKING POLICY DISCLOSURE

- Smoking IS NOT permitted in the unit you intend to rent.
- Smoking IS NOT permitted in other units of your building. (If both smoking and non-smoking units exist in tenant's building, attach a list of units in which smoking is permitted.)
- There IS NOT a designated outdoor smoking area.

I received a copy of this notice on _____
(Date) (Tenant's signature)

此份屋崙 (奧克蘭) 市租客權利通知書附有中文版本。請致電 (510) 238-3721 索取副本。
La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.

AVISO A LOS INQUILINOS DEL RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland tiene un Programa de Ajustes en el Alquiler (“RAP”) que limita los aumentos en el alquiler (Capítulo 8.22 del Código Municipal de Oakland) y cubre a la mayoría de las unidades residenciales en alquiler construidas antes de 1983. Para obtener más información sobre las viviendas cubiertas, contacte a la oficina del RAP.
- A partir del 1.º de febrero de 2017, un propietario debe presentar una petición ante el RAP para todo aumento en el alquiler que sea mayor que el aumento general anual en el alquiler (“aumento CPI”) o para todo aumento del alquiler “guardado” que esté permitido. Estos incluyen, entre otros, mejoras de capital y aumentos en los gastos operativos. En lo que respecta a este tipo de aumentos, el propietario puede aumentar su alquiler sólo después de que un funcionario de audiencia haya autorizado el incremento. Ningún aumento anual en el alquiler podrá exceder el aumento máximo que cambia de manera anual con un 10 % de capitalización. Usted tiene derecho a disputar el aumento en el alquiler propuesto respondiendo a la petición del propietario.
- **Cómo disputar un aumento en el alquiler:** Puede presentar una petición ante el RAP para disputar aumentos ilícitos en el alquiler o la disminución de servicios en la vivienda. Para disputar el aumento en el alquiler, debe presentar una petición (1) en un plazo de (90) días a partir de la fecha del aviso de aumento en el alquiler si el propietario también proporcionó este Aviso a los Inquilinos con la notificación del aumento en el alquiler; o (2) en un plazo de 120 días a partir de la fecha de recepción del aviso de aumento en el alquiler si este Aviso a los Inquilinos no fue entregado con la notificación de aumento en el alquiler. Si el propietario no entregó este Aviso a los Inquilinos al inicio del periodo de arrendamiento, usted deberá presentar una solicitud en un plazo de (90) días a partir de la fecha en que recibió por primera vez este Aviso a los Inquilinos. Información. Encontrará los formularios de petición disponibles en el sitio web, donde dice Rent Adjustment Program Petition and Response Forms “Formularios de Petición y Respuesta del Programa de Ajustes en el Alquiler”.
- Si usted disputa un aumento en el alquiler, debe pagar su alquiler con el aumento disputado hasta que presente la petición. Si el aumento es aprobado y usted no lo pagó, adeudará la suma del incremento retroactivo a la fecha de inicio de vigencia del aumento.
- Oakland tiene controles de desalojo (Ordenanza y Reglamentos de Desalojo por Causa Justa, O.M.C. 8.22) que limitan los motivos de desalojo en las viviendas cubiertas. Para obtener más información contacte a la oficina RAP.
- Oakland cobra a los propietarios una Tarifa de Servicio del Programa de Ajustes en el Alquiler por vivienda al año. Si la tarifa se paga a tiempo, el propietario tiene derecho a cobrar la mitad del costo de esta tarifa al inquilino. No se requiere que los inquilinos de viviendas subsidiadas paguen la parte de la tarifa que correspondería al inquilino.
- Oakland posee una Ordenanza de Protección al Inquilino (Tenant Protection Ordinance, “TPO”) para impedir el comportamiento abusivo por parte de los propietarios y para ofrecer a los inquilinos recursos legales en instancias donde hayan sido víctimas de comportamiento abusivo por parte de los propietarios (O.M.C. 8.22.600).
- El propietario _____ tiene _____ no tiene permitido establecer el alquiler inicial de esta unidad sin limitaciones (por ejemplo, de conformidad con la Ley Costa-Hawkins). Si el propietario no tiene permitido establecer el alquiler inicial sin limitaciones, el alquiler vigente cuando el inquilino anterior desalojó la vivienda era de _____.

INFORMACIÓN PARA LOS INQUILINOS SOBRE LAS POLÍTICAS PARA FUMADORES

- Fumar NO ESTÁ permitido en la Unidad _____, la unidad que

CIUDAD DE OAKLAND
PROGRAMA DE AJUSTE A LA RENTA
250 Frank H. Ogawa Plaza, Suite 5313, Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP



- usted pretende alquilar.
- Fumar NO ESTÁ permitido en otras unidades de su edificio. (Si hay disponibilidad de ambas unidades, para fumadores y no fumadores, en el edificio del inquilino, adjunte una lista de las unidades en donde se permite fumar).
 - NO HAY un área designada al aire libre para fumar.

Recibí una copia de este aviso el _____
(Fecha) (Firma del inquilino)

此份屋崙 (奧克蘭) 市租客權利通知書附有中文版本。請致電 (510) 238-3721 索取副本。

La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.



住宅租金調整計劃的租客通知書

- 屋崙(奧克蘭)市的租金調整分部(RAP)旨在限制租金調漲(屋崙(奧克蘭)市政法規 8.22 章),且主要是針對建於 1983 年以前大多數的出租住宅單位。若要了解哪些單位在本計劃限制範圍內,請聯絡 RAP 辦事處。
- 從 2017 年 2 月 1 日起,如果租金調漲幅度超出一般租金年漲幅(「CPI 漲幅」)或允許的「調整存放」漲幅,業主就必須向 RAP 陳情。調漲原因可包括但不限於固定資產整修和營運支出增加。對於這些類型的租金調漲方案,業主必須在聽證官同意調漲後才能提高您的租金。任何租金年漲幅不得超過每年最變動且最多 10% 的漲幅。如果不同意建議的租金調幅,您有權對業主的陳情提出抗辯。
- 對租金調漲提出抗辯:您可以租金調漲違法或者住房服務縮為由,向 RAP 陳情抗辯。如果您要對租金調漲提出抗辯,(1)且業主隨同這份「租客通知」一併提供租金調漲通知,則您必須在收到租金調漲通知後九十(90)天內提出陳情;(2)但業主未隨這份「租客通知」提供租金調漲通知,則您必須在收到租金調整通知後的 120 天內提出陳情。如果業主在租期一開始時沒有提供這份租客通知,您就必須在第一次收到這份租客通知後的九十(90)天內提出請願。若需要請願書表格,可上網站 [Rent Adjustment Program Petition and Response Forms](#) (租金調整分部請願書和回應表格)取得。
- 如果您對租金調漲有異議,在提出陳情之前,您仍必須支付所要抗辯的調漲租金。若調漲金額獲准但您並未支付,您將積欠從調漲生效日期算起的調漲金額。
- 屋崙(奧克蘭)市的驅逐管制規則(屋崙(奧克蘭)市政法規 8.22 中的「驅逐正當理由」)對所管制單位的驅逐理由設有限制。若要瞭解更多資訊,請聯絡 RAP 辦公室。
- 屋崙(奧克蘭)市政府每年會向業主收取每個出租單位的「租金分部服務費」(Rent Program Service Fee)。若業主準時支付這筆費用,就有權向您收取一半費用。受補助單位的租客無需支付該費用的租客部分。
- 屋崙(奧克蘭)市的租客保護法令(Tenant Protection Ordinance, TPO)旨在遏阻房東的騷擾行為,並且在租客受房東騷擾的情況下賦予租客法律追索權(屋崙(奧克蘭)市政法規 8.22.600)。
- 業主 __ 得以 __ 不得對本單位設下毫無限制的起租租金(例如根據 Costa-Hawkins 法案規定)。如果業主不得設下毫無限制的起租租金,則前任房客遷出後生效的租金是 _____。

針對租客的吸煙政策聲明

- 住房單位 _____ (您有意承租的單位)「不允許吸煙」。
- 您所住建築物中的其他單位不允許吸煙。(若租客所住的建築物中同時包含可吸煙和不可吸煙的單位,應附上一張可吸煙單位列表。)

屋崙 (奧克蘭) 市政府

租金調整分部

250 Frank H. Ogawa Plaza, Suite 5313, Oakland, CA 94612-0243

(510) 238-3721

CA Relay Service 711

www.oaklandca.gov/RAP



- 本建築物沒有指定的戶外吸煙區。

我於 _____ 收到本通知書 _____
(日期) (租客簽名)

本份屋崙 (奧克蘭) 市租客權利通知書附有中文版本。請致電 (510) 238-3721 索取副本。
La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.



Notice of Tenant Protection Ordinance

(O.M.C. 8.22.600 et seq.)

On November 5, 2014, the Oakland City Council adopted the Tenant Protection Ordinance (TPO), which prohibits various harassing behaviors against tenants by owners and their agents (for example, property managers and contractors) – thereby bolstering existing laws and leases that protect tenants. The TPO creates remedies that can be enforced by private civil rights of action.

Among other things, the Tenant Protection Ordinance prohibits conduct that may coerce a tenant to vacate a rental unit involuntarily. The following is only a summary of the illegal conduct; for a complete list, you are advised to review the attached copy of the Tenant Protection Ordinance or review Oakland Municipal Code 8.22.600.

Property owners and their agents must not, in bad faith, engage in any of the following conduct:

1. Disruption of services to the rental unit.
2. Fail to perform repairs and maintenance.
3. Fail to exercise due diligence when completing repairs (ex. unreasonable delays) or follow appropriate industry protocol.
4. Abuse the owner's right of access to the rental unit.
5. Remove personal property, furnishings, or any other items without the prior written consent of the tenant, except when authorized by law.
6. Threaten to report a tenant or their known associates to law enforcement based on their perceived or actual immigration status.
7. Influence a tenant to vacate through fraud, intimidation, or coercion.
8. Offer payments to a tenant to vacate more than once in six (6) months if the tenant has stated in writing that they don't want to receive such offers
9. Try to intimidate a tenant into accepting a buyout.

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

CITY OF OAKLAND
Rent Adjustment Program



10. Threaten the tenant or their guests, by word or gesture, with physical harm.
11. Interfere with a tenant's right to quiet use and enjoyment of the rental unit.
12. Refuse to accept or acknowledge receipt of a tenant's lawful rent payment.
13. Refuse to cash a rent check for over thirty (30) days unless a written receipt for payment has been provided to the tenant.
14. Interfere with a tenant's right to privacy, including unnecessarily inquiring into a tenant's immigration status.
15. Unilaterally impose new material terms of tenancy.
16. Remove a housing service for purpose of causing the tenant to vacate.
17. Commit violations of certain state laws, including discrimination prohibited under the Unruh Civil Rights Act and illegal lockouts and utility shutoffs prohibited by other laws.
18. Misrepresent to a tenant that they are required to vacate their unit.

Note: A tenant who has experienced violations of the Tenant Protection Ordinance may bring a civil action in court against the property owners. Elderly, disabled, and/or catastrophically ill tenants have heightened protections under the TPO. Violators may be held liable for treble (three times) damages, including emotional distress. For violations related to repairs, tenants must first provide fifteen (15) days' notice of violation.

The TPO requires owners to post a notice of the TPO in rental units located in a building with an interior common area. The notice must be placed in at least one such common area in the building using the form prescribed by the City Staff.

If you are experiencing any of the conduct detailed above, you may contact the Rent Adjustment Program for more information, at (510) 238-3721 or rap@oaklandca.gov.

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



Aviso de Ordenanza sobre la Protección de Inquilinos

(O.M.C. 8.22.600, y subsig.)

El 5 de noviembre de 2014, el Concejo de la Ciudad de Oakland adoptó la Ordenanza sobre la Protección de Inquilinos (Tenant Protection Ordinance, o TPO), la cual prohíbe diversas conductas de hostigamiento a los inquilinos por parte de los propietarios de viviendas y sus agentes (por ejemplo, administradores de propiedades y contratistas), fortaleciendo así las leyes y los arrendamientos vigentes actualmente que protegen a los inquilinos. La TPO crea medidas correctivas que se pueden ejecutar a través de los derechos privados de acción civil.

Entre otras cosas, la Ordenanza sobre la Protección de Inquilinos prohíbe la conducta que puede coaccionar a un inquilino para que desocupe una unidad de alquiler involuntariamente. Lo siguiente es solo un resumen de las conductas ilegales; para obtener una lista completa, se le aconseja que revise la copia adjunta de la Ordenanza sobre la Protección de Inquilinos o que revise el Código Municipal de Oakland 8.22.600.

Los propietarios de viviendas y sus agentes no deben, de mala fe, participar en ninguna de las siguientes conductas:

1. Interrumpir los servicios en la unidad de alquiler.
2. No realizar reparaciones ni mantenimiento.
3. No ejercer la diligencia debida al terminar las reparaciones (p. ej., demoras injustificadas) o no seguir el protocolo adecuado de la industria.
4. Abusar del derecho de acceso del propietario a la unidad de alquiler.
5. Retirar propiedad personal, muebles o cualquier otro artículo sin el consentimiento previo por escrito del inquilino, salvo que esté autorizado por la ley.
6. Amenazar con denunciar al inquilino o a sus socios conocidos ante las autoridades de aplicación de la ley en cuanto a su situación migratoria real o percibida.

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

CIUDAD DE OAKLAND

Programa de Ajustes en el Alquiler



7. Influenciar a un inquilino a desalojar a través del fraude, de la intimidación o de la coerción.
8. Ofrecer pagos a un inquilino para desalojar más de una vez en seis (6) meses si este ha indicado por escrito que no quiere recibir tales ofertas.
9. Intentar intimidar a un inquilino para que acepte una compra.
10. Amenazar al inquilino o a sus invitados con daño físico a través de palabras o gestos.
11. Interferir en el derecho del inquilino a un uso y disfrute silencioso de la unidad de alquiler.
12. Negarse a aceptar o acusar recibo del pago legal del alquiler de un inquilino.
13. Negarse a cobrar un cheque de alquiler por más de treinta (30) días, a menos que se le haya entregado al inquilino un recibo de pago por escrito.
14. Interferir en el derecho de privacidad del inquilino, como preguntar innecesariamente sobre su situación inmigratoria.
15. Imponer de forma unilateral nuevos términos sustanciales de arrendamiento.
16. Eliminar un servicio de vivienda con el fin de hacer que el inquilino desaloje.
17. Cometer infracciones de ciertas leyes estatales, incluidos la discriminación prohibida según la Ley de Derechos Civiles Unruh y los impedimentos y las interrupciones ilegales de servicios públicos prohibidos por otras leyes.
18. Declarar falsamente ante un inquilino que debe desalojar su unidad.

Nota: Un inquilino que haya experimentado infracciones a la Ordenanza sobre la Protección de Inquilinos puede entablar una acción civil ante un tribunal contra los propietarios de viviendas. Los inquilinos de edad avanzada, discapacitados o gravemente enfermos tienen mayores protecciones según la TPO. Los infractores pueden ser considerados responsables de daños triplicados (tres veces), incluida la angustia emocional. Para las infracciones relacionadas

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

CIUDAD DE OAKLAND

Programa de Ajustes en el Alquiler



con reparaciones, los inquilinos deben dar aviso dentro de los quince (15) días a partir de la infracción.

La ordenanza TPO exige que los propietarios publiquen un aviso de la TPO en las unidades de alquiler ubicadas en un edificio con un área común interior. El aviso se debe colocar en, al menos, una de esas áreas comunes en el edificio usando el formato designado por el personal municipal.

Si usted está experimentando alguna de las conductas detalladas anteriormente, puede comunicarse con el Programa de Ajustes en el Alquiler para obtener más información al (510) 238-3721 o en rap@oaklandca.gov.

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

屋崙 (奧克蘭) 市政府

租金調整分部

250 Frank H. Ogawa Plaza, Suite 5313, Oakland, CA 94612-0243

(510) 238-3721

CA Relay Service 711

www.oaklandca.gov/RAP



住宅租金調整計劃的租客通知書

- 屋崙 (奧克蘭) 市的租金調整分部 (RAP) 旨在限制租金調漲 (屋崙 (奧克蘭) 市政法規 8.22 章)，且主要是針對建於 1983 年以前大多數的出租住宅單位。若要了解哪些單位在本計劃限制範圍內，請聯絡 RAP 辦事處。
- 從 2017 年 2 月 1 日起，如果租金調漲幅度超出一般租金年漲幅 (「CPI 漲幅」) 或允許的「調整存放」漲幅，業主就必須向 RAP 陳情。調漲原因可包括但不限於固定資產整修和營運支出增加。對於這些類型的租金調漲方案，業主必須在聽證官同意調漲後才能提高您的租金。任何租金年漲幅不得超過每年最變動且最多 10% 的漲幅。如果不同意建議的租金調幅，您有權對業主的陳情提出抗辯。
- 對租金調漲提出抗辯：您可以租金調漲違法或者住房服務縮為由，向 RAP 陳情抗辯。如果您要對租金調漲提出抗辯，(1) 且業主隨同這份「租客通知」一併提供租金調漲通知，則您必須在收到租金調漲通知後九十 (90) 天內提出陳情；(2) 但業主未隨這份「租客通知」提供租金調漲通知，則您必須在收到租金調整通知後的 120 天內提出陳情。如果業主在租期一開始時沒有提供這份租客通知，您就必須在第一次收到這份租客通知後的九十 (90) 天內提出請願。若需要請願書表格，可上網站 [Rent Adjustment Program Petition and Response Forms](#) (租金調整分部請願書和回應表格) 取得。
- 如果您對租金調漲有異議，在提出陳情之前，您仍必須支付所要抗辯的調漲租金。若調漲金額獲准但您並未支付，您將積欠從調漲生效日期算起的調漲金額。
- 屋崙 (奧克蘭) 市的驅逐管制規則 (屋崙 (奧克蘭) 市政法規 8.22 中的「驅逐正當理由」) 對所管制單位的驅逐理由設有限制。若要瞭解更多資訊，請聯絡 RAP 辦公室。
- 屋崙 (奧克蘭) 市政府每年會向業主收取每個出租單位的「租金分部服務費」(Rent Program Service Fee)。若業主準時支付這筆費用，就有權向您收取一半費用。受補助單位的租客無需支付該費用的租客部分。
- 屋崙 (奧克蘭) 市的租客保護法令 (Tenant Protection Ordinance, TPO) 旨在遏阻房東的騷擾行為，並且在租客受房東騷擾的情況下賦予租客法律追索權 (屋崙 (奧克蘭) 市政法規 8.22.600)。
- 業主 ___ 得以 ___ 不得對本單位設下毫無限制的起租租金 (例如根據 Costa-Hawkins 法案規定)。如果業主不得設下毫無限制的起租租金，則前任房客遷出後生效的租金是 _____。

針對租客的吸煙政策聲明

- 住房單位 _____ (您有意承租的單位) 「不允許吸煙」。
- 您所住建築物中的其他單位不允許吸煙。(若租客所住的建築物中同時包含可吸煙和不可吸煙的單位，應附上一張可吸煙單位列表。)

屋崙 (奧克蘭) 市政府

租金調整分部

250 Frank H. Ogawa Plaza, Suite 5313, Oakland, CA 94612-0243

(510) 238-3721

CA Relay Service 711

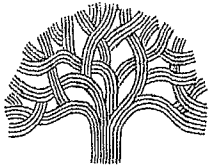
www.oaklandca.gov/RAP



- 本建築物沒有指定的戶外吸煙區。

我於 _____ 收到本通知書 _____
(日期) (租客簽名)

本份屋崙 (奧克蘭) 市租客權利通知書附有中文版本。請致電 (510) 238-3721 索取副本。
La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

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For Rent Adjustment Program date stamp.

RECEIVED

OCT - 7 2024

OAKLAND RENT
ADJUSTMENT PROGRAM

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR RESPONSE (PLUS ANY ATTACHMENTS) ON THE TENANT(S) PRIOR TO FILING YOUR RESPONSE WITH RAP.

- 1) Use this PROOF OF SERVICE form to indicate the date and manner of service and the person(s) served.
- 2) **NOTE:** Email is not a form of allowable service on a party of a petition or response pursuant to the Ordinance.
- 3) Provide a completed and unsigned copy of this PROOF OF SERVICE form to the person(s) being served together with the documents being served.
- 4) File a completed and signed copy of this PROOF OF SERVICE form with RAP together with your signed Response. Your Response will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 10 / 4 / 2024 served a copy of (check all that apply):

☒ **PROPERTY OWNER RESPONSE TO TENANT PETITION** plus 20 attached pages
(number of pages attached to Response not counting the Response form or PROOF OF SERVICE)

☐ Other: _____

by the following means (check one):

☒ **First-Class Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

PERSON(S) SERVED:

Name	Mario S. Little
Address	8343 International Blvd
City, State, Zip	Oakland, CA, 94603

Name	Amir A Elmhidi
Address	8343 International Blvd

City, State, Zip	Oakland, CA, 94603
------------------	--------------------

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Brian Schenover

PRINTED NAME



SIGNATURE

10/4/2024

DATE SIGNED



CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
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For Rent Adjustment Program date stamp.

APPEAL

Appellant's Name C&A} A[] ^!c•	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant
Property Address (Include Unit Number) i H Hq c!} aa } a/Ó çãËU a æ } a ËÖE94621	
Appellant's Mailing Address (For receipt of notices) S^ r Æ~ r C&A} A[] ^!c• A&F €€T &E@ !/Ó çãË Uæ æ } a ËÖE94621	Case Number VG EEFH Date of Decision appealed F0/22//2024
Name of Representative (if any) Angelica Sandoval Montenegro, Esq. Fried, Williams & Grice Conner LLP	Representative's Mailing Address (For notices) 1939 Harrison Street, Suite 460 Oakland, CA 94612

Please select your ground(s) for appeal from the list below. As part of the appeal, an explanation must be provided responding to each ground for which you are appealing. Each ground for appeal listed below includes directions as to what should be included in the explanation.

- 1) There are math/clerical errors that require the Hearing Decision to be updated. *(Please clearly explain the math/clerical errors.)*
- 2) Appealing the decision for one of the grounds below (required):
 - a) ☐ The decision is inconsistent with OMC Chapter 8.22, Rent Board Regulations, or prior decisions of the Board. *(In your explanation, you must identify the Ordinance section, Regulation or prior Board decision(s) and describe how the description is inconsistent.)*
 - b) ☐ The decision is inconsistent with decisions issued by other Hearing Officers. *(In your explanation, you must identify the prior inconsistent decision and explain how the decision is inconsistent.)*
 - c) ☐ The decision raises a new policy issue that has not been decided by the Board. *(In your explanation, you must provide a detailed statement of the issue and why the issue should be decided in your favor.)*
 - d) ☐ The decision violates federal, state, or local law. *(In your explanation, you must provide a detailed statement as to what law is violated.)*
 - e) ☐ The decision is not supported by substantial evidence. *(In your explanation, you must explain why the decision is not supported by substantial evidence found in the case record.)*

- f) ☒ **I was denied a sufficient opportunity to present my claim or respond to the petitioner's claim.** *(In your explanation, you must describe how you were denied the chance to defend your claims and what evidence you would have presented. Note that a hearing is not required in every case. Staff may issue a decision without a hearing if sufficient facts to make the decision are not in dispute.)*
- g) ☐ **The decision denies the Owner a fair return on the Owner's investment.** *(You may appeal on this ground only when your underlying petition was based on a fair return claim. You must specifically state why you have been denied a fair return and attach the calculations supporting your claim.)*
- h) ☐ **Other.** *(In your explanation, you must attach a detailed explanation of your grounds for appeal.)*

Supporting documents (in addition to this form) must *not* exceed 25 pages, and must be received by the Rent Adjustment Program, along with a proof of service on the opposing party, within 15 days of the filing of this document. Only the first 25 pages of submissions from each party will be considered by the Board, subject to Regulations 8.22.010(A)(4). *Please number attached pages consecutively.*

• **You must serve a copy of your appeal on the opposing parties, or your appeal may be dismissed.** •

I served a copy of: Appeal (insert name of document served)

☒ And Additional Documents

and (write number of attached pages) 8 attached pages (not counting the Appeal Form or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- ☒ a. First-Class Mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.
- ☐ c. Electronic Service. I electronically sent the document(s) to the person(s) at the address(es) listed below who have previously given written consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) they provided.

<u>Name</u>	Mario J. Little
<u>Address</u>	8443 International Boulevard
<u>City, State Zip</u>	Oakland, CA 94621
<u>Email Address</u>	
<u>Name</u>	
<u>Address</u>	
<u>City, State Zip</u>	
<u>Email Address</u>	

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on / 10/ 22 /2024 (insert date served).

Sean Grey

PRINT YOUR NAME

Sean Grey

SIGNATURE

10/22/2024

DATE

IMPORTANT INFORMATION:

This Appeal must be received by the Rent Adjustment Program, 250 Frank Ogawa Plaza, Suite 5313, Oakland, California 94612, not later than 5:00 P.M. on the 20th calendar day after the date the decision was mailed to you as shown on the proof of service attached to the decision. If the last day to file is a weekend or holiday, the time to file the document is extended to the next business day.

- Appeals filed late without good cause will be dismissed.
- You must provide all the information required, or your appeal cannot be processed and may be dismissed.
- **Any response to the appeal by the responding party must be received by the Rent Adjustment Program, along with a proof of service on appealing party, within 30 days of service of the service of the appeal if the party was personally served. If the responding party was served the appeal by mail, the party must file the response within 35 days of the date the appeal was mailed to them.**
- There is no form for the response, but the entire response is limited to 25 pages or less.
- The Board will not consider new claims. All claims, except jurisdictional issues, must have been made in the petition, response, or at the hearing.
- The Board will not consider new evidence at the appeal hearing without specific approval.

- You must sign and date this form or your appeal will not be processed.
- The case record is available to the Board, but sections of audio recordings that you want the Board to review must be pre-designated to Rent Adjustment Staff.

Clifford E. Fried, Esq., SBN 118288
Angelica S. Montenegro, Esq., SBN 318093
FRIED, WILLIAMS & GRICE CONNER LLP
1939 Harrison Street, Suite 460
Oakland, California 94612
Telephone: (510) 625-0100
Email: asandoval@friedwilliams.com

Attorneys for Appellant/Respondent/Owner
Advent Properties, Inc.

ATTACHMENT / ADDITIONAL DOCUMENTS IN SUPPORT OF APPEAL
CASE NO.: T24-0138

Decision date: October 2, 2024

Advent Properties (hereafter “Appellant” or “Owner”) is the property manager of the real property commonly known as 8342 International Blvd., Oakland, CA (the “Premises”). Appellant is requesting that the matter be remanded and be given an opportunity to respond to the Tenant’s petition. The Appellant, through a clerical error and misunderstanding missed the deadline to file a response. As a result, the hearing officer issued an administrative hearing and dismissed the hearing date. The Appellant should be given an opportunity to be heard.

I. The Appellant was denied a sufficient opportunity to present a claim and respond to Tenant’s petition/claim.

The Appellant has demonstrated good cause to allow the Board to remand. In *Wiley v. Weiss* (T01-0047) the board remanded to allow the tenant to demonstrate good cause for failing to appear at a 3rd hearing. In *Cuevas v. Newell* (T01-0159) the Board remanded the case for a new hearing when the tenant failed to appear because of an error in the notice. The Board remanded to determine good cause for failure to appear in *Helmantoler v. Jonsson* (T05-0252). Also California Code of Civil

1 Procedure §473 excuses a party from a judgment, dismissal, or order through his or
2 her mistake, inadvertence, surprise, or excusable neglect. The Owner here is asking
3 to be given the same opportunity.

4 Due to an internal clerical error, the Appellant missed the deadline to file a
5 response to the Tenant's Petition. The hearing officer issued a decision without
6 conducting a hearing. If the hearing officer had conducted a hearing, it would have
7 been discovered that the premises it outside the the rent board's jurisdiction because
8 the property is a townhouse. The Appellant asks the RAP to acknowledge the
9 appellant's registration with RAP, which indicates that there is only one unit on this
10 parcel. A true and correct copy of Appellant's unit registration is attached hereto as
11 **Exhibit A.**

12
13 This unit is exempt from the Oakland Rent Adjustment Program's
14 jurisdiction according to section 8.22.030.A.7 and the California Civil Code §
15 1954.52, as it is a single-family home, townhouse, or condo.

16 The Appellant has demonstrated good cause for its failure to appear at the
17 hearing and requests that this matter be remanded to the hearing officer for a hearing
18 on the merits.

19 Date: October 22, 2024

FRIED, WILLIAMS & GRICE CONNER LLP

DocuSigned by:

Angelica Sandoval Montenegro
3FD3AA6FDD0C407...

Angelica S. Montenegro

Attorneys for Appellant/Respondent/Owner

EXHIBIT A

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Overview

Parcel Number : 042425502900

Site Address : 8343 INTERNATIONAL BLVD OAKLAND CA 94621 US | **Year Built** : 1987

Assessor Total Unit Count : 1 | **Total Units Added** : 1

Property Status : Registration Completed

← Back

INSTRUCTIONS TO REGISTER YOUR PROPERTY

Step 1: Update Contact Information. Scroll down to "Contacts" and click on white three-dot action button next to Primary Owner contact to complete Primary owner contact information. **You must complete the Primary Owner information to complete registration.** Use the green "Add Contacts" button to add a property manager contact or additional owner contacts. Click on the green "Contact Preferences" button to select or change the Primary Owner and RAP Contacts.

Step 2: Add Units. Scroll down to "Unit Inventory."

- **To add units to Unit Inventory:** Click on "Add Unit" (top right) and add ALL residential units to the unit inventory. If the property has 10 or more units, use the "**Import Units**" button to upload the required unit information. After adding units to inventory, you may claim individual unit(s) exempt by clicking on each unit's yellow "Action" button.
- **If all units on the property have already been added to the Unit Inventory:** Go to Step 3.

Step 3: Update Registered Units. Review all previously registered unit information. If there are no changes, go to Step 5. To update occupancy and rent information for registered units:

- **Update Occupancy.** If the occupancy of a unit has changed, scroll down to Unit Inventory and use yellow "Action" button to "Report New Occupancy."
- **Report Rent Increase for Current Tenancy.** Use yellow "Action" button to "Report Rent Increase."
- **Claim an Exemption.** Use yellow "Action" button to "Apply for Exemption."

Step 4: Claim Exemption(s) . Use each unit's yellow "Action" button to claim an exemption for individual units (e.g., "Owner-occupied"). Note: If you believe your entire property is exempt from rent registration requirements, then use the blue property "Action" button to submit a property-wide exemption.

Step 5: Submit Registration: After you have reviewed/updated all tenancy information and/or claimed any exemptions, click on the blue property "Action" button at the top right corner of the page and select "Submit Rent Registration." After submitting, you will receive a confirmation email from RAP.

Address

000067

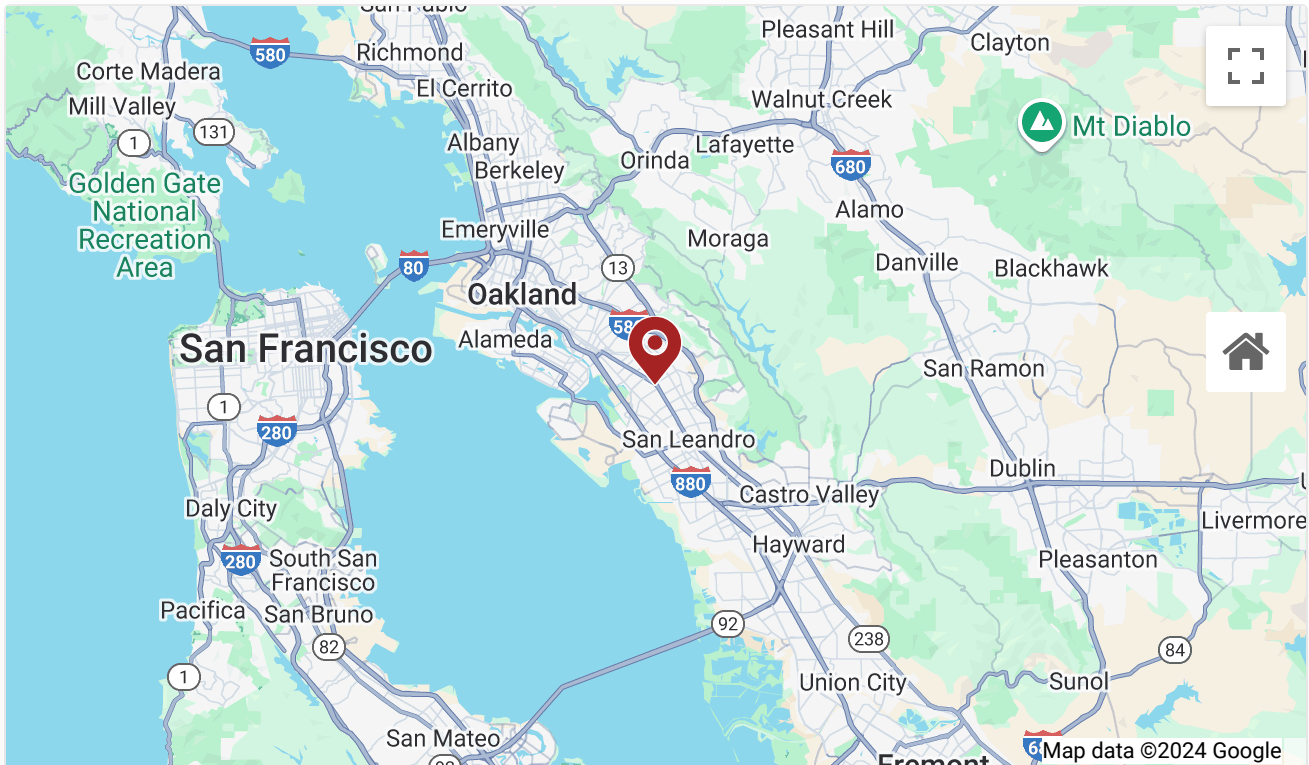


Image View

Map View

Address

8343 INTERNATIONAL BLVD OAKLAND CA 94621 US

Click on the white three-dot action button next to the “Primary Owner Contact” to complete Primary Owner contact information. **You must provide complete Primary Owner Contact information in order to submit the property for registration.** Click on the green “Add Contact” button to add additional contacts such as property manager or additional owners. Click on the green “Contact Preferences” button to select or change Primary Owner and RAP Contacts. The RAP Contact will receive future rent registry communications.

Contacts

+ Contact Preferences

Columns ▶



Search...



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Associated to asset as	Contact Type	Business Name	Name	Address ↑
Property Manager	Individual	Advent Properties Inc	Advent Properties Inc	1600 MacArthur Boulevard Oakland 94602 US
Owner	Individual		AMIE TR CHANG	27741 VIA CERRO GORDO LOS ALTOS HILLS CA 94022 U

1

5



items per page

1-2 of 2 items

To add units to the Unit Inventory : Click on green “Add Unit” button and add **ALL residential units** on the property, including exempt units, to the unit inventory. If property has 10 or more units, click on “Import Units” to download a formatted spreadsheet that can be used to upload unit information. Instructions are included in first tab of spreadsheet. After adding all units to inventory, you may claim individual unit(s) exempt by clicking on each unit’s yellow “Action” button and selecting “Apply for Exemption.”

To update previously registered units : To report a new occupancy for a previously reported unit, click on the yellow “Action” button and select “**Report New Occupancy.**” To report a change in the rent for an already-registered tenancy, click on the yellow “Action” and select “**Report Rent Increase.**” To claim a non-exempt unit exempt, click on the yellow “Action” button and select “**Apply for Exemption.**”

After reviewing/updating all unit information: Click on the blue “Action” button at top of page to submit registration.

Unit Inventory



Export to Excel



Search...



Drag a column header and drop it here to group by that column

000069

Unit Site Address	Unit Name	Status	Occupancy Type	Initial Rent	Current Rent	Occupan Date
8343 INTERNATIO NAL BLVD OAKLAND CA 94621 US		Non-Exempt	Tenant	\$ 1,995.00	\$ 2,409.00	05/14/20

1

5 items per page


1-1 of 1 items

My Cases

Columns ▶

Export to Excel

↺

Search... 

Case Number	Created On Entity	Case Type	Created On ↓	U
	Unit: ,8343 INTERNATIONAL BLVD OAKLAND CA 94621 US	Rent Increase for Current Tenant	05/21/2024	0
	APN: 042425502900	Rent Registry	03/29/2024	0
	APN: 042425502900	Rent Registry	04/05/2023	0

1

10 items per page

1-3 of 3 items

Property Action Menu

← Back

CHRONOLOGICAL CASE REPORT

Case No.: L24-0002

Case Name: University President Associates LP v. Tenants

Property Address: 366 Bellevue Avenue Oakland, CA 94610

Parties: University President Associates LP (Owner)
Evan Darragh (Owner Representative)
Sheila Ehsan (Owner Representative)
A. Vaughan (Tenant-Apt.104)
J. Smith (Tenant-Apt.105)
S. Su (Tenant- Apt. 107)
V. Gambrell (Tenant- Apt. 201)
Yeh-Feng Hwang (Tenant- Apt. 207)
J. Robinson (Tenant- Apt. 208)
C. Zepeda (Tenant- Apt. 302)
M. Seyoun & Y. Kiflai (Tenant- Apt. 303)
G. Desybelew (Tenant- Apt. 305)

TENANT APPEAL:

<u>Activity</u>	<u>Date</u>
Owner Petition filed	December 6, 2023
S. Su (Tenant- Apt. 107) Response	January 2, 2024
Yeh-Feng Hwang (Tenant- Apt. 207) Response	January 2, 2024
J. Smith (Tenant-Apt.105) Response	January 8, 2024

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A. Vaughan (Tenant-Apt.104) Response January 11, 2024

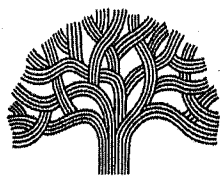
Owner Submitted proof of POS to Apt. 303 February 5, 2024

M. Seyoun & Y. Kiflai (Tenant- Apt. 303) Response February 9, 2024

Hearing Decision Mailed July 30, 2024

All 9 Tenants Submitted Appeals August 19, 2024

L24-0002 MA/RC



CITY OF OAKLAND

**CITY OF OAKLAND
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DEC -6 2023

**RENT ADJUSTMENT PROGRAM
OAKLAND**

PROPERTY OWNER PETITION FOR APPROVAL OF RENT INCREASE

Please fill out this form as completely as you can. Rent increases based on anything other than the annual allowable CPI rate or banking must first be approved by the Rent Adjustment Program ("RAP") after a hearing. Failure to provide the required information may result in your petition being rejected or delayed. See the last pages of this petition packet ("Important Information Regarding Filing Your Petition") or the RAP website for more information. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR PETITION BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Rental Unit Information

<u>366</u>	<u>Bellevue Avenue</u>	19 Units on petition	Oakland, CA <u>94610</u>
Street Number	Street Name	Unit Number	Zip Code

 Is there more than one street address on the parcel? ☐ Yes ☒ No If yes, list all addresses: _____

Type of unit(s) (check one): <input type="checkbox"/> Single family home <input type="checkbox"/> Condominium <input checked="" type="checkbox"/> Apartment, room, or live-work	Number of units on property: <u>26</u> Date acquired property: <u>07/26/2018</u>
--	---

Case number(s) of any relevant prior Rent Adjustment case(s): L23-0043**Property Owner Information**

First Name _____	Last Name _____
Company/LLC/LP (if applicable): <u>University President Associates LP</u>	
Mailing address: <u>1717 Powell St. Suite 300 San Francisco, CA 94133</u>	
Primary Telephone: <u>(415) 773-0825</u> Other Telephone: _____ Email: <u>evan@flynninv.com</u>	

Property Owner Representative (Check one) ☐ No Representative ☐ Attorney ☒ Non-attorney

<u>Evan</u>	<u>Darragh</u>	<u>Flynn Investments Inc.</u>
First Name	Last Name	Firm/Organization (if any)
Mailing Address: <u>1717 Powell St. Suite 300 San Francisco, CA 94133</u>		
Phone Number: <u>(415) 773-0825</u> Email: <u>evan@flynninv.com</u>		

GENERAL FILING REQUIREMENTS

To file a petition, the property owner must be current on the following requirements and submit supporting documentation of compliance. Owner petitions that are submitted without proof of compliance with the below requirements will be considered incomplete.

Requirement	Documentation
<input checked="" type="checkbox"/> Current Oakland business license	Attach proof of payment of your most recent Oakland business license.
<input checked="" type="checkbox"/> Payment of Rent Adjustment Program service fee ("RAP Fee")	Attach proof of payment of the current year's RAP Fee for the subject property.
<input checked="" type="checkbox"/> Service of the required City form entitled "NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM" ("RAP Notice") on all tenants	<p>Attach a signed and dated copy of the <u>first</u> RAP Notice provided to the tenant(s) subject to this petition or check the appropriate box below*.</p> <p><input checked="" type="checkbox"/> I first provided tenant(s) with the RAP Notice on (date): <u>Move in date</u>. <small>Proof of service for RAP Notices provided on 8/25/2023 included in petition.</small></p> <p><input type="checkbox"/> I have never provided a RAP Notice.</p> <p><input type="checkbox"/> I do not know if a RAP Notice was ever provided.</p> <p><small>*If petition applies to multiple tenants, please provide this information on a separate sheet for each tenant.</small></p>

GROUNDS FOR PETITION

Select the grounds for this petition from the list below. Check all that apply. See column on the right for filing requirements and documentation to be submitted together with the petition. Petitions that lack adequate supporting documentation may be dismissed without a hearing. For a full description of each justification, see Appendix A of the Rent Adjustment Program Regulations at: <https://cao-94612.s3.amazonaws.com/documents/oak062857.pdf>.

Grounds	Description	Requirements
<input checked="" type="checkbox"/> Capital Improvements	Allows pass-through to tenant(s) of a portion of costs spent on qualifying capital improvements. Improvements must primarily benefit the tenant(s), and do not include repairs made as a result of deferred maintenance or serious code violations. Pass-through costs are limited to 70% of actual costs (plus interest), divided equally among all affected units, and amortized over a defined period of time based on the expected useful life of the improvement (see amortization schedule found in Appendix A of the Regulations).	<ul style="list-style-type: none"> ✓ Improvements meet the description of capital improvements set forth in Appendix A of the Regulations. ✓ Improvements completed and paid for within 24 months prior to petition filing date. ✓ Complete Worksheet A on page 4 of this petition. ✓ Attach documentation demonstrating the specific work done, date(s) of completion, full costs and proof of payment (such as invoices, receipts, estimates, etc.), copies of any permits (indicating date(s) issued and finalized), and evidence of any reimbursement (such as insurance or subsidies). Documentation should be organized by type of improvement. Work limited to specific unit(s) should be distinguished from building-wide improvements.
<input type="checkbox"/> Uninsured Repair Costs	Allows pass-through of costs for work done to secure compliance with state or local law as to repair damage resulting from fire, earthquake, or other casualty or natural disaster, to the extent not reimbursed by insurance proceeds. Calculated and applied like capital improvements.	<ul style="list-style-type: none"> ✓ Repairs completed and paid for within 24 months prior to petition. ✓ Insurance proceeds insufficient to cover full amount of required repair costs. ✓ Complete Worksheet A on page 4 of this petition. ✓ Attach documentation required for petitions based on capital improvements (see above), plus evidence of all insurance claims, estimates, and proceeds.

<input type="checkbox"/> Increased Housing Service Costs	<p><i>Allows a rent increase above the CPI where there has been an increase in the total of net operating costs related to the use or occupancy of the property. Calculated by comparing 2 most recent years of all net costs, averaged monthly and divided by the number of units and average gross monthly income. Replaces CPI increase for current year; applies to all units.</i></p>	<ul style="list-style-type: none"> ✓ Complete Worksheet B on page 5 of this petition. ✓ Attach documentation of ALL income and expenses* related to the subject property for the two most recent consecutive years (including all information requested by Worksheet B). Documentation of all expenses is required, not solely for expenses that have increased. Documentation should be organized by category and year. *Note: Expenses do not include mortgage payments.
<input type="checkbox"/> Fair Return	<p><i>Allows a rent increase where owner is being denied a fair return on investment in the property, as measured by the net operating income (NOI). Cannot be combined with any other grounds for increase. Replaces CPI increase for all years; applies to all units.</i></p>	<ul style="list-style-type: none"> ✓ Complete Worksheet C on page 6 of this petition. ✓ Attach organized documentation of gross income (including total of gross rents lawfully collectable from property at 100% occupancy, plus any other consideration received or receivable) and gross costs* (e.g., property taxes, housing service costs, and amortized cost of capital improvements) for the subject property for the current and base year (2014). If information about 2014 is not available the Hearing Officer may authorize use of a different year if good cause is shown. *Note: Costs do not include mortgage expenses.
<input type="checkbox"/> Banking	<p><i>Refers to deferred allowable annual rent increases. Annual CPI increases that were not fully applied may be carried over ("banked") for up to 10 years. Increases based solely on banking do not require prior approval, but such increases may be sought in conjunction with petitions based on other grounds/justifications.</i></p>	<ul style="list-style-type: none"> ✓ Increase would not exceed 3x the current CPI or the amount permitted by Oakland law (whichever is lower), or constitute an overall increase of >30% over the past 5 years. ✓ Complete Worksheet D on page 7 of this petition. ✓ Attach documentation of tenant's rental history including proof of current rent amount and all other information requested by Worksheet D.
<input type="checkbox"/> Additional Occupant(s)	<p><i>Allows a rent increase in an amount up to 5% for additional occupants above the base occupancy level. Does not apply to certain additional occupants who are covered family members, legal guardians, and/or caretakers/attendants of existing tenants/occupants. See O.M.C. § 8.22.020 for more details.</i></p>	<ul style="list-style-type: none"> ✓ Total number of occupants has increased above the base occupancy level as defined by O.M.C. § 8.22.020. ✓ Additional occupant(s) not exempted from increase due to relationship with existing tenant/occupant. ✓ Attach documentation demonstrating base occupancy level and the addition of non-exempt occupant(s).

WORKSHEET A **CAPITAL IMPROVEMENTS AND UNINSURED REPAIR COSTS**

Owners who file petitions based on Capital Improvements or Uninsured Repair Costs must complete the chart below, in addition to attaching all required supporting documentation. Petitions that do not include organized documentation and detailed calculations clearly demonstrating the claimed justification will be considered incomplete and may be dismissed without a hearing. Attach separate sheets if needed.

Total number of residential units in building* <u>26</u>	For mixed-use buildings, provide:	Residential sq. ft. _____
*Including any vacant and owner/manager-occupied units		Other use sq. ft. _____
		% residential use: _____

BUILDING-WIDE CAPITAL IMPROVEMENTS					
CATEGORY OF IMPROVEMENT		Date permit obtained or work began	Date completed	Date paid for	Full costs
Exterior Painting		1/17/2023	2/9/2023	4/20/2023	\$68,587.00
SUBTOTAL:				\$68,587.00	
UNIT-SPECIFIC CAPITAL IMPROVEMENTS					
CATEGORY OF IMPROVEMENT	Unit #	Date permit obtained or work began	Date completed	Date paid for	Full costs
SUBTOTAL:					

WORKSHEET B INCREASED HOUSING SERVICE COSTS

Owners who submit petitions based on Increased Housing Service Costs must complete the chart below. In addition to attaching all required supporting documentation, Petitions that do not include organized documentation and detailed calculations clearly demonstrating the claimed justification will be considered incomplete and may be dismissed without a hearing. Calculations should be based on the entire subject premises.

	YEAR 1 (two years ago)	YEAR 2 (last year)
	From: _____ to _____ (mm/dd/yy) (mm/dd/yy)	From: _____ to _____ (mm/dd/yy) (mm/dd/yy)
INCOME		
Rents	\$ _____	\$ _____
Parking	\$ _____	\$ _____
Laundry Income	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Total:	\$ _____	\$ _____
EXPENSES		
Garbage	\$ _____	\$ _____
Water/Sewer	\$ _____	\$ _____
Electricity/Gas	\$ _____	\$ _____
Insurance	\$ _____	\$ _____
Repairs and Maintenance	\$ _____	\$ _____
Pest Control	\$ _____	\$ _____
Laundry Expenses	\$ _____	\$ _____
Parking	\$ _____	\$ _____
Elevator Service	\$ _____	\$ _____
Security	\$ _____	\$ _____
Furnishings	\$ _____	\$ _____
Property Taxes	\$ _____	\$ _____
Business License	\$ _____	\$ _____
Management Expenses	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Total:	\$ _____	\$ _____

WORKSHEET C: FAIR RETURN

Owners who submit petitions based on Fair Return must complete the chart below in addition to attaching all required supporting documentation. Petitions that do not include organized documentation and detailed calculations clearly demonstrating the claimed justification will be considered incomplete and may be dismissed without a hearing. Calculations should be based on the entire subject premises. Note that the first column (base year) should be completed based on the year 2014.

	BASE YEAR (2014)	LAST YEAR
	From: _____ to _____ (mm/dd/yy) (mm/dd/yy)	From: _____ to _____ (mm/dd/yy) (mm/dd/yy)
INCOME		
Rents	\$ _____	\$ _____
Parking	\$ _____	\$ _____
Laundry	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Imputed rent if any unit owner/manager-occupied	\$ _____	\$ _____
Imputed rent if any unit not rented to capacity	\$ _____	\$ _____
Total:	\$ _____	\$ _____
EXPENSES		
Electricity/Gas	\$ _____	\$ _____
Garbage	\$ _____	\$ _____
Water/Sewer	\$ _____	\$ _____
Insurance	\$ _____	\$ _____
Maintenance/Repairs	\$ _____	\$ _____
Pest Control	\$ _____	\$ _____
Laundry Expenses	\$ _____	\$ _____
Parking	\$ _____	\$ _____
Elevator Service	\$ _____	\$ _____
Security	\$ _____	\$ _____
Property Taxes	\$ _____	\$ _____
Business License	\$ _____	\$ _____
Management Expenses	\$ _____	\$ _____
Furnishings	\$ _____	\$ _____
Capital Improvements (Amortized cost)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Total:	\$ _____	\$ _____

WORKSHEET D: BANKING

Petitions based on Banking must include the below information. List each tenant for whom you are seeking an increase. Attach all documents which support the dates and amounts shown in the chart. "Current Pass-Through Amount" refers to any capital improvement pass-through currently being paid by the tenant.

TENANT NAME	UNIT #	MOVE-IN DATE (mm/dd/yy)	RENT AT MOVE-IN	RENT 11 YEARS AGO (If tenant has lived in unit > 11 years)	CURRENT RENT	CURRENT PASS- THROUGH AMOUNT (If any)

TENANT INFORMATION

(Required for all petitions)

List each tenant and the requested information for each unit affected by this petition. Attach additional copies of this sheet if necessary. Under "Type of Increase Sought," specify the ground(s) on which the rent increase is sought (e.g., capital improvements, banking, etc.).

TENANT NAME	ADDRESS (include unit #)	EMAIL ADDRESS	PHONE NUMBER	CURRENT RENT	TYPE OF INCREASE(S) SOUGHT
Paolo Rose	366 Bellevue Avenue Unit 101 Oakland, CA 94610		510-520-2735	\$1,465.25	Capital Improvement
Alexandre Glenard	366 Bellevue Avenue Unit 103 Oakland, CA 94610		415-635-1450	\$1,901.20	Capital Improvement
Allen Vaughan	366 Bellevue Avenue Unit 104 Oakland, CA 94610		510-978-3249	\$1,373.41	Capital Improvement
Joyce Smith	366 Bellevue Avenue Unit 105 Oakland, CA 94610		510-981-9353	\$1,343.13	Capital Improvement
Sunfun Su	366 Bellevue Avenue Unit 107 Oakland, CA 94610		510-834-8534	\$920.59	Capital Improvement
Victoria Gambrell	366 Bellevue Avenue Unit 201 Oakland, CA 94610		510-593-8266	\$1,256.86	Capital Improvement
Jonathan Bywater	366 Bellevue Avenue Unit 202 Oakland, CA 94610		617-797-2844	\$2,395.00	Capital Improvement
Liya Tesfamicheal	366 Bellevue Avenue Unit 205 Oakland, CA 94610		510-435-8585	\$2,307.10	Capital Improvement
Yeh Hwang	366 Bellevue Avenue Unit 207 Oakland, CA 94610		510-499-8652	\$934.16	Capital Improvement
Joale Robinso	366 Bellevue Avenue Unit 208 Oakland, CA 94610		415-573-7180	\$1,090.63	Capital Improvement
Abraham Hagos	366 Bellevue Avenue Unit 301 Oakland, CA 94610		510-393-1529	\$1,619.15	Capital Improvement

TENANT INFORMATION

(Required for all petitions)

List each tenant and the requested information for each unit affected by this petition. Attach additional copies of this sheet if necessary. Under "Type of Increase Sought," specify the ground(s) on which the rent increase is sought (e.g., capital improvements, banking, etc.).

TENANT NAME	ADDRESS (include unit #)	EMAIL ADDRESS	PHONE NUMBER	CURRENT RENT	TYPE OF INCREASE(S) SOUGHT
Calos Zepeda	366 Bellevue Avenue Unit 302 Oakland, CA 94610		510-367-6125	\$1,500.70	Capital Improvement
Mekonnen Seyoum	366 Bellevue Avenue Unit 303 Oakland, CA 94610		510-227-4445	\$1,848.92	Capital Improvement
Barbara Pemberton	366 Bellevue Avenue Unit 304 Oakland, CA 94610		510-385-7469	\$1,329.48	Capital Improvement
Getachew Desybelew	366 Bellevue Avenue Unit 305 Oakland, CA 94610		510-499-6972	\$1,766.68	Capital Improvement
Angel Mateo	366 Bellevue Avenue Unit 306 Oakland, CA 94610		510-274-0809	\$1,284.85	Capital Improvement
Andrew Gaubatz	366 Bellevue Avenue Unit 307 Oakland, CA 94610		757-383-1065	\$1,482.04	Capital Improvement
Rebecca Elsbeth Grayzel	366 Bellevue Avenue Unit 308 Oakland, CA 94610		732-718-1829	\$2,266.00	Capital Improvement
Carolyn Clarke	366 Bellevue Avenue Unit 401 Oakland, CA 94610		561-843-4305	\$3,995.00	Capital Improvement

OWNER VERIFICATION*(Required)*

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this Property Owner Petition is true and that all of the documents attached to the Petition are true copies of the originals.

Property Owner's Signature12/06/2023

Date_____
Property Owner's Signature_____
Date**DOCUMENTATION IN EXCESS OF 25 PAGES**

- ☒ The documentation submitted in support of the Property Owner Petition exceeds 25 pages and the owner is opting, as allowed by O.M.C. § 8.22.090 (B)(1)(f), to not serve the attachments on the affected tenant(s) unless requested. The owner understands and agrees that tenant(s) may request paper copies of all documents in the Tenant Response, and the owner must provide tenant(s) with the attachments within 10 days of any such request. The documents will also be available for review at the Rent Adjustment Program.

CONSENT TO ELECTRONIC SERVICE*(Highly Recommended)*

Check the box below if you agree to have RAP staff send you documents related to your case electronically. If all parties agree to electronic service, the RAP will send certain documents only electronically and not by first class mail.

- ☒ I/We consent to receiving notices and documents in this matter electronically at the email address(es) provided in this response.

MEDIATION PROGRAM

Mediation is an optional process offered by RAP to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. A trained third party will work with the parties prior to the hearing to see if a mutual agreement can be reached. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you agree to mediation in your case.

I agree to have the case mediated by a Rent Adjustment Program staff mediator.

Property Owner's Signature_____
Date**INTERPRETATION SERVICES**

If English is not your primary language, you have the right to an interpreter in your primary language/dialect at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

- ☐ I request an interpreter fluent in the following language at my Rent Adjustment proceeding:

- ☐ Spanish (Español)
☐ Cantonese (廣東話)
☐ Mandarin (普通話)
☐ Other: _____

-END OF PETITION-



CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
250 Frank H. Ogawa Plaza, Suite 5313 Oakland, CA
94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

NOTICE TO TENANTS OF OWNER PETITION

ATTENTION: IMMEDIATE ACTION REQUIRED

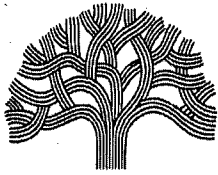
If you are receiving this NOTICE together with a completed PROPERTY OWNER PETITION form, it means that the owner of your unit has filed a case against you with the Oakland Rent Adjustment Program ("RAP") (commonly referred to as the "Rent Board").

- **YOU MUST FILE A RESPONSE WITHIN 35 CALENDAR DAYS AFTER THE PETITION WAS MAILED TO YOU (30 DAYS IF DELIVERED IN-PERSON).**
- **TO RESPOND:**
 - 1) Complete a **TENANT RESPONSE** form found on the RAP website.
(<https://www.oaklandca.gov/services/respond-to-an-owner-petition-for-the-rent-adjustment-program>)
 - 2) Serve a copy of your **TENANT RESPONSE** form on the owner (or the owner's representative) by mail or personal delivery.
 - 3) Complete a **PROOF OF SERVICE** form (which is attached to the Response form and also available as a stand-alone document) and provide a copy to the owner (or owner's representative) together with your **TENANT RESPONSE** form.
 - 4) Submit your **TENANT RESPONSE** form and completed **PROOF OF SERVICE*** form to RAP through RAP's online portal, via email, or by mail.

**Note: The Response will not be considered complete until a PROOF OF SERVICE is filed indicating that the owner has been served with a copy.*

DOCUMENT REVIEW: There may be additional documents that were submitted in support of the owner petition that were not provided to you (see "DOCUMENTATION IN EXCESS OF 25 PAGES" on the petition). All documents are available for review at RAP. You may also request paper copies from the owner in your TENANT RESPONSE. The owner must then provide them to you within 10 days.

FOR ASSISTANCE: Contact a RAP Housing Counselor at (510) 238-3721 or by email at RAP@oaklandca.gov. Additional information is also available on the RAP website and on the TENANT RESPONSE form.



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

RECEIVED

DEC -6 2023

RENT ADJUSTMENT PROGRAM

OAKLAND

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR PETITION OR RESPONSE (PLUS ANY ADDITIONAL DOCUMENTS) ON THE OPPOSING PARTIES.

- Use this PROOF OF SERVICE form to indicate the date and manner in which service took place, as well as the person(s) served.
- Provide a copy of this PROOF OF SERVICE form to the opposing parties together with the document(s) served.
- File the completed PROOF OF SERVICE form with the Rent Adjustment Program together with the document you are filing and any attachments you are serving.
- Please number sequentially all additional documents provided to the RAP.

PETITIONS FILED WITHOUT A PROOF OF SERVICE WILL BE CONSIDERED INCOMPLETE AND MAY BE DISMISSED.

1. PROPERTY OWNER PETITION FOR APPROVAL OF RENT INCREASE
2. NOTICE TO TENANTS OF PROPERTY OWNER PETITION

I served a copy of:

(insert name of document served)

☒ **And Additional Documents**

and (write number of attached pages) 2 attached pages (not counting the Petition or Response served or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- ☒ a. United States mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Deposited it with a commercial carrier, using a service at least as expeditious as first class mail, with all postage or charges fully prepaid, addressed to each opposing party as listed below.
- ☐ c. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.

PERSON(S) SERVED:

Name	Paolo Rose
Address	366 Bellevue Avenue Unit 101
City, State, Zip	Oakland, CA 94610

Name	Alexandre Glenard
Address	366 Bellevue Avenue Unit 103
City, State, Zip	Oakland, CA 94610

Name	Allen Vaughan
Address	366 Bellevue Avenue Unit 104
City, State, Zip	Oakland, CA 94610

Name	Joyce Smith
Address	366 Bellevue Avenue Unit 105
City, State, Zip	Oakland, CA 94610

Name	Sunfun Su
Address	366 Bellevue Avenue Unit 107
City, State, Zip	Oakland, CA 94610

Name	Victoria Gambrell
Address	366 Bellevue Avenue Unit 201
City, State, Zip	Oakland, CA 94610

Name	Jonathan Bywater
Address	366 Bellevue Avenue Unit 202
City, State, Zip	Oakland, CA 94610

Name	Liya Tesfamichael
Address	366 Bellevue Avenue Unit 205
City, State, Zip	Oakland, CA 94610

To serve more than 8 people, copy this page as many times as necessary and insert in your proof of service document. If you are only serving one person, you can use just the first and last page.

Name	Yeh Hwang
Address	366 Bellevue Avenue Unit 207
City, State, Zip	Oakland, CA 94610

Name	Joale Robinso
Address	366 Bellevue Avenue Unit 208
City, State, Zip	Oakland, CA 94610

Name	Abraham Hagos
Address	366 Bellevue Avenue Unit 301
City, State, Zip	Oakland, CA 94610

Name	Calos Zepeda
Address	366 Bellevue Avenue Unit 302
City, State, Zip	Oakland, CA 94610

Name	Mekonnen Seyoum
Address	366 Bellevue Avenue Unit 303
City, State, Zip	Oakland, CA 94610

Name	Barbara Pemberton
Address	366 Bellevue Avenue Unit 304
City, State, Zip	Oakland, CA 94610

Name	Getachew Desybelew
Address	366 Bellevue Avenue Unit 305
City, State, Zip	Oakland, CA 94610

To serve more than 8 people, copy this page as many times as necessary and insert in your proof of service document. If you are only serving one person, you can use just the first and last page.

Name	Angel Mateo
Address	366 Bellevue Avenue Unit 306
City, State, Zip	Oakland, CA 94610

Name	Andrew Gaubatz
Address	366 Bellevue Avenue Unit 307
City, State, Zip	Oakland, CA 94610

Name	Rebecca Elsbeth Grayzel
Address	366 Bellevue Avenue Unit 308
City, State, Zip	Oakland, CA 94610

Name	Cardlyn Clarke
Address	366 Bellevue Avenue Unit 401
City, State, Zip	Oakland, CA 94610

Name	
Address	
City, State, Zip	

Name	
Address	
City, State, Zip	

Name	
Address	
City, State, Zip	

To serve more than 8 people, copy this page as many times as necessary and insert in your proof of service document. If you are only serving one person, you can use just the first and last page.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and the documents were served on 12/06/2023 (insert date served).

Evan Darragh

PRINT YOUR NAME

Evan Darragh

SIGNATURE

12/06/2023

DATE

Additional Docs Provided to Tenants

Capital Improvement Calculator
City of Oakland Rent Adjustment Program

IMPROVEMENTS BENEFITING ALL UNITS BUILDING WIDE

Petition Date

12/6/23

Number of Residential Units

26

IMPROVEMENT OR REPAIR	DATE PERMIT OBTAINED (or date started if permit not required)	DATE COMPLETED	FULL COST	ALLOWABLE PASS THROUGH (70%)	ALLOWABLE PASS THROUGH PER UNIT	Imputed Interest	Amortization Period (years)	Allowable Monthly Amortized Cost for Building (70%)	Allowable Amortized Cost per Unit	Date Validation (2 years ago max)
Exterior Paint	1/17/2023	02/09/23	\$68,587.00	\$48,010.90	\$1,846.57	5.379%	5	\$914.38	\$35.17	OK
Subtotal (with weighted averages)				\$48,010.90	\$1,846.57	5.379%	5	\$914.38	\$35.17	
Place X in cell B19 if property is mixed use.										
Residential square footage										
Other use square footage										
Percent residential use										
Total Cost Per Unit Allocated to Residential Units					\$1,846.57	5.379%	5		\$35.17	

FAQ

Q. When does this increase go into effect?

A. Per the city of Oakland's Emergency Moratorium Info Sheet published on 5/20/2023, "For tenants whose units are covered by the Oakland Rent Adjustment Ordinance (Oakland rent control), the moratorium prohibits rent increases above the Consumer Price Index (CPI) amount unless required to provide a fair return (following a petition and approval from the Rent Adjustment Program). This provision will remain in effect until June 30, 2024."

Q. Why is this being submitted now if rent increases cannot be implemented until July 1, 2024?

A. Completed capital improvement projects have a 24-month period after the completion date to be submitted for a capital improvement passthrough. The rent moratorium end date does not grant any extension to this 24-month window.

Q. Why are only some units selected for the increase?

A. Only units with a move-in date prior to the start date of the capital improvement project are eligible for the passthrough.

Q. How is the amount of passthrough decided?

A. The city of Oakland provides a capital improvement passthrough calculator to be used by anyone submitting a passthrough. A copy of the Oakland capital improvement calculation has been provided.

Q. Why is this petition being resubmitted?

A. Per the Corrected Administrative Decision for case number L23-0043 received on 10/14/2023, hearing officer Elan Consuella Lambert states, "Accordingly, the earliest date the Owner can file a petition is December 5, 2023."

For any additional questions, please contact the Rent Adjustment Program directly by phone or email at the following:

(510) 238-3721

rap@oaklandca.gov

Required Documents

Account Statement

BUSINESS ANALYZED CHECKING



FIRST REPUBLIC BANK
It's a privilege to serve you®

Page 4 of 10

UNIVERSITY PRESIDENT ASSOCIATES LP

Statement Period: March 01, 2023

March 31, 2023

Account Number: [REDACTED]

Account Activity

Date	Description	Amount
Deposits and Credits (Continued)		
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
03/23	ACH DEBIT CITY OF OAKLAND CTYOAKLAND UNIVERSITY PRESIDE [REDACTED] [REDACTED]	\$10,644.09 -
Total Withdrawals and Debits		[REDACTED]

Fee Summary

	Total For This Period	Total Year-to-Date
Total Overdraft Fees	[REDACTED]	[REDACTED]
Total Returned Item Fees	[REDACTED]	[REDACTED]

Message

2/6/23, 1:44 PM

Receipt

170


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Account # 00206232

UNIVERSITY PRESIDENT ASSOCIATES LP

Business License Online Renewal**PRINT THIS PAGE FOR YOUR RECORD**

The business tax license renewal has been submitted. Business tax certificates will be emailed 2 to 5 days after successfully renewing account. For questions, please contact the Business Tax office at (510) 238-3704 or btwebsupport@oaklandca.gov. Thank you, City of Oakland - Business Tax

Submission Date 2/6/2023
Confirmation # 409306

Account Information

Account # 00206232
Expire Date 12/31/2023
Name UNIVERSITY PRESIDENT ASSOCIATES LP
Address 366 BELLEVUE AVE
City OAKLAND
Phone (415) 773-0828

Summary**Input Amount****Tax Calculation**

Current Year Business Tax - Residential/Non-Residential Rental	574,164.22	\$8,009.59
BT SB1186 (AB1379)	1	\$4.00
BT Recordation and Tech	1	\$4.50
Total # of Employees, Excluding Owners - report only employees that work within Oakland		\$0.00

Rent Adjustment Program (RAP) Calculation - only use whole numbers below

a. Total # of units per Alameda County Records:	26	\$2,626.00
Total Due		\$10,644.09

Payment Information

Payment Amount	\$10,644.09
----------------	-------------

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Have a question?

CITY OF OAKLAND
BUSINESS TAX CERTIFICATE

**ACCOUNT
NUMBER**
00206232

The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other agency of the City of Oakland and/or any other ordinance, law or regulation of the State of California, or any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per Section 5.04.190(A) of the O.M.C. you are allowed a renewal grace period until March 1st the following year.

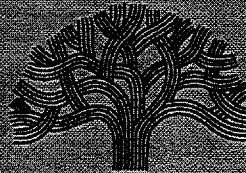
DBA UNIVERSITY PRESIDENT ASSOCIATES LP

BUSINESS LOCATION 366 BELLEVUE AVE
OAKLAND, CA 94610-3459

BUSINESS TYPE O2 Rental - Apartment

EXPIRATION DATE
12/31/2023

Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination at business establishments. A full notice is available in English or other languages by going to: <https://www.sfdca.ca.gov/publications>



UNIVERSITY PRESIDENT ASSOCIATES LP
ISABELLE MAZZONI
1717 POWELL ST STE 300
SAN FRANCISCO, CA 94133-2823

A BUSINESS TAX CERTIFICATE
IS REQUIRED FOR EACH
BUSINESS LOCATION AND IS
NOT VALID FOR ANY OTHER
ADDRESS.

ALL OAKLAND BUSINESSES
MUST OBTAIN A VALID
ZONING CLEARANCE TO
OPERATE YOUR BUSINESS
LEGALLY. RENTAL OF REAL
PROPERTY IS EXCLUDED
FROM ZONING.

PUBLIC INFORMATION ABOVE
THIS LINE TO BE
CONSPICUOUSLY POSTED!

Oakland Unit Registration

[illegible]CITY OF
OAKLAND

My Dashboard

Overview

Parcel Number	: 010078402701	Year Built	: 1989	Assessor Total Unit Count	: 76	Property Status	: 76	Registration Completed	
Site Address	: 566 BELLEVUE AVE OAKLAND CA 94610 US	Assessor Total Unit Count	: 76	Property Status	: 76	Registration Completed			

Property Status Registration Completed

Total Units Added : 26

per Total Unit Count : 26

Year Built : 1969

OAKLAND CA 94610 US

Address: 566 BELLEVUE AVE. 0

010078402701 Site Address

Parcel Number

My Cases

Columns

Export to Excel

Search

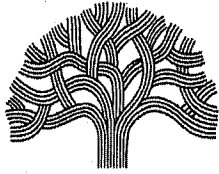
Case Number	Created On Entity	Case Type	Created On	Updated Date	Status
RE2023-2246657	APN: 010078402701	Rent Registry	04/05/2023 10:21 AM	06/26/2023 07:24 PM	Registration Completed

1

10

Items per page

1-1 of 1 Items



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR PETITION OR RESPONSE (PLUS ANY ADDITIONAL DOCUMENTS) ON THE OPPOSING PARTIES.

- Use this PROOF OF SERVICE form to indicate the date and manner in which service took place, as well as the person(s) served.
- Provide a copy of this PROOF OF SERVICE form to the opposing parties together with the document(s) served.
- File the completed PROOF OF SERVICE form with the Rent Adjustment Program together with the document you are filing and any attachments you are serving.
- Please number sequentially all additional documents provided to the RAP.

PETITIONS FILED WITHOUT A PROOF OF SERVICE WILL BE CONSIDERED INCOMPLETE AND MAY BE DISMISSED.

I served a copy of:

NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM

(insert name of document served)

☐ And Additional Documents

and (write number of attached pages) _____ attached pages (not counting the Petition or Response served or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- ☒ a. United States mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Deposited it with a commercial carrier, using a service at least as expeditious as first class mail, with all postage or charges fully prepaid, addressed to each opposing party as listed below.
- ☐ c. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.

PERSON(S) SERVED:

Name	Paolo Rose
Address	366 Bellevue Avenue Unit 101
City, State, Zip	Oakland, CA 94610

Name	Alexandre Glenard
Address	366 Bellevue Avenue Unit 103
City, State, Zip	Oakland, CA 94610

Name	Allen Vaughan
Address	366 Bellevue Avenue Unit 104
City, State, Zip	Oakland, CA 94610

Name	Joyce Smith
Address	366 Bellevue Avenue Unit 105
City, State, Zip	Oakland, CA 94610

Name	Sunfun Su
Address	366 Bellevue Avenue Unit 107
City, State, Zip	Oakland, CA 94610

Name	Victoria Gambrell
Address	366 Bellevue Avenue Unit 201
City, State, Zip	Oakland, CA 94610

Name	Jonathan Bywater
Address	366 Bellevue Avenue Unit 202
City, State, Zip	Oakland, CA 94610

Name	Elise Marie Brown
Address	366 Bellevue Avenue Unit 203
City, State, Zip	Oakland, CA 94610

To serve more than 8 people, copy this page as many times as necessary and insert in your proof of service document. If you are only serving one person, you can use just the first and last page.

Name	Liya Tesfamicheal
Address	366 Bellevue Avenue Unit 205
City, State, Zip	Oakland, CA 94610

Name	Ty Clarke
Address	366 Bellevue Avenue Unit 206
City, State, Zip	Oakland, CA 94610

Name	Yeh Hwang
Address	366 Bellevue Avenue Unit 207
City, State, Zip	Oakland, CA 94610

Name	Joale Robinso
Address	366 Bellevue Avenue Unit 208
City, State, Zip	Oakland, CA 94610

Name	Abraham Hagos
Address	366 Bellevue Avenue Unit 301
City, State, Zip	Oakland, CA 94610

Name	Calos Zepeda
Address	366 Bellevue Avenue Unit 302
City, State, Zip	Oakland, CA 94610

Name	Mekonnen Seyoum
Address	366 Bellevue Avenue Unit 303
City, State, Zip	Oakland, CA 94610

To serve more than 8 people, copy this page as many times as necessary and insert in your proof of service document. If you are only serving one person, you can use just the first and last page.

Name	Barbara Pemberton
Address	366 Bellevue Avenue Unit 304
City, State, Zip	Oakland, CA 94610

Name	Getachew Desybelew
Address	366 Bellevue Avenue Unit 305
City, State, Zip	Oakland, CA 94610

Name	Angel Mateo
Address	366 Bellevue Avenue Unit 306
City, State, Zip	Oakland, CA 94610

Name	Andrew Gaubatz
Address	366 Bellevue Avenue Unit 307
City, State, Zip	Oakland, CA 94610

Name	Rebecca Elsbeth Grayzel
Address	366 Bellevue Avenue Unit 308
City, State, Zip	Oakland, CA 94610

Name	Carolyn Clarke
Address	366 Bellevue Avenue Unit 401
City, State, Zip	Oakland, CA 94610

Name	Maxwell Lapidés
Address	366 Bellevue Avenue Unit 402
City, State, Zip	Oakland, CA 94610

To serve more than 8 people, copy this page as many times as necessary and insert in your proof of service document. If you are only serving one person, you can use just the first and last page.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and the documents were served on 8/25/2023 (insert date served).

Evan Darragh

PRINT YOUR NAME

Evan Darragh

SIGNATURE

8/25/2023

DATE

NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland has a Rent Adjustment Program ("RAP") that limits rent increases (Chapter 8.22 of the Oakland Municipal Code) and covers most residential rental units built before 1983. For more information on which units are covered, contact the RAP office.
- Starting on February 1, 2017, an owner must petition the RAP for any rent increase that is more than the annual general rent increase ("CPI increase") or allowed "banked" rent increases. These include, but are not limited to, capital improvements and operating expense increases. For these types of rent increases, the owner may raise your rent only after a hearing officer has approved the increase. No annual rent increase may exceed the maximum increase which changes annually with a 10% cap. You have a right to contest the proposed rent increase by responding to the owner's petition.
- **Contesting a Rent Increase:** You can file a petition with the RAP to contest unlawful rent increases or decreased housing services. To contest a rent increase, you must file a petition (1) within ninety (90) days of the notice of rent increase if the owner also provided this Notice to Tenants with the notice of rent increase; or (2) within 120 days of the notice of rent increase if this Notice to Tenants was not given with the notice of rent increase. If the owner did not give this Notice to Tenants at the beginning of your tenancy, you must file a petition within ninety (90) days of first receiving this Notice to Tenants. Information. The petition forms are available from the website at Rent Adjustment Program Petition and Response Forms.
- If you contest a rent increase, you must pay your rent with the contested increase until you file a petition. If the increase is approved and you did not pay the increase, you will owe the amount of the increase retroactive to the effective date of increase.
- Oakland has eviction controls (the Just Cause for Eviction Ordinance and Regulations, O.M.C. 8.22) which limit the grounds for evictions in covered units. For more information contact the RAP office.
- Oakland charges owners a Rent Program Service Fee per unit per year. If the fee is paid on time, the owner is entitled to get half of the fee from you. Tenants in subsidized units are not required to pay the tenant portion of the fee.
- Oakland has a Tenant Protection Ordinance ("TPO") to deter harassing behaviors by landlords and to give tenants legal recourse in instances where they are subjected to harassing behavior by landlords (O.M.C. 8.22.600).
- The owner ___ is ___ is not permitted to set the initial rent on this unit without limitations (such as pursuant to the Costa-Hawkins Act). If the owner is not permitted to set the initial rent without limitation, the rent in effect when the prior tenant vacated was _____.

TENANTS' SMOKING POLICY DISCLOSURE

- Smoking (circle one) IS or IS NOT permitted in Unit _____, the unit you intend to rent.
- Smoking (circle one) IS or IS NOT permitted in other units of your building. (If both smoking and non-smoking units exist in tenant's building, attach a list of units in which smoking is permitted.)
- There (circle one) IS or IS NOT a designated outdoor smoking area. It is located at _____.

I received a copy of this notice on _____ (Date) _____ (Tenant's signature)

此份屋崙(奧克蘭)市租客權利通知書附有中文版本。請致電(510) 238-3721 索取副本。

La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.

住宅租金調整計劃的租客通知書

- 屋崙(奧克蘭)市的租金調整分部(RAP)旨在限制租金調漲(屋崙(奧克蘭)市政法規 8.22 章),且主要是針對建於 1983 年以前大多數的出租住宅單位。若要了解哪些單位在本計劃限制範圍內,請聯絡 RAP 辦事處。
- 從 2017 年 2 月 1 日起,如果租金調漲幅度超出一般租金年漲幅(「CPI 漲幅」)或允許的「調整存放」漲幅,業主就必須向 RAP 陳情。調漲原因可包括但不限於固定資產整修和營運支出增加。對於這些類型的租金調漲方案,業主必須在聽證官同意調漲後才能提高您的租金。任何租金年漲幅不得超過每年最變動且最多 10% 的漲幅。如果不同意建議的租金調幅,您有權對業主的陳情提出抗辯。
- **對租金調漲提出抗辯:**您可以租金調漲違法或者住房服務縮為由,向 RAP 陳情抗辯。如果您要對租金調漲提出抗辯,(1)且業主隨同這份「租客通知」一併提供租金調漲通知,則您必須在收到租金調漲通知後九十(90)天內提出陳情;(2)但業主未隨這份「租客通知」提供租金調漲通知,則您必須在收到租金調整通知後的 120 天內提出陳情。如果業主在租期一開始時沒有提供這份租客通知,您就必須在第一次收到這份租客通知後的九十(90)天內提出請願。若需要請願書表格,可上網站 [Rent Adjustment Program Petition and Response Forms](#) (租金調整分部請願書和回應表格)取得。
- 如果您對租金調漲有異議,在提出陳情之前,您仍必須支付所要抗辯的調漲租金。若調漲金額獲准但您並未支付,您將積欠從調漲生效日期算起的調漲金額。
- 屋崙(奧克蘭)市的驅逐管制規則(屋崙(奧克蘭)市政法規 8.22 中的「驅逐正當理由」)對所管制單位的驅逐理由設有限制。若要瞭解更多資訊,請聯絡 RAP 辦公室。
- 屋崙(奧克蘭)市政府每年會向業主收取每個出租單位的「租金分部服務費」(Rent Program Service Fee)。若業主準時支付這筆費用,就有權向您收取一半費用。受補助單位的租客無需支付該費用的租客部分。
- 屋崙(奧克蘭)市的租客保護法令(Tenant Protection Ordinance, TPO)旨在遏阻房東的騷擾行為,並且在租客受房東騷擾的情況下賦予租客法律追索權(屋崙(奧克蘭)市政法規 8.22.600)。
- 業主 ___ 得以 ___ 不得對本單位設下毫無限制的起租租金(例如根據 Costa-Hawkins 法案規定)。如果業主不得設下毫無限制的起租租金,則前任房客遷出後生效的租金是 _____。

針對租客的吸煙政策聲明

- 住房單位 _____ (您有意承租的單位)「允許」或「不允許」吸煙(圈選一項)。
- 您所住建築物中的其他單位「允許」或「不允許」吸煙(圈選一項)。(若租客所住的建築物中同時包含可吸煙和不可吸煙的單位,應附上一張可吸煙單位列表。)

- 本建築物「有」或「沒有」指定的戶外吸煙區 (圈選一項)。該吸煙區位於 _____。

我於 _____ 收到本通知書 _____
(日期) (租客簽名)

本份屋崙 (奧克蘭) 市租客權利通知書附有中文版本。請致電 (510) 238-3721 索取副本。

La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.

AVISO A LOS INQUILINOS DEL RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland tiene un Programa de Ajustes en el Alquiler (“RAP”) que limita los aumentos en el alquiler (Capítulo 8.22 del Código Municipal de Oakland) y cubre a la mayoría de las unidades residenciales en alquiler construidas antes de 1983. Para obtener más información sobre las viviendas cubiertas, contacte a la oficina del RAP.
- A partir del 1.º de febrero de 2017, un propietario debe presentar una petición ante el RAP para todo aumento en el alquiler que sea mayor que el aumento general anual en el alquiler (“aumento CPI”) o para todo aumento del alquiler “guardado” que esté permitido. Estos incluyen, entre otros, mejoras de capital y aumentos en los gastos operativos. En lo que respecta a este tipo de aumentos, el propietario puede aumentar su alquiler sólo después de que un funcionario de audiencia haya autorizado el incremento. Ningún aumento anual en el alquiler podrá exceder el aumento máximo que cambia de manera anual con un 10 % de capitalización. Usted tiene derecho a disputar el aumento en el alquiler propuesto respondiendo a la petición del propietario.
- **Cómo disputar un aumento en el alquiler:** Puede presentar una petición ante el RAP para disputar aumentos ilícitos en el alquiler o la disminución de servicios en la vivienda. Para disputar el aumento en el alquiler, debe presentar una petición (1) en un plazo de (90) días a partir de la fecha del aviso de aumento en el alquiler si el propietario también proporcionó este Aviso a los Inquilinos con la notificación del aumento en el alquiler; o (2) en un plazo de 120 días a partir de la fecha de recepción del aviso de aumento en el alquiler si este Aviso a los Inquilinos no fue entregado con la notificación de aumento en el alquiler. Si el propietario no entregó este Aviso a los Inquilinos al inicio del periodo de arrendamiento, usted deberá presentar una solicitud en un plazo de (90) días a partir de la fecha en que recibió por primera vez este Aviso a los Inquilinos. Información. Encontrará los formularios de petición disponibles en el sitio web, donde dice Rent Adjustment Program Petition and Response Forms “Formularios de Petición y Respuesta del Programa de Ajustes en el Alquiler”.
- Si usted disputa un aumento en el alquiler, debe pagar su alquiler con el aumento disputado hasta que presente la petición. Si el aumento es aprobado y usted no lo pagó, adeudará la suma del incremento retroactivo a la fecha de inicio de vigencia del aumento.
- Oakland tiene controles de desalojo (Ordenanza y Reglamentos de Desalojo por Causa Justa, O.M.C. 8.22) que limitan los motivos de desalojo en las viviendas cubiertas. Para obtener más información contacte a la oficina RAP.
- Oakland cobra a los propietarios una Tarifa de Servicio del Programa de Ajustes en el Alquiler por vivienda al año. Si la tarifa se paga a tiempo, el propietario tiene derecho a cobrar la mitad del costo de esta tarifa al inquilino. No se requiere que los inquilinos de viviendas subsidiadas paguen la parte de la tarifa que correspondería al inquilino.
- Oakland posee una Ordenanza de Protección al Inquilino (Tenant Protection Ordinance, “TPO”) para impedir el comportamiento abusivo por parte de los propietarios y para ofrecer a los inquilinos recursos legales en instancias donde hayan sido víctimas de comportamiento abusivo por parte de los propietarios (O.M.C. 8.22.600).
- El propietario _____ tiene _____ no tiene permitido establecer el alquiler inicial de esta unidad sin limitaciones (por ejemplo, de conformidad con la Ley Costa-Hawkins). Si el propietario no tiene permitido establecer el alquiler inicial sin limitaciones, el alquiler vigente cuando el inquilino anterior desalojó la vivienda era de _____.

INFORMACIÓN PARA LOS INQUILINOS SOBRE LAS POLÍTICAS PARA FUMADORES

- Fumar (encierre en un círculo) ESTÁ o NO ESTÁ permitido en la Unidad _____, la unidad que

usted pretende alquilar.

- Fumar (encierre en un círculo) ESTÁ o NO ESTÁ permitido en otras unidades de su edificio. (Si hay disponibilidad de ambas unidades, para fumadores y no fumadores, en el edificio del inquilino, adjunte una lista de las unidades en donde se permite fumar).
- (Encierre en un círculo) HAY o NO HAY un área designada al aire libre para fumar. Se encuentra en _____.

Recibí una copia de este aviso el _____

(Fecha)

(Firma del inquilino)

此份屋崙 (奧克蘭) 市租客權利通知書附有中文版本。請致電 (510) 238-3721 索取副本。

La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.

Relevant Petition Background Information

RECEIVED

OCT 14 2023

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 5313 • OAKLAND, CALIFORNIA 94612-2034

Housing and Community Development Department
Rent Adjustment Program

TEL (510) 238-3721
FAX (510) 238-6181
CA Relay Service 711

CORRECTED ADMINISTRATIVE DECISION

CASE NUMBER L23-0043

CASE NAME: University President Associates LP v. Tenants

PROPERTY ADDRESS: 366 Bellevue Avenue
Oakland, CA

PARTIES: Flynn Investments Inc., Owner's Agent

CORRECTION

An Administrative Decision was issued on April 5, 2023. There are typographical errors in the Administrative Decision. This Corrected Administrative Decision is issued to correct the typographical errors. These are clerical errors, and there is no further appeal period.

SUMMARY OF DECISION

The Owner's petition is denied.

INTRODUCTION

Reason for Administrative decision: An Administrative Decision is a decision issued without a hearing. The purpose of a hearing is to allow the parties to present testimony and other evidence to allow the resolution of disputes of material fact. However, in this case, sufficient uncontested facts have been presented to issue a decision without a hearing, and no material facts are disputed. Therefore, an administrative decision, without a hearing, is being issued.

BACKGROUND

On July 20, 2023, the Owner filed the petition herein. The petition requested approval of a rent increase on the grounds of capital improvements made to the subject property. The petition was completed under penalty of perjury and did not state that the Owner (or a previous owner) had given the City of Oakland's Notice to Tenants of Residential Rent Adjustment Program to the tenants in each affected unit by the petition, did not provide a Business Tax Certificate, proof of payment of the RAP Fee, did not provide evidence of registration with the Rent Adjustment Program, and did not provide organized documentation showing the justification and detailed calculations.

On August 9, 2023, the petitioner was served with a Notice of Incomplete Petition, and the petitioner was given 35 days to file the necessary documents to complete the petition.¹ The Owner provided a copy of the Business Tax Certificate, evidence of Registration with the Rent Adjustment Program, some documentation showing the justification and detailed calculations, and evidence of service of the RAP Notice to the affected tenants on August 25, 2023.

RATIONALE FOR ADMINISTRATIVE DECISION

The Rent Adjustment Ordinance (Ordinance) requires an owner to serve the Notice to Tenants of the Rent Adjustment Program (RAP Notice) at the start of a tenancy² and together with any notice of rent increase or change in the terms of a tenancy.³ Likewise, the Ordinance requires an owner filing a petition seeking a rent increase to provide evidence of a current City Business License, evidence of payment of the Rent Adjustment Program Service Fee, evidence of registration with the Rent Adjustment Program, and evidence of service of written notice of the existence and scope of the rent adjustment program on the tenant in each affected covered unit in the building prior to the petition being filed. Effective September 21, 2016, Owners are required to provide a RAP Notice in the following languages: English, Spanish, and Chinese.⁴

¹ O.M.C. § 8.22.090(B)(1) requires, inter alia, evidence of possession of a current City business license, evidence of payment of the rent adjustment program service fee, and evidence of registration with the Rent Adjustment Program.

² O.M.C. § 8.22.060(A)

³ O.M.C. § 8.22.070(H)(1)(A)

⁴ RAP Notices in the required languages are provided by the Rent Adjustment Program.

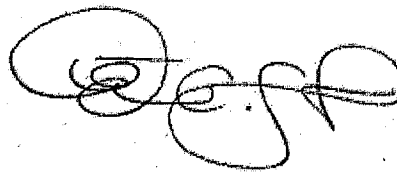
The Owner has the burden of proving service of the Notice. Failure of an Owner to provide the required notice may be cured if the Owner gives the notice at least six months prior to serving the rent increase notice on the tenant or at least six months prior to filing a petition.

The Owner's Agent herein filed the petition on July 5, 2023, signed under the penalty of perjury. The Owner provided a copy of the Business Tax Certificate, evidence of Registration with the Rent Adjustment Program, and evidence of service of the RAP Notice to the affected tenants on August 25, 2023. Therefore, the service of written notice of the existence and scope of the rent adjustment program on the tenant in each affected covered unit in the building was not completed before the petition was filed as required. Therefore, the Owner must wait six months from the service to file a petition.

Accordingly, the earliest date the Owner can file a petition is December 5, 2023. Therefore, the petition herein filed on July 20, 2023, prior to the service of the RAP Notice, cannot proceed. As such, the petition is denied.

ORDER

1. Petition L23-0043 is denied.
2. The Remote Settlement Conference and Hearing, scheduled for September 13, 2023, is canceled.



Dated: October 12, 2023

Élan Consuella Lambert
Hearing Officer
Rent Adjustment Program

PROOF OF SERVICE

Case Number: L23-0043

Case Name: University President Associates LP v. Tenants

I am a resident of the State of California at least eighteen years of age. I am not a party to the Residential Rent Adjustment Program case listed above. I am employed in Alameda County, California. My business address is 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California 94612.

Today, I served the attached documents listed below by placing a true copy in a City of Oakland mail collection receptacle for mailing on the below date at 250 Frank H. Ogawa Plaza, Oakland, California, addressed to:

Documents Included

Corrected Administrative Decision

Owner

University President Associates LP University President Associates LP, University President Associates LP
1717 Powell Street
San Francisco, CA 94133

Owner Representative

Flynn Investments, Inc.
1717 Powell Street
San Francisco, CA 94133

Tenant

Abraham Hagos
366 Bellevue Avenue Unit 301
Oakland, CA 94610

Tenant

Alexandre Glenard
366 Bellevue Avenue Unit 103
Oakland, CA 94610

Tenant

Allen Vaughn
366 Bellevue Avenue Unit 104
Oakland, CA 94610

Tenant

Andrew Gaubatz
366 Bellevue Avenue Unit 307
Oakland, CA 94610

Tenant

Angel Mateo
366 Bellevue Avenue Unit 306
Oakland, CA 94610

Tenant

Barbara Pemberton
366 Bellevue Avenue Unit 304
Oakland, CA 94610

Tenant

Calos Zepeda
366 Bellevue Avenue Unit 302
Oakland, CA 94610

Tenant

Carolyn Clarke
366 Bellevue Avenue Unit 401
Oakland, CA 94610

Tenant

Elise Brown
366 Bellevue Avenue Unit 203
Oakland, CA 94610

Tenant

Getachew Desybelew
366 Bellevue Avenue Unit 305
Oakland, CA 94610

Tenant

Joale Robinso
366 Bellevue Avenue Unit 208
Oakland, CA 94610

Tenant

Jonathan Bywater
366 Bellevue Avenue Unit 202
Oakland, CA 94610

Tenant

Joyce Smith
366 Bellevue Avenue Unit 105
Oakland, CA 94610

Tenant

Liya Tesfamicheal
366 Bellevue Avenue Unit 205
Oakland, CA 94610

Tenant

Maxwell Lapidés
366 Bellevue Avenue Unit 402
Oakland, CA 94610

Tenant

Mekonnen Seyoum
366 Bellevue Avenue Unit 303
Oakland, CA 94610

Tenant

Paolo Rose
366 Bellevue Avenue Unit 101
Oakland, CA 94610

Tenant

Rebecca Grayzel
366 Bellevue Avenue Unit 308
Oakland, CA 94610

Tenant

Sunfun Su
366 Bellevue Avenue Unit 107
Oakland, CA 94610

Tenant

Ty Clarke
366 Bellevue Avenue Unit 206
Oakland, CA 94610

Tenant

Victoria Gambrell
366 Bellevue Avenue Unit 201
Oakland, CA 94610

Tenant

Yeh Hwang
366 Bellevue Avenue Unit 207
Oakland, CA 94610

I am readily familiar with the City of Oakland's practice of collection and processing correspondence for mailing. Under that practice an envelope placed in the mail collection receptacle described above would be deposited in the United States mail with the U.S. Postal Service on that same day with first class postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
Executed on **October 12, 2023** in Oakland, California.

Brittini Jackson

Brittini Jackson
Oakland Rent Adjustment Program

Calculations

Capital Improvement Calculator
City of Oakland Rent Adjustment Program

IMPROVEMENTS BENEFITING ALL UNITS BUILDING WIDE

Petition Date

12/6/23

Number of Residential Units

26

IMPROVEMENT OR REPAIR	DATE PERMIT OBTAINED (or date started if permit not required)	DATE COMPLETED	FULL COST	ALLOWABLE PASS THROUGH (70%)	ALLOWABLE PASS THROUGH PER UNIT	Imputed Interest	Amortization Period (years)	Allowable Monthly Amortized Cost for Building (70%)	Allowable Amortized Cost per Unit	Date Validation (2 years ago max)
Exterior Paint	1/17/2023	02/09/23	\$68,587.00	\$48,010.90	\$1,846.57	5.379%	5	\$914.38	\$35.17	OK
Subtotal (with weighted averages)				\$48,010.90	\$1,846.57	5.379%	5	\$914.38	\$35.17	
Place X in cell B19 if property is mixed use.										
Residential square footage										
Other use square footage										
Percent residential use										
Total Cost Per Unit Allocated to Residential Units					\$1,846.57	5.379%	5	\$35.17		

Capital Improvement Calculator
City of Oakland Rent Adjustment Program

TOTAL RENT INCREASE FOR EACH UNIT[illegible]

Contract

GONZALEZ PAINTING
448 LONDON STREET
SAN FRANCISCO CA 94112
CA US
(415) 946-9494
PaintingSF@gmail.com

Estimate

ADDRESS
Meridian Management Group

ESTIMATE # 2241
DATE 09/07/2022

ACTIVITY	AMOUNT
Proposal for exterior seal and paint at 366 Bellevue, Oakland	
Pressure wash the walls.	
Mask all window during painting.	
Wet scrape and sand loose peeling paint.	
Protect all surfaces not to be coated.	
Remove failed and defective caulking.	
Open up and clean out cracks.	
Sand rust off metal surfaces.	
Ensure a clean, dry and sound substrate before applying coatings.	
Install new sealants around the perimeter of window openings where missing.	
Use only acrylic urethane caulking for a water tight surfaces.	
Replace loose and missing window glaze.	
Full prime where needed.	
Four color scheme.	
Clean up on a daily basis.	
Any dry rot discovered will be extra cost.	
Services	9,800.00
Scaffolding and netting	
Services	48,500.00
Labor and materials	
License no 948218	

Contractor
signature

TOTAL

\$58,300.00

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Accepted By

Accepted Date

44 000119

GONZALEZ PAINTING
448 LONDON STREET
SAN FRANCISCO CA 94112
CA US
(415) 946-9494
PaintingSF@gmail.com

Estimate

ADDRESS

Meridian Management Group
JOB: 366 BELLEVUE,
OAKLAND

ESTIMATE # 2283

DATE 01/24/2023

ACTIVITY

Services

JOB: 366 BELLEVUE, OAKLAND DRY ROT REPAIRS ON EXTERIOR
To replace
200' of dry rot windows trim
45' of 1" x 10" facias fj
30' of 2" x 14" df
36' of 3" x 4" fj cedar trim
50' of 1" x 4" fj cedar trim
2 sheets of T-1 - 11 siding

AMOUNT

5,800.00

Contractor

signature

TOTAL

\$5,800.00

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Accepted By

Accepted Date

45 000120

Invoices & Checks

Expense Distribution (Paid Only)

Property=0170 AND Account=6620 AND mm/yy=01/2023-12/2023

Account Code - Name				Invoice				Check		
Vendor Code - Name	Control	Property	Invoice #	Date	Period	Amount	Check #	Date	Remarks	
6620 - Special Renovation										
951814 - GONZALEZ PAINTING LLC	P-615626	0170	3122	1/26/2023	02-2023	20,000.00	1206	2/10/2023		
951814 - GONZALEZ PAINTING LLC	P-615631	0170	3128	2/8/2023	02-2023	44,100.00	1210	2/14/2023		
100254 - MERIDIAN MANAGEMENT GROUP	P-625215	0170	021723-170	2/17/2023	04-2023	4,487.00	1264	4/20/2023	Supervision fee	
Total 6620 - Special Renovation						68,587.00				
						68,587.00				

GONZALEZ PAINTING
448 LONDON STREET
SAN FRANCISCO CA 94112
CA US
(415) 946-9494
PaintingSF@gmail.com

INVOICE

BILL TO
Meridian Management Group

INVOICE # 3122
DATE 01/26/2023
DUE DATE 02/10/2023

ACTIVITY	AMOUNT
Services	20,000.00
JOB: 886 BELLEVUE FIRST PAYMENT FOR SCAFFOLDING AND MATERIALS	
LICENSE NO 948218 B,C33	

BALANCE DUE **\$20,000.00**

UNIVERSITY PRESIDENT ASSOC., LP-366 Bellevue
MERIDIAN MANAGEMENT GROUP
TRUST ACCOUNT
1145 BUSH STREET
SAN FRANCISCO, CA 94109

First Republic Bank
1699 Van Ness Avenue
San Francisco, CA 94109

11-81663210

1206

02/10/2023

\$20,000.00**

**** TWENTY THOUSAND AND 00/100 DOLLARS

TO THE ORDER OF

GONZALEZ PAINTING LLC
448 LONDON STREET
SAN FRANCISCO, CA 94112



MEMO: 50763

001206

49

000124

CREDITED TO ACCOUNT
 OF CERTAIN NAMED PAY
 FOR DEPOSIT ONLY
 JPMorgan Chase Bank

50

(Page 2 of 2)

PharmacHoseBook

000125

GONZALEZ PAINTING

448 LONDON STREET

SAN FRANCISCO CA 94112

CA US

(415) 946-9494

PaintingSF@gmail.com

INVOICE**BILL TO**

Meridian Management Group

INVOICE # 3128**DATE 02/08/2023****DUE DATE 03/10/2023****TERMS Net 30****ACTIVITY****AMOUNT**

Proposal for exterior seal and paint at 366 Bellevue, Oakland

Pressure wash the walls.

Mask all window during painting.

Wet scrape and sand loose peeling paint.

Protect all surfaces not to be coated.

Remove failed and defective caulking.

Open up and clean out cracks.

Sand rust off metal surfaces.

Ensure a clean, dry and sound substrate before applying coatings.

Install new sealants around the perimeter of window openings where missing.

Use only acrylic urethane caulking for a water tight surfaces.

Replace loose and missing window glaze.

Full prime where needed.

Four color scheme.

Clean up on a daily basis.

Any dry rot discovered will be extra cost.

Services

14,800.00

Scaffolding and netting

Services

43,500.00

Labor and materials

License no 948218

Services

5,800.00

All dryrot repairs

License no 948218

BALANCE DUE**\$64,100.00****51 000126**

GONZALEZ PAINTING
448 LONDON STREET
SAN FRANCISCO CA 94112
CA US
(415) 946-9494
PaintingSF@gmail.com

INVOICE

BILL TO
Meridian Management Group

INVOICE # 3128
DATE 02/08/2023
DUE DATE 03/10/2023
TERMS Net 30

ACTIVITY	AMOUNT
Proposal for exterior seal and paint at 366 Bellevue, Oakland	
Pressure wash the walls.	
Mask all window during painting.	
Wet scrape and sand loose peeling paint.	
Protect all surfaces not to be coated.	
Remove failed and defective caulking.	
Open up and clean out cracks.	
Sand rust off metal surfaces.	
Ensure a clean, dry and sound substrate before applying coatings.	
Install new sealants around the perimeter of window openings where missing.	
Use only acrylic urethane caulking for a water tight surfaces.	
Replace loose and missing window glaze.	
Full prime where needed.	
Four color scheme.	
Clean up on a daily basis.	
Any dry rot discovered will be extra cost.	
Services	14,800.00
Scaffolding and netting	
Services	43,500.00
Labor and materials	
License no 948218	
Services	5,800.00
All dryrot repairs	
Services	-20,000.00
First draw	

License no 948218

BALANCE DUE

\$44,100.00

52 000127

UNIVERSITY PRESIDENT ASSOC., LP-366 Bellevue
MERIDIAN MANAGEMENT GROUP
TRUST ACCOUNT
1145 BUSH STREET
SAN FRANCISCO, CA 94109

First Republic Bank
1699 Van Ness Avenue
San Francisco, CA 94109

11-8188/3210

1210

02/14/2023

\$44,100.00**

**** FORTY FOUR THOUSAND ONE HUNDRED AND 00/100 DOLLARS
TO THE ORDER OF

GONZALEZ PAINTING LLC
448 LONDON STREET
SAN FRANCISCO, CA 94112



MEMO: 50763

001210

53

000128

[Handwritten signature]
CREDITED TO ACCOUNT OF
WITHIN NAMED PAYEE
FOR DEPOSIT ONLY
JPMorgan Chase Bank, N.A.

54

[Redacted area]

[Redacted area]

(page 2 of 2)

JPMorgan Chase Bank	
• Payment made	• Value of payment
• Date of payment	• Amount of payment
• Name of payee	• Address of payee
• City of payee	• State of payee
• Zip of payee	• Country of payee
• Account number	• Bank name
• Branch name	• Branch address
• Branch city	• Branch state
• Branch zip	• Branch country

Meridian Management Group
1145 Bush Street
SAN FRANCISCO, CA 94109
TEL. 415-434-9700 FAX. 415-782-3833

Date: February 17, 2023

To: University Presidents Assoc., LP
366 Bellevue Ave., Oakland

SUPERVISION FEE

SEAL AND PAINT EXTERIOR

Building Code: 0170

Address: 366 Bellevue Ave., Oakland, CA

Refer to checklist, ledger, invoices, estimate, approval & pictures

TOTAL **\$ 64,100.00**

According to the Management Agreement, Owner shall pay Agent for coordination of major projects a seven percent (7%) coordination and supervision fee based on the total amount of monies expended.

Seven (7.0%) percent of \$ 64,100.00 equals \$ 4,487.00

TOTAL FEE FOR ABOVE: **\$ 4,487.00**

Please make check payable to Meridian Management Group and reference the address on the check. Thank you very much.

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

UNIVERSITY PRESIDENT ASSOC., LP-368 Bellevue
MERIDIAN MANAGEMENT GROUP
TRUST ACCOUNT
1145 BUSH STREET
SAN FRANCISCO, CA 94109

First Republic Bank
1699 Van Ness Avenue
San Francisco, CA 94109

11-9160/3210

1264

04/20/2023

\$4,487.00***

**** FOUR THOUSAND FOUR HUNDRED EIGHTY SEVEN AND 00/100 DOLLARS
TO THE ORDER OF

MERIDIAN MANAGEMENT GROUP
1145 BUSH STREET
SAN FRANCISCO, CA 94109



Security Features Included (if) Inside on back

⑈001264⑈

56

000131


For Deposit Only

CHECK HERE IF MOON IS CORRECT

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

57

(Page 2 of 2)

 Always check the security features provided on this document which meet and exceed industry guidelines	
Security Features	Results of check alteration
1. Color of paper	• The color of the paper is not altered
2. Paper texture	• The texture of the paper is not altered
3. Paper weight	• The weight of the paper is not altered
4. Paper size	• The size of the paper is not altered
5. Paper color	• The color of the paper is not altered
6. Paper smell	• The smell of the paper is not altered
7. Paper taste	• The taste of the paper is not altered
8. Paper touch	• The touch of the paper is not altered

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000132

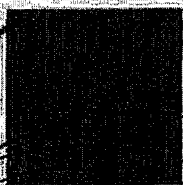
Photos



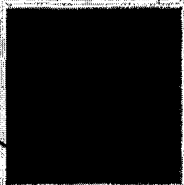
perfect palette®

366 Bellevue

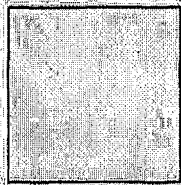
Daniela Franco, Property Services Rep, 323-215-7897, daniela.franco@dunnedwards.com



1 8



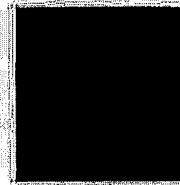
2 6 7



3 4



5



9

Scheme

2

1 Main Body - DET618 Industrial Age

2 Accent - DE6335 Novelty Navy

3 Windows - DEW383 Cool December

4 Fascia/Belly Band - DEW383 Cool December

5 Railings - DET619 Celluloid

6 Lower Body - DE6335 Novelty Navy

7 Balcony - DE6335 Novelty Navy

8 Address Numbers - DET618 Industrial Age

9 Lightpost - DEA002 Black

DISCLAIMER

Paint colors represented are approximations and are not exact matches.

No guarantee is intended and approval of final colors, and color placement is the responsibility of the building owner or the owner's agent.

26011 NW

59 000134

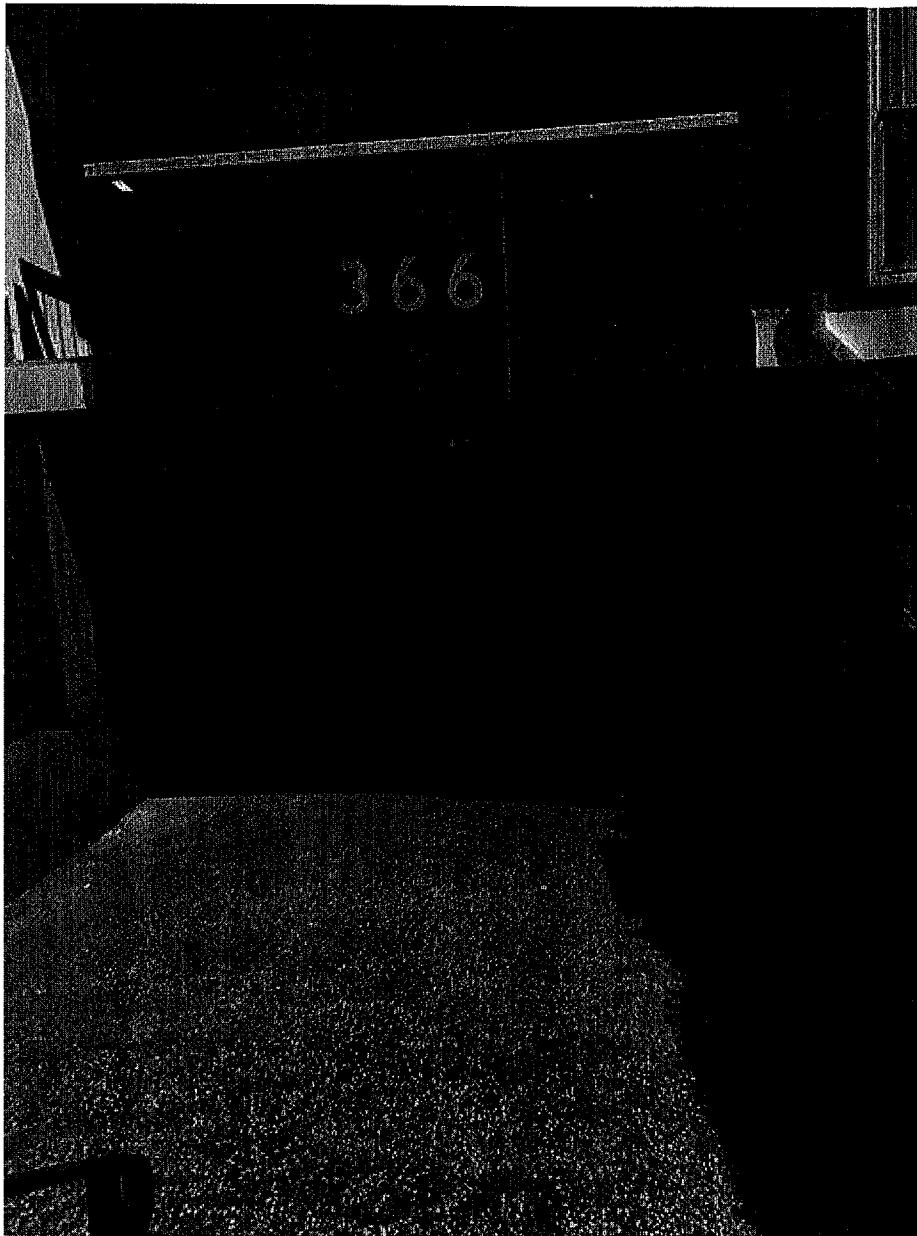
From:
Sent: Thursday, February 9, 2023 1:56 PM
To:
Cc:
Subject: 170-366 Bellevue

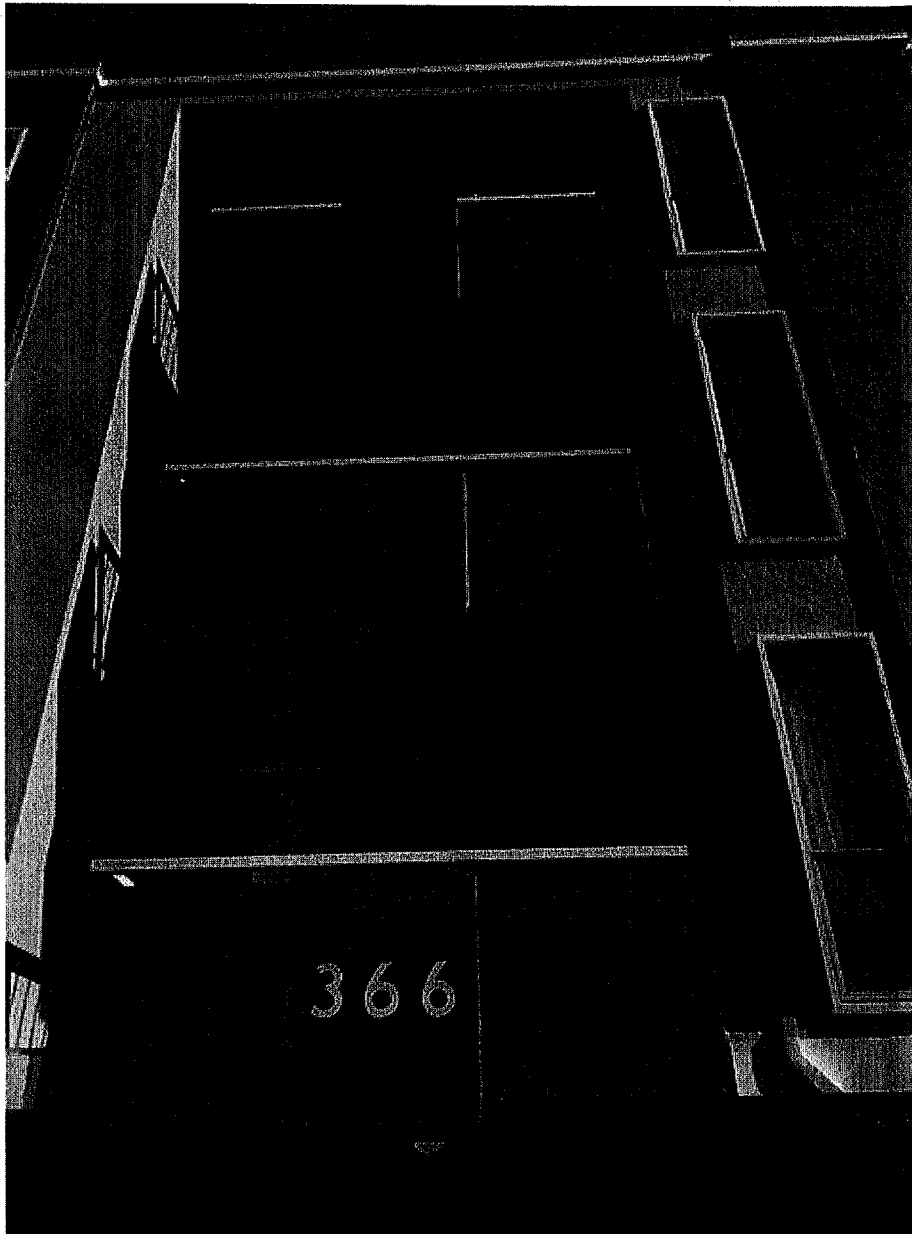
Good afternoon, all,

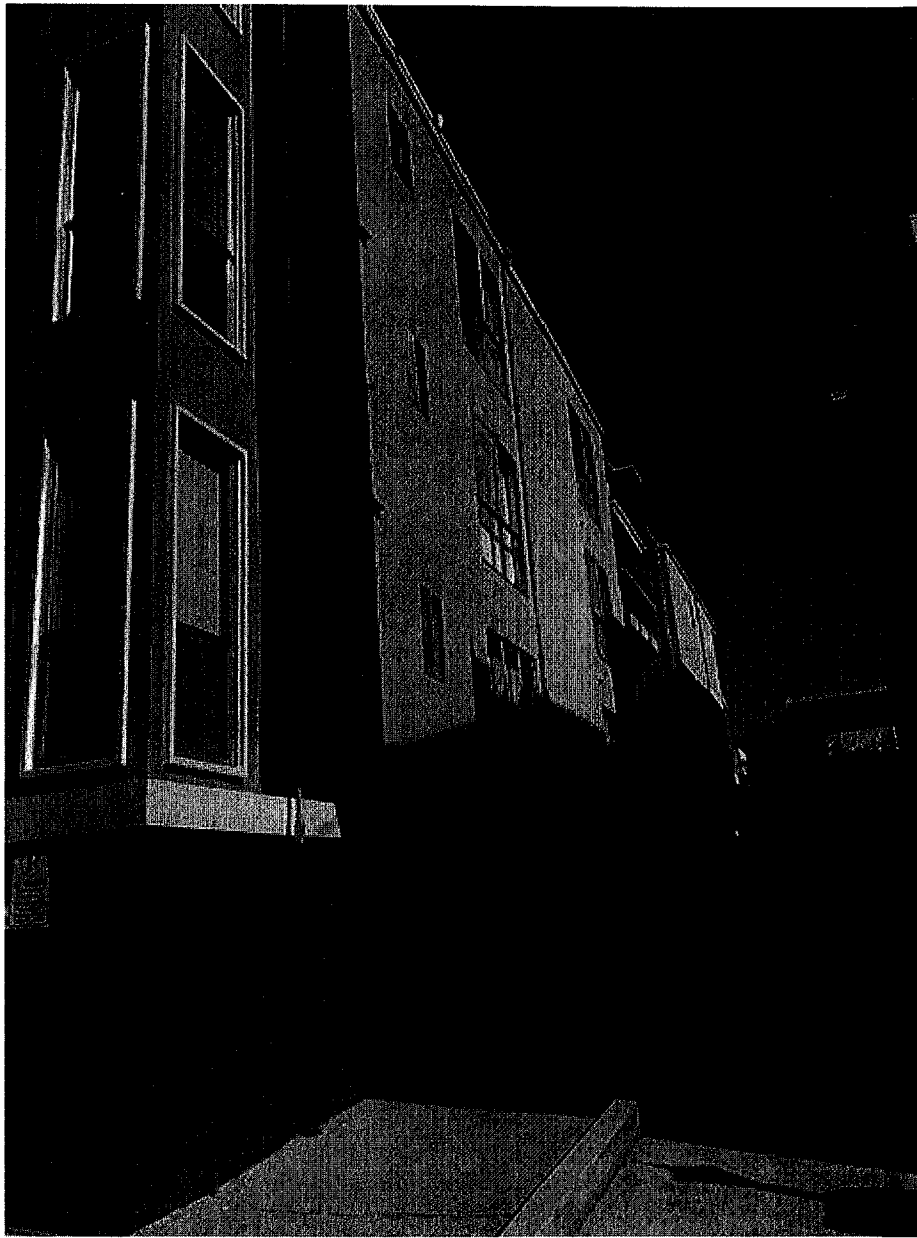
More photos for your review and we are done with the project. Looks amazing! Thank you



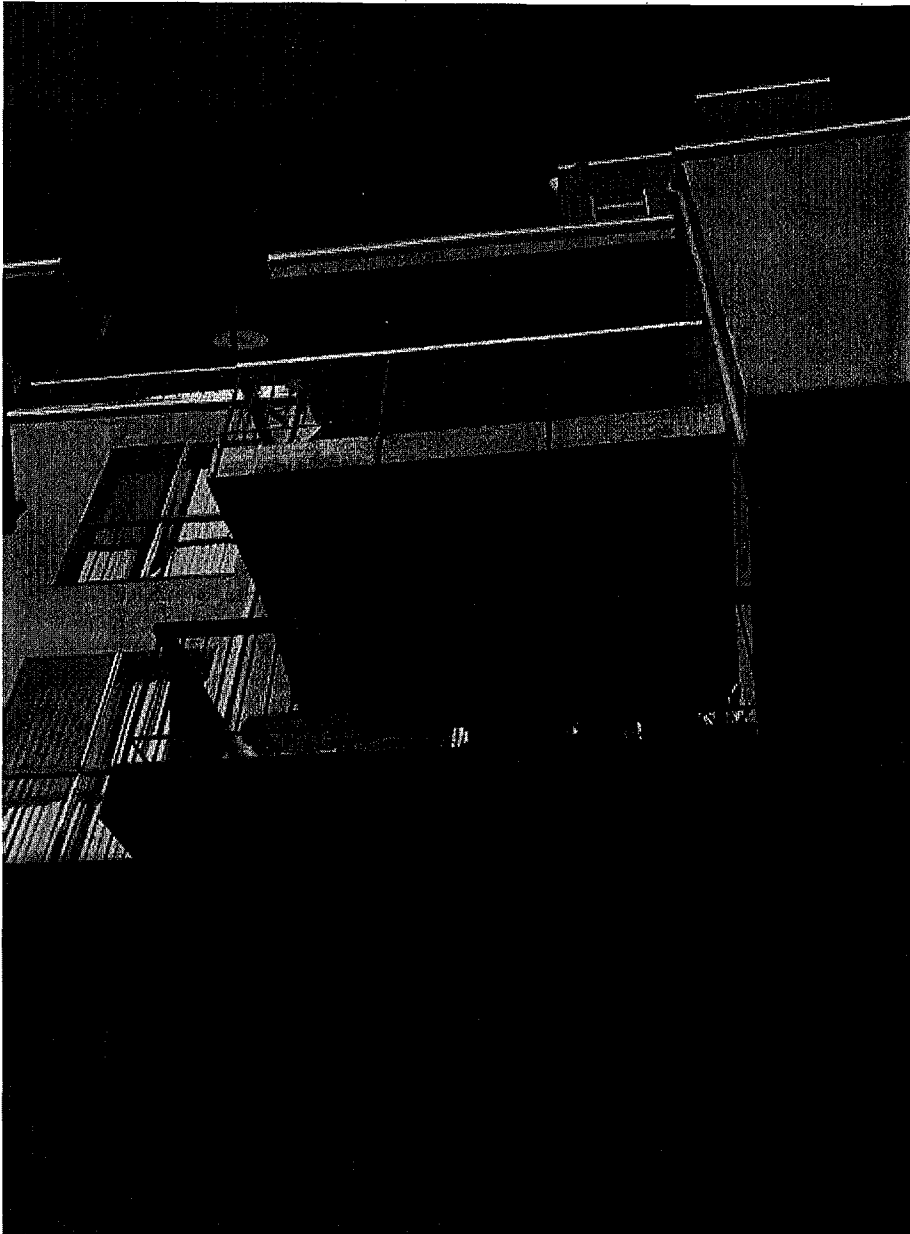


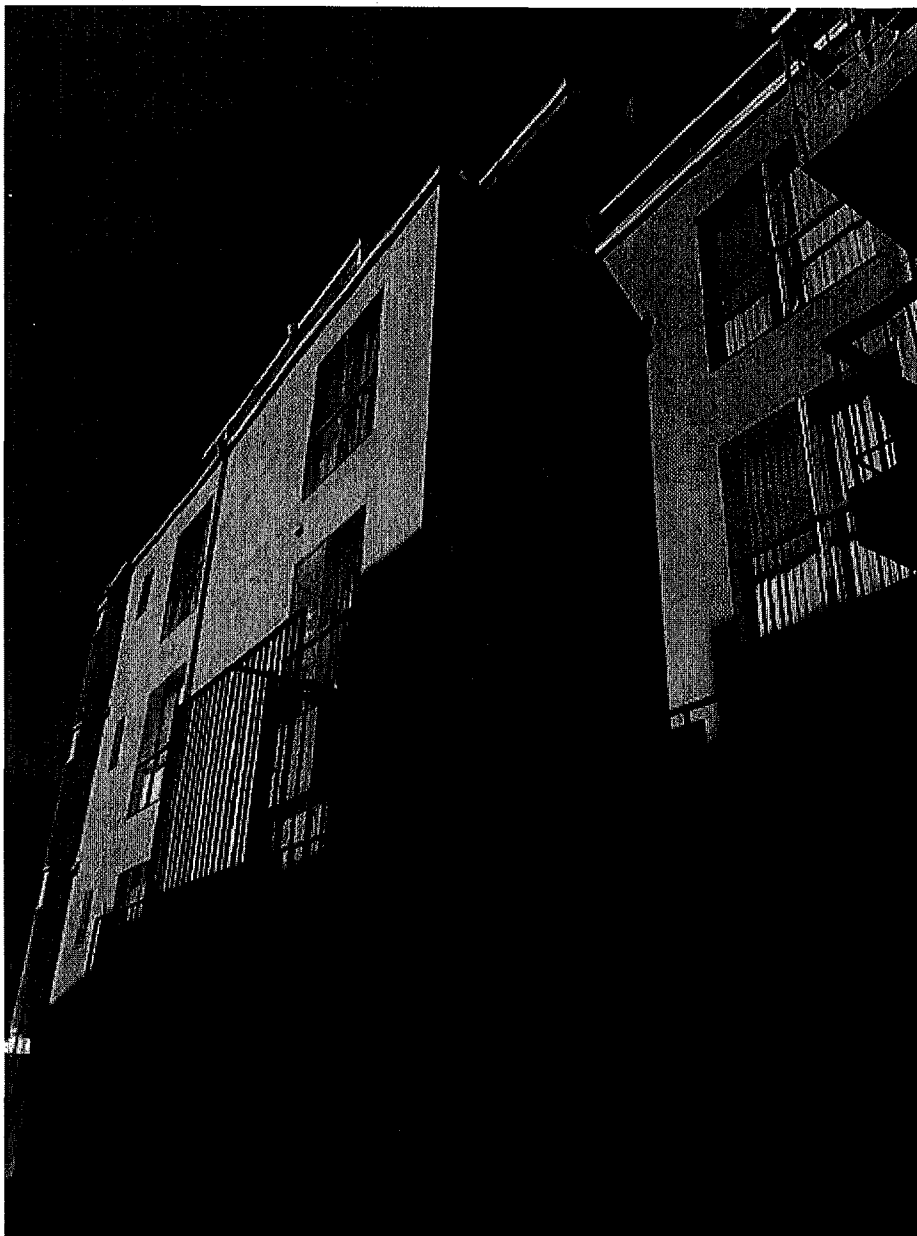


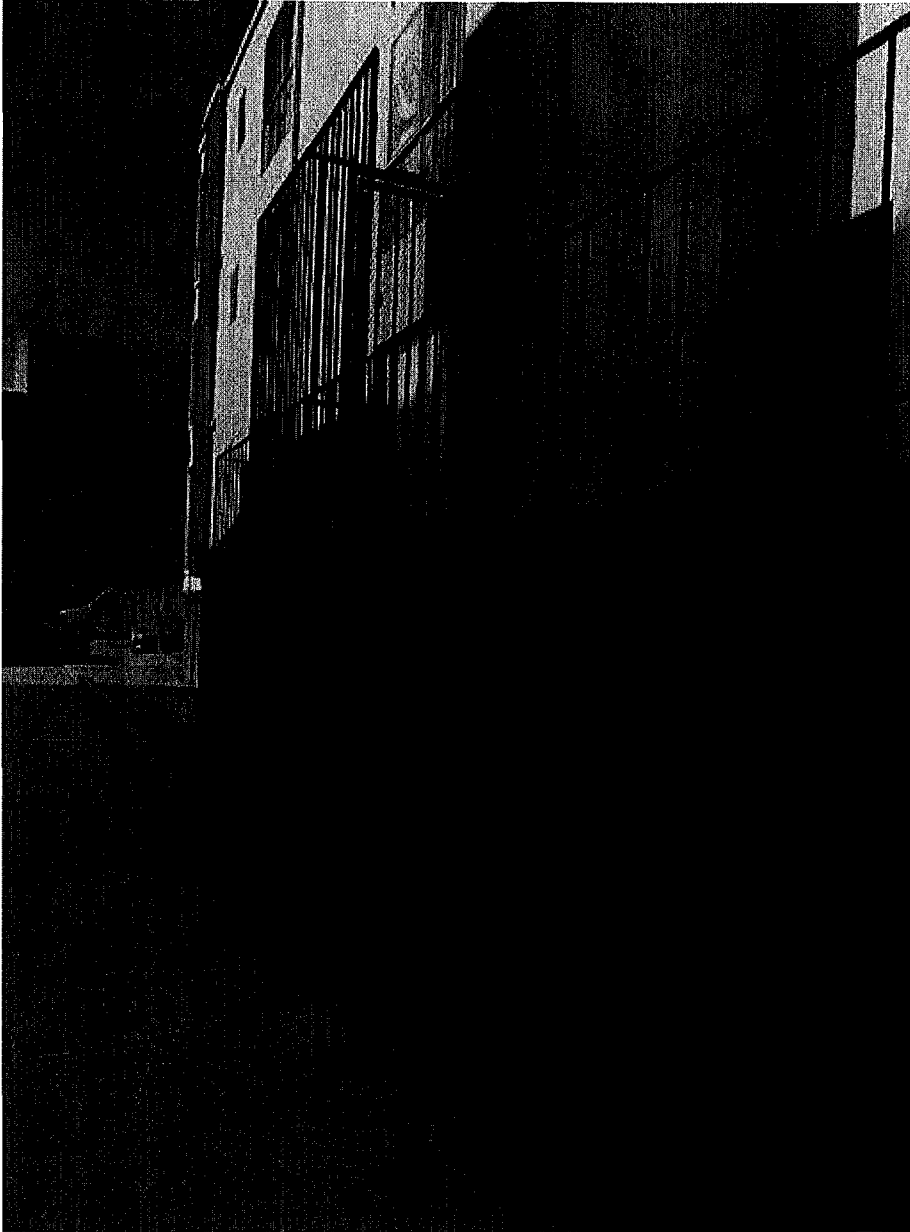


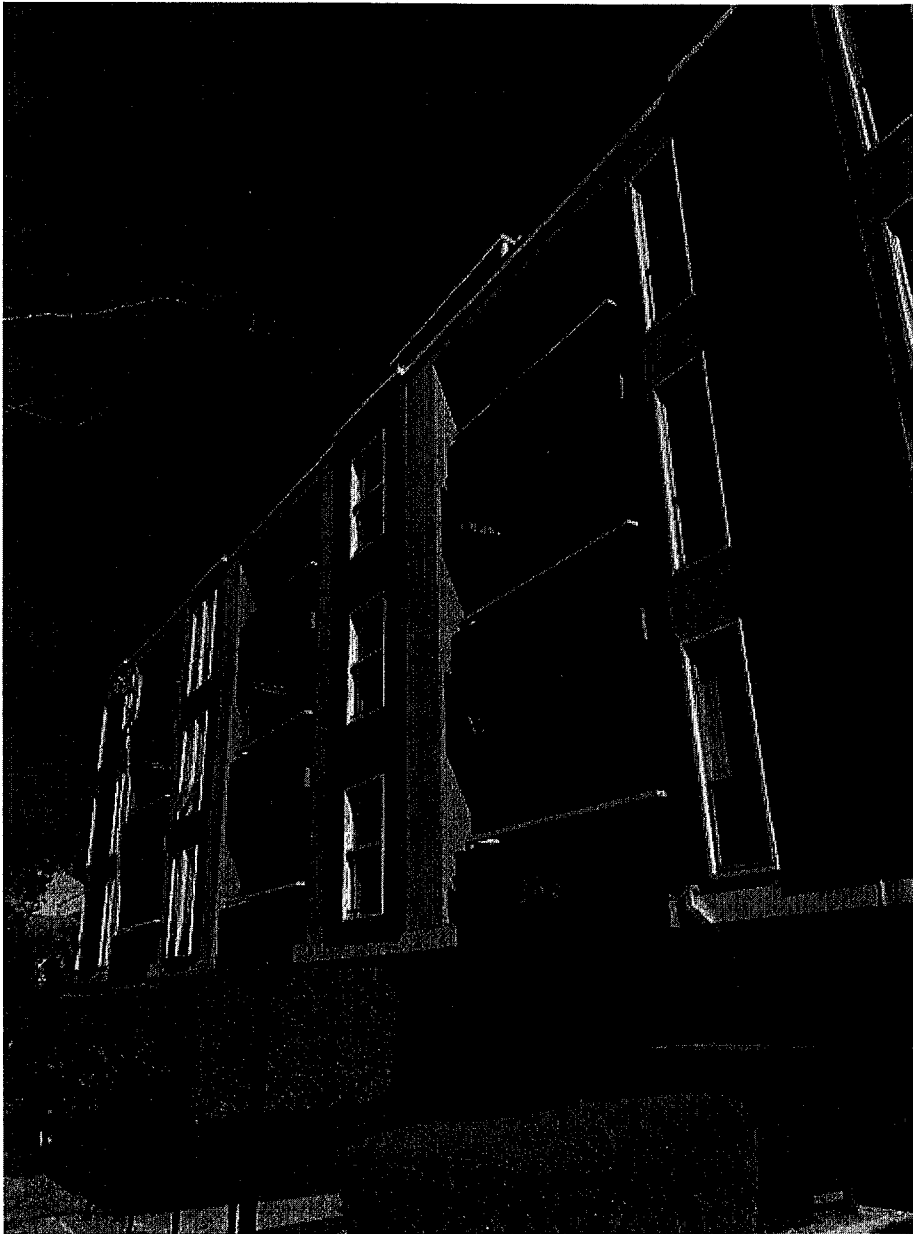




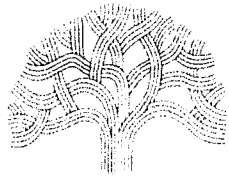








Sent from my iPhone



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAPRECEIVED
For Rent Adjustment Program date stamp.

JAN - 2 2024

OAKLAND RENT
ADJUSTMENT PROGRAMCASE NUMBER L24-0002**TENANT RESPONSE
TO OWNER PETITION FOR APPROVAL OF RENT
INCREASE**

Please fill out this form as completely as you can. Use this form to respond to the Property Owner Petition for Approval of Rent Increase filed by the property owner of your rental unit. The Rent Adjustment Ordinance allows property owners to increase rents above the allowable annual CPI (Consumer Price Index) rate, based on certain justifications ("grounds"), if approved after a hearing with the Rent Adjustment Program ("RAP"). By completing this Tenant Response and submitting it in the required time for filing, you will be able to participate in the hearing. Failure to provide the required information may result in your Tenant Response being rejected or delayed. See "Important Information Regarding Filing Your Response" on the last pages of this packet for more information, including filing instructions and how to contact RAP with questions. Additional information is also available on the RAP website. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR RESPONSE BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Tenant Rental Information

<u>366</u>	<u>Bellevue Ave</u>	<u>107</u>	Oakland, CA	<u>94610</u>
Street Number	Street Name	Unit Number		Zip Code
<u>Sunfun</u>	<u>Su</u>			
Your First Name		Last Name		
Mailing Address (if different from above): _____				
Primary Telephone <u>(510) 834-8534</u>		Other Telephone: _____		Email: <u>susyjava@yahoo.com</u>
Type of unit (check one):	<input type="checkbox"/> Single family home <input type="checkbox"/> Condominium <input checked="" type="checkbox"/> Apartment, room, or live-work			
Number of units on the property: <u>26</u>		Are you current on your rent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No* If not current, explain why: _____ (*Note: You must be current on your rent or lawfully withholding rent in order to file a response. Checking "No" without providing an adequate explanation may result in your response being excluded and limit your participation in the hearing.)		

Case number(s) of any relevant prior Rent Adjustment case(s): L23-0042**Tenant Representative:** (Check one) ☒ No Representative ☐ Attorney ☐ Non-Attorney

First Name	Last Name	Firm/Organization (if any)
Mailing Address: _____		
Phone Number: _____		Email: _____

RENT HISTORY

Move-in Date: 11/28/1998 Initial Rent at Move-In: \$ 600.00 Current Rent: \$ 920.59

When did the property owner first provide you with the City form, NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM ("RAP Notice")?

- ☒ I first received the RAP Notice on (date): Around 2009
☐ I was never provided with the RAP Notice
☐ I do not remember if I ever received the RAP Notice

List all rent increases you have received for this unit in the past five years. Enter all information requested.

Date received rent increase notice: (mm/dd/yy)	Date rent increase went into effect: (mm/dd/yy)	Amount of increase:		Received RAP Notice with notice of rent increase?	
		FROM	TO	YES	NO
11/28/2022	01/01/2023	\$ 893.78	\$ 920.59	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NOV. 2019	01/01/2020	\$ 863.56	\$ 893.78	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NOV. 2018	01/01/2019	\$ 835.16	\$ 863.56	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NOV. 2017	01/01/2018	\$ 816.38	\$ 835.16	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		\$	\$	<input type="checkbox"/>	<input type="checkbox"/>

RESPONSE TO PROPERTY OWNER PETITION

Use the space below to respond to the rent increase requested in the Owner Petition.

- To generally contest the Owner Petition, simply check the first box under the "GENERAL RESPONSE(S)" section below.
- You may also (but are not required to) raise specific defenses pertaining to the claimed rent increase justification(s) by selecting from the "SPECIFIC RESPONSES" checklist on the following page. **Note that the property owner has the burden of proving that all requirements for the requested rent increase have been met—your failure to check any of the boxes below does NOT mean that any objection you may have is waived.**

Attach additional sheets if needed to provide further explanation. You may attach any documentation supporting your position together with your Tenant Response form. For detailed information on allowable rent increases, see Appendix A of the Rent Adjustment Program Regulations or see the Rent Adjustment Ordinance. Copies of Appendix A and the Ordinance are available on the RAP website. Brief summaries of each rent increase justification are also listed on the last page of this response packet.

GENERAL RESPONSE(S)

- ☒ I wish to generally contest the requested rent increase.
- ☐ The requested increase would cause my rent to increase by more than 30% in the last five years (This response may not apply when the increase sought is based on the tenant not residing in the unit as principal residence.)
- ☐ I believe I should not have to pay the requested rent increase because the unit has been cited in an inspection report by a governmental agency as containing serious health, safety, fire, or building code violations. (Attach copy of inspection report.)
- ☐ Before serving the rent increase notice, the property owner failed to substantially comply with the annual registration and reporting obligations as required under Oakland Municipal Code, Section 8.22.510.
- ☒ I believe the property owner is not entitled to the proposed rent increase because:

1. The garbage chute in the building has not been fixed since 2018.
2. This capital improvements rent increase petition is NOT primarily a benefit to the tenants. (Like garbage chute)

SPECIFIC RESPONSES

(Optional)

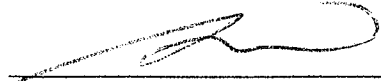
NOTE: You do not have to make these claims in order for these issues to be decided by the Hearing Officer.

Justification	Tenant Response
Capital Improvements	<p><input type="checkbox"/> The claimed improvements do not meet the legal or factual requirements for "Capital Improvements" as set forth in Appendix A of the Rent Adjustment Program Regulations.</p> <p><input type="checkbox"/> The claimed improvements were not completed by the date the Property Owner Petition was filed or were completed more than 24 months prior to the date the Petition was filed.</p> <p><input type="checkbox"/> Property owner did not obtain finaled permit(s) for work that required permit(s).</p> <p><input checked="" type="checkbox"/> The claimed improvements were not primarily a benefit to the tenants.</p> <p><input checked="" type="checkbox"/> Other (provide explanation): <u>This is more a cosmetic improvement(s) benefiting Owner's property.</u></p>
Uninsured Repair Costs	<p><input type="checkbox"/> Property owner received insurance reimbursement for claimed costs.</p> <p><input type="checkbox"/> The need for some or all of the repairs was not caused by a natural disaster.</p> <p><input type="checkbox"/> Other (provide explanation): _____</p>
Increased Housing Service Costs	<p><input type="checkbox"/> The claimed expenses do not meet the legal or factual requirements for "Housing Service Costs" as set forth in Appendix A of the Rent Adjustment Program Regulations.</p> <p><input type="checkbox"/> Property owner did not include all rental income or all expenses as required.</p> <p><input type="checkbox"/> Other (provide explanation): _____</p>
Fair Return	<p><input type="checkbox"/> Property owner did not provide adequate information or documentation on gross income or gross expenses as required.</p> <p><input type="checkbox"/> Other (provide explanation): _____</p>
Banking	<p><input type="checkbox"/> I have received an annual CPI increase each year since I moved in.</p> <p><input type="checkbox"/> I have not received an annual CPI increase every year (just some years) but I think the proposed banking increase is too high.</p> <p><input type="checkbox"/> I moved into the current unit more than 10 years ago. My rent amount 11 years ago was \$_____/month.</p> <p><input type="checkbox"/> Other (provide explanation): _____</p>
Additional Occupant(s)	<p><input type="checkbox"/> The additional occupant(s) is/are a one-for-one replacement of former tenant(s) (total number of tenants does not exceed the base occupancy level).</p> <p><input type="checkbox"/> The additional occupant(s) is/are family member(s) and/or caretaker/attendant(s) of an existing tenant. (See O.M.C. § 8.22.020.)</p> <p><input type="checkbox"/> The person does not permanently reside in the unit.</p> <p><input type="checkbox"/> Other (provide explanation): _____</p>
Tenant Not Residing in the Unit as Principal Residence	<p><input type="checkbox"/> As of the date the petition is filed, I reside in the unit as my principal residence.</p>

TENANT VERIFICATION

(Required)

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this Response is true and that all of the documents attached to the Response are true copies of the originals.



Tenant 1 Signature

12/27/2023

Date

Tenant 2 Signature

Date

REQUEST FOR OWNER DOCUMENTATION IN EXCESS OF 25 PAGES

If the property owner submitted more than 25 pages of attachments in support of their petition, the owner may have opted to not serve you with a copy of all the attachments (see if box is checked on the Property Owner Petition under "Documentation in Excess of 25 pages"). You may contact RAP to request copies of the documents (email RAP@oaklandca.gov), or you may check the box below to request that the owner provide you with copies.

☒ I/We request that the owner provide me/us with copies of all documents submitted in support of the Property Owner Petition.

CONSENT TO ELECTRONIC SERVICE

(Highly Recommended)

Check the box below if you agree to have RAP staff and the OTHER PARTY/IES send you documents related to your case electronically. If you agree to electronic service, the RAP and other parties may send certain documents only electronically and not by first class mail.

☒ I/We consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) provided in this response.

MEDIATION PROGRAM

Mediation is an optional process offered by RAP to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. A trained third party will work with the parties prior to the hearing to see if a mutual agreement can be reached. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you agree to mediation in your case.

I agree to have the case mediated by a Rent Adjustment Program staff mediator.



Tenant Signature

12/27/2023

Date

INTERPRETATION SERVICES

If English is not your primary language, you have the right to an interpreter in your primary language/dialect at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

☐ I request an interpreter fluent in the following language at my Rent Adjustment proceeding:

- ☐ Spanish (Español)
- ☐ Cantonese (廣東話)
- ☐ Mandarin (普通话)
- ☐ Other: _____

-END OF RESPONSE-



CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

Rent Adjustment Program date stamp.

RECEIVED

JAN - 2 2024

OAKLAND RENT
ADJUSTMENT PROGRAM

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR RESPONSE (PLUS ANY ATTACHMENTS) ON THE PROPERTY OWNER PRIOR TO FILING YOUR RESPONSE WITH RAP.

- 1) Use this *PROOF OF SERVICE* form to indicate the date and manner of service and the person(s) served.
- 2) **NOTE:** Email is not a form of allowable service on a party of a petition or response pursuant to the Ordinance.
- 3) Provide a completed and unsigned copy of this *PROOF OF SERVICE* form to the person(s) being served together with the documents being served.
- 4) File a completed and signed copy of this *PROOF OF SERVICE* form with RAP together with your Response. Your Response will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 12/30/2023 I served a copy of (check all that apply):

☒ **TENANT RESPONSE TO OWNER PETITION FOR APPROVAL OF RENT INCREASE** plus _____ attached pages (number of pages attached to Response not counting the Response form or *PROOF OF SERVICE*)

☐ Other: _____

by the following means (check one):

☒ **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

PERSON(S) SERVED:

Name	University President Associates, LP. Attn: Evan Darragh
Address	1717 Powell Street
City, State, Zip	San Francisco, CA 94133

Name	City of Oakland Rent Adjustment Program
Address	250 Frank H. Ogawa Plaza, Suite 5313
City, State, Zip	Oakland, CA 94612-0243

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Sunfun Su


PRINTED NAME

[Signature]

SIGNATURE

12/30/2023

DATE SIGNED

 CITY OF OAKLAND	CITY OF OAKLAND RENT ADJUSTMENT PROGRAM 250 Frank H. Ogawa Plaza, Suite 5313 Oakland, CA 94612-0243 (510) 238-3721 CA Relay Service 711 www.oaklandca.gov/RAP	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> RECEIVED For Rent Adjustment Program date stamp. </div> JAN - 2 2024 OAKLAND RENT ADJUSTMENT PROGRAM 24-0002 CASE NUMBER L <u>23-0042</u>
--	--	--

TENANT RESPONSE TO OWNER PETITION FOR APPROVAL OF RENT INCREASE

Please fill out this form as completely as you can. Use this form to respond to the Property Owner Petition for Approval of Rent Increase filed by the property owner of your rental unit. The Rent Adjustment Ordinance allows property owners to increase rents above the allowable annual CPI (Consumer Price Index) rate, based on certain justifications ("grounds"), if approved after a hearing with the Rent Adjustment Program ("RAP"). By completing this Tenant Response and submitting it in the required time for filing, you will be able to participate in the hearing. Failure to provide the required information may result in your Tenant Response being rejected or delayed. See "Important Information Regarding Filing Your Response" on the last pages of this packet for more information, including filing instructions and how to contact RAP with questions. Additional information is also available on the RAP website. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR RESPONSE BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Tenant Rental Information			
<u>366</u> Street Number	<u>BELLEVUE AVE</u> Street Name	<u>207</u> Unit Number	Oakland, CA <u>94610</u> Zip Code
<u>Yeh Feng</u> Your First Name		<u>HWANG</u> Last Name	
Mailing Address (if different from above): _____			
Primary Telephone: <u>(510) 499-8652</u> Other Telephone: _____ Email: _____			
Type of unit <i>(check one):</i>	<input type="checkbox"/> Single family home <input type="checkbox"/> Condominium <input checked="" type="checkbox"/> Apartment, room, or live-work	Are you current on your rent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No* If not current, explain why: _____ <small>(*Note: You must be current on your rent or lawfully withholding rent in order to file a response. Checking "No" without providing an adequate explanation may result in your response being excluded and limit your participation in the hearing.)</small>	
Number of units on the property: <u>26</u>			
Case number(s) of any relevant prior Rent Adjustment case(s): <u>L23-0042</u>			
Tenant Representative: <i>(Check one)</i> <input checked="" type="checkbox"/> No Representative <input type="checkbox"/> Attorney <input type="checkbox"/> Non-Attorney			
First Name _____ Last Name _____ Firm/Organization <i>(if any)</i> _____			
Mailing Address: _____			
Phone Number: _____ Email: _____			

RENT HISTORY

Move-in Date: December 1996 Initial Rent at Move-In: \$ 580.00 Current Rent: \$ 934.16

When did the property owner first provide you with the City form, NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM ("RAP Notice")?

- ☒ I first received the RAP Notice on (date): April 2009
☐ I was never provided with the RAP Notice
☐ I do not remember if I ever received the RAP Notice

List all rent increases you have received for this unit in the past five years. Enter all information requested.

Date received rent increase notice:	Date rent increase went into effect:	Amount of Increase:		Received RAP Notice with notice of rent increase?	
(mm/dd/yy)	(mm/dd/yy)	FROM	TO	YES	NO
11/28/2022	01/01/23	\$ 906.95	\$ 934.16	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11/26/2021	01/01/22	\$ 890.04	\$ 906.95	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11/27/2019	01/01/20	\$ 831.67	\$ 890.04	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nov. 2017	01/01/18	\$ 812.97	\$ 831.67	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		\$	\$	<input type="checkbox"/>	<input type="checkbox"/>

RESPONSE TO PROPERTY OWNER PETITION

Use the space below to respond to the rent increase requested in the Owner Petition.

- To generally contest the Owner Petition, simply check the first box under the "GENERAL RESPONSE(S)" section below.
- You may also (but are not required to) raise specific defenses pertaining to the claimed rent increase justification(s) by selecting from the "SPECIFIC RESPONSES" checklist on the following page. **Note that the property owner has the burden of proving that all requirements for the requested rent increase have been met—your failure to check any of the boxes below does NOT mean that any objection you may have is waived.**

Attach additional sheets if needed to provide further explanation. You may attach any documentation supporting your position together with your Tenant Response form. For detailed information on allowable rent increases, see Appendix A of the Rent Adjustment Program Regulations or see the Rent Adjustment Ordinance. Copies of Appendix A and the Ordinance are available on the RAP website. Brief summaries of each rent increase justification are also listed on the last page of this response packet.

GENERAL RESPONSE(S)

☒ I wish to generally contest the requested rent increase.

- ☐ The requested increase would cause my rent to increase by more than 30% in the last five years (This response may not apply when the increase sought is based on the tenant not residing in the unit as principal residence.)
- ☐ I believe I should not have to pay the requested rent increase because the unit has been cited in an inspection report by a governmental agency as containing serious health, safety, fire, or building code violations. (Attach copy of inspection report.)
- ☐ Before serving the rent increase notice, the property owner failed to substantially comply with the annual registration and reporting obligations as required under Oakland Municipal Code, Section 8.22.510.
- ☐ I believe the property owner is not entitled to the proposed rent increase because:

1. The garbage chute in the building has NOT been fixed since 2018
2. This capital improvement Rent Increase Petition is NOT primarily a benefit to the tenants (like fixing the garbage chute).
3. My rent increase from 2019-2022 was exceeding 7% (See attached proof of evidence 2 pages)

SPECIFIC RESPONSES

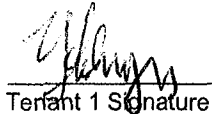
(Optional)

NOTE: You do not have to make these claims in order for these issues to be decided by the Hearing Officer.

Justification	Tenant Response
Capital Improvements	<input type="checkbox"/> The claimed improvements do not meet the legal or factual requirements for "Capital Improvements" as set forth in Appendix A of the Rent Adjustment Program Regulations. <input type="checkbox"/> The claimed improvements were not completed by the date the Property Owner Petition was filed or were completed more than 24 months prior to the date the Petition was filed. <input type="checkbox"/> Property owner did not obtain finaled permit(s) for work that required permit(s). <input checked="" type="checkbox"/> The claimed improvements were not primarily a benefit to the tenants. <input checked="" type="checkbox"/> Other (provide explanation): <i>This capital improvement is a cosmetic improvement to owner's property.</i>
Uninsured Repair Costs	<input type="checkbox"/> Property owner received insurance reimbursement for claimed costs. <input type="checkbox"/> The need for some or all of the repairs was not caused by a natural disaster. <input type="checkbox"/> Other (provide explanation): _____
Increased Housing Service Costs	<input type="checkbox"/> The claimed expenses do not meet the legal or factual requirements for "Housing Service Costs" as set forth in Appendix A of the Rent Adjustment Program Regulations. <input type="checkbox"/> Property owner did not include all rental income or all expenses as required. <input type="checkbox"/> Other (provide explanation): _____
Fair Return	<input type="checkbox"/> Property owner did not provide adequate information or documentation on gross income or gross expenses as required. <input type="checkbox"/> Other (provide explanation): _____
Banking	<input type="checkbox"/> I have received an annual CPI increase each year since I moved in. <input type="checkbox"/> I have not received an annual CPI increase every year (just some years) but I think the proposed banking increase is too high. <input type="checkbox"/> I moved into the current unit more than 10 years ago. My rent amount 11 years ago was \$_____/month. <input type="checkbox"/> Other (provide explanation): _____
Additional Occupant(s)	<input type="checkbox"/> The additional occupant(s) is/are a one-for-one replacement of former tenant(s) (total number of tenants does not exceed the base occupancy level). <input type="checkbox"/> The additional occupant(s) is/are family member(s) and/or caretaker/attendant(s) of an existing tenant. (See O.M.C. § 8.22.020.) <input type="checkbox"/> The person does not permanently reside in the unit. <input type="checkbox"/> Other (provide explanation): _____
Tenant Not Residing in the Unit as Principal Residence	<input type="checkbox"/> As of the date the petition is filed, I reside in the unit as my principal residence.

TENANT VERIFICATION*(Required)*

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this Response is true and that all of the documents attached to the Response are true copies of the originals.


Tenant 1 Signature

Yeh Feng Hwang

12/28/2023
Date


Tenant 2 Signature

Gordon Yeung

12/28/2023
Date

REQUEST FOR OWNER DOCUMENTATION IN EXCESS OF 25 PAGES

If the property owner submitted more than 25 pages of attachments in support of their petition, the owner may have opted to not serve you with a copy of all the attachments (see if box is checked on the Property Owner Petition under "Documentation in Excess of 25 pages"). You may contact RAP to request copies of the documents (email RAP@oaklandca.gov), or you may check the box below to request that the owner provide you with copies.

☒ I/We request that the owner provide me/us with copies of all documents submitted in support of the Property Owner Petition.

CONSENT TO ELECTRONIC SERVICE*(Highly Recommended)*

Check the box below if you agree to have RAP staff and the OTHER PARTY/IES send you documents related to your case electronically. If you agree to electronic service, the RAP and other parties may send certain documents only electronically and not by first class mail.

☐ I/We consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) provided in this response.

MEDIATION PROGRAM

Mediation is an optional process offered by RAP to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. A trained third party will work with the parties prior to the hearing to see if a mutual agreement can be reached. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you agree to mediation in your case.

I agree to have the case mediated by a Rent Adjustment Program staff mediator.

Tenant Signature

Date

INTERPRETATION SERVICES

If English is not your primary language, you have the right to an interpreter in your primary language/dialect at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

☒ I request an interpreter fluent in the following language at my Rent Adjustment proceeding:

- ☐ Spanish (Español)
☒ Cantonese (廣東話)
☒ Mandarin (普通话)
☐ Other: _____

Yeh Hwang
366 Bellevue Avenue , #207
November 21, 2019

Proof of evidence Page 1

Rent Increase Calculations

Effective January 1, 2020

Your current base rent on your apartment is	\$831.67
Banked Rent Increase shall be	28.28
CPI Rent Increase shall be	<u>30.10</u>

Therefore, effective January 1, 2020, the new monthly base rent on your apartment will be **\$890.04**

Additionally, your portion of the Rent Adjustment Program Service Fee is Due in January 34.00

Payment for the month of January 1, 2020 **\$924.04**

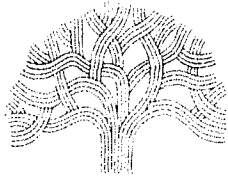
Note: Refer to Page 1 for the schedule of subsequent payments due.

170 #207

000156

000157

-END OF RESPONSE-



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

Rent Adjustment Program date stamp.

RECEIVED

JAN - 2 2024

OAKLAND RENT
ADJUSTMENT PROGRAM

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR RESPONSE (PLUS ANY ATTACHMENTS) ON THE PROPERTY OWNER PRIOR TO FILING YOUR RESPONSE WITH RAP.

- 1) Use this **PROOF OF SERVICE** form to indicate the date and manner of service and the person(s) served.
- 2) **NOTE:** Email is not a form of allowable service on a party of a petition or response pursuant to the Ordinance.
- 3) Provide a completed and unsigned copy of this **PROOF OF SERVICE** form to the person(s) being served together with the documents being served.
- 4) File a completed and signed copy of this **PROOF OF SERVICE** form with RAP together with your Response. Your Response will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 12, 30 2023 I served a copy of (check all that apply):

☒ **TENANT RESPONSE TO OWNER PETITION FOR APPROVAL OF RENT INCREASE** plus 2 attached pages (number of pages attached to Response not counting the Response form or **PROOF OF SERVICE**)

☐ Other: _____

by the following means (check one):

☒ **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

PERSON(S) SERVED:

Name	University President Associates, LP. Attn: Evan Darragh
Address	1717 Powell Street
City, State, Zip	San Francisco, CA 94133

Name	City of Oakland Rent Adjustment Program
Address	250 Frank H. Ogawa Plaza, Suite 5313
City, State, Zip	Oakland, CA 94612-0243

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Yeh Feng Hwang

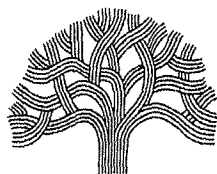
PRINTED NAME



SIGNATURE

12/30/2023

DATE SIGNED



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

JAN - 8 2024

OAKLAND RENT
ADJUSTMENT PROGRAM
CASE NUMBER L - 24 - 0002

**TENANT RESPONSE
TO OWNER PETITION FOR APPROVAL OF RENT
INCREASE**

Please fill out this form as completely as you can. Use this form to respond to the Property Owner Petition for Approval of Rent Increase filed by the property owner of your rental unit. The Rent Adjustment Ordinance allows property owners to increase rents above the allowable annual CPI (Consumer Price Index) rate, based on certain justifications ("grounds"), if approved after a hearing with the Rent Adjustment Program ("RAP"). By completing this Tenant Response and submitting it in the required time for filing, you will be able to participate in the hearing. Failure to provide the required information may result in your Tenant Response being rejected or delayed. See "Important Information Regarding Filing Your Response" on the last pages of this packet for more information, including filing instructions and how to contact RAP with questions. Additional information is also available on the RAP website. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR RESPONSE BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Tenant Rental Information			
366	Bellevue Ave	105	Oakland, CA 94610
Street Number	Street Name	Unit Number	Zip Code
Joyce	Smith		
Your First Name	Last Name		
Mailing Address (if different from above):			
Primary Telephone: (510) 981-9353		Other Telephone: Email:	
Type of unit (check one):	<input type="checkbox"/> Single family home <input type="checkbox"/> Condominium <input checked="" type="checkbox"/> Apartment, room, or live-work	Are you current on your rent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No*	
Number of units on the property: 26		If not current, explain why:	
(*Note: You must be current on your rent or lawfully withholding rent in order to file a response. Checking "No" without providing an adequate explanation may result in your response being excluded and limit your participation in the hearing.)			
Case number(s) of any relevant prior Rent Adjustment case(s): L23-0042			
Tenant Representative: (Check one) <input checked="" type="checkbox"/> No Representative <input type="checkbox"/> Attorney <input type="checkbox"/> Non-Attorney			
First Name		Last Name	
Mailing Address:		Firm/Organization (if any)	
Phone Number:		Email:	

RENT HISTORY

Move-in Date: 5-1983 Initial Rent at Move-In: \$? Current Rent: \$ 1,343.13

When did the property owner first provide you with the City form, NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM ("RAP Notice")?

- ☐ I first received the RAP Notice on (date): _____
☐ I was never provided with the RAP Notice
☐ I do not remember if I ever received the RAP Notice

List all rent increases you have received for this unit in the past five years. Enter all information requested.

Date received rent increase notice: (mm/dd/yy)	Date rent increase went into effect: (mm/dd/yy)	Amount of increase:		Received RAP Notice with notice of rent increase?	
		FROM	TO	YES	NO
12-15-2023	3-1-2024	\$1,343.13	\$1,376.70	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11-11-2022	2-1-2023	\$1,304.01	\$1,343.13	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		\$1,293.91	\$1,304.01	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		\$1,259.91	\$1,293.91	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		\$1,218.48	\$1,259.91	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RESPONSE TO PROPERTY OWNER PETITION

Use the space below to respond to the rent increase requested in the Owner Petition.

- To generally contest the Owner Petition, simply check the first box under the "GENERAL RESPONSE(S)" section below.
- You may also (but are not required to) raise specific defenses pertaining to the claimed rent increase justification(s) by selecting from the "SPECIFIC RESPONSES" checklist on the following page. **Note that the property owner has the burden of proving that all requirements for the requested rent increase have been met.** Your failure to check any of the boxes below does NOT mean that any objection you may have is waived.

Attach additional sheets if needed to provide further explanation. You may attach any documentation supporting your position together with your Tenant Response form. For detailed information on allowable rent increases, see Appendix A of the Rent Adjustment Program Regulations or see the Rent Adjustment Ordinance. Copies of Appendix A and the Ordinance are available on the RAP website. Brief summaries of each rent increase justification are also listed on the last page of this response packet.

GENERAL RESPONSE(S)

☒ I wish to generally contest the requested rent increase.

☐ The requested increase would cause my rent to increase by more than 30% in the last five years (This response may not apply when the increase sought is based on the tenant not residing in the unit as principal residence.)

☐ I believe I should not have to pay the requested rent increase because the unit has been cited in an inspection report by a governmental agency as containing serious health, safety, fire, or building code violations. (Attach copy of inspection report.)

☒ I believe the property owner is not entitled to the proposed rent increase because: 1. This is a capital improvement rent increase is NOT primarily a benefit to tenants.
2. The garbage chute in the building has not been working for a long time. This would be a benefit to the tenants. However, if it's going to transfer cost to us tenants, we can live without it.

SPECIFIC RESPONSES

(Optional)

NOTE: You do not have to make these claims in order for these issues to be decided by the Hearing Officer.

Justification	Tenant Response
Capital Improvements	<input type="checkbox"/> The claimed improvements do not meet the legal or factual requirements for "Capital Improvements" as set forth in Appendix A of the Rent Adjustment Program Regulations. <input type="checkbox"/> The claimed improvements were not completed by the date the Property Owner Petition was filed or were completed more than 24 months prior to the date the Petition was filed. <input type="checkbox"/> Property owner did not obtain finalized permit(s) for work that required permit(s). <input checked="" type="checkbox"/> The claimed improvements were not primarily a benefit to the tenants. <input checked="" type="checkbox"/> Other (provide explanation): <u>This is a cosmetic improvement to the owner's property.</u>
Uninsured Repair Costs	<input type="checkbox"/> Property owner received insurance reimbursement for claimed costs. <input type="checkbox"/> The need for some or all of the repairs was not caused by a natural disaster. <input type="checkbox"/> Other (provide explanation): _____
Increased Housing Service Costs	<input type="checkbox"/> The claimed expenses do not meet the legal or factual requirements for "Housing Service Costs" as set forth in Appendix A of the Rent Adjustment Program Regulations. <input type="checkbox"/> Property owner did not include all rental income or all expenses as required. <input type="checkbox"/> Other (provide explanation): _____
Fair Return	<input type="checkbox"/> Property owner did not provide adequate information or documentation on gross income or gross expenses as required. <input type="checkbox"/> Other (provide explanation): _____
Banking	<input type="checkbox"/> I have received an annual CPI increase each year since I moved in. <input type="checkbox"/> I have not received an annual CPI increase every year (just some years) but I think the proposed banking increase is too high. <input type="checkbox"/> I moved into the current unit more than 10 years ago. My rent amount 11 years ago was \$_____/month. <input type="checkbox"/> Other (provide explanation): _____
Additional Occupant(s)	<input type="checkbox"/> The additional occupant(s) is/are a one-for-one replacement of former tenant(s) (total number of tenants does not exceed the base occupancy level). <input type="checkbox"/> The additional occupant(s) is/are family member(s) and/or caretaker/attendant(s) of an existing tenant. (See O.M.C. § 8.22.020.) <input type="checkbox"/> The person does not permanently reside in the unit. <input type="checkbox"/> Other (provide explanation): _____
Tenant Not Residing in the Unit as Principal Residence	<input checked="" type="checkbox"/> As of the date the petition is filed, I reside in the unit as my principal residence.

TENANT VERIFICATION*(Required)*

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this Response is true and that all of the documents attached to the Response are true copies of the originals.

Joyce Smith
Tenant 1 Signature

1-5-2024
Date

Tenant 2 Signature

Date

REQUEST FOR OWNER DOCUMENTATION IN EXCESS OF 25 PAGES

If the property owner submitted more than 25 pages of attachments in support of their petition, the owner may have opted to not serve you with a copy of all the attachments (see if box is checked on the Property Owner Petition under "Documentation in Excess of 25 pages"). You may contact RAP to request copies of the documents (email RAP@oaklandca.gov), or you may check the box below to request that the owner provide you with copies.

☒ I/We request that the owner provide me/us with copies of all documents submitted in support of the Property Owner Petition.

CONSENT TO ELECTRONIC SERVICE*(Highly Recommended)*

Check the box below if you agree to have RAP staff and the OTHER PARTY/IES send you documents related to your case electronically. If you agree to electronic service, the RAP may send certain documents only electronically and not by first class mail.

☐ I/We consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) provided in this response.

MEDIATION PROGRAM

Mediation is an optional process offered by RAP to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. A trained third party will work with the parties prior to the hearing to see if a mutual agreement can be reached. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you agree to mediation in your case.

I agree to have the case mediated by a Rent Adjustment Program staff mediator.

Tenant Signature

Date

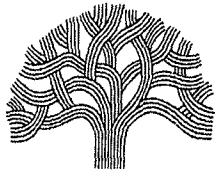
INTERPRETATION SERVICES

If English is not your primary language, you have the right to an interpreter in your primary language/dialect at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

☐ I request an interpreter fluent in the following language at my Rent Adjustment proceeding:

- ☐ Spanish (Español)
- ☐ Cantonese (廣東話)
- ☐ Mandarin (普通话)
- ☐ Other: _____

-END OF RESPONSE-



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

[Faint stamp: RENT ADJUSTMENT PROGRAM]

JAN - 8 2024

OAKLAND RENT
ADJUSTMENT PROGRAM

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR RESPONSE (PLUS ANY ATTACHMENTS) ON THE PROPERTY OWNER PRIOR TO FILING YOUR RESPONSE WITH RAP.

- 1) Use this *PROOF OF SERVICE* form to indicate the date and manner of service and the person(s) served.
- 2) Note: Email is not a form of allowable service on a party of a petition or response pursuant to the Ordinance.
- 3) Provide a completed copy of this *PROOF OF SERVICE* form to the person(s) being served together with the documents being served.
- 4) File a completed copy of this *PROOF OF SERVICE* form with RAP together with your Response. Your Response will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 01 / 05 / 2024 served a copy of (check all that apply):

☒ **TENANT RESPONSE TO OWNER PETITION FOR APPROVAL OF RENT INCREASE** plus _____ attached pages (number of pages attached to Response not counting the Response form or *PROOF OF SERVICE*)

☐ Other: _____

by the following means (check one):

☒ **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

PERSON(S) SERVED:

Name	University President Associates, Lp ^{ATTN: Evan Darragh}
Address	1717 Powell Street
City, State, Zip	San Francisco, CA 94133

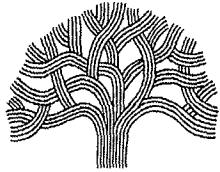
Name	City of Oakland Rent Adjustment Program
Address	250 Frank H. Ogawa Plaza, Suite 5313
City, State, Zip	Oakland, CA 94612-0243

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Joyce Smith
PRINTED NAME

Joyce Smith
SIGNATURE

1-5-2024
DATE SIGNED



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

RECEIVED

JAN 11 2024

OAKLAND RENT
ADJUSTMENT PROGRAM
CASE NUMBER L - 24-0002

**TENANT RESPONSE
TO OWNER PETITION FOR APPROVAL OF RENT
INCREASE**

Please fill out this form as completely as you can. Use this form to respond to the Property Owner Petition for Approval of Rent Increase filed by the property owner of your rental unit. The Rent Adjustment Ordinance allows property owners to increase rents above the allowable annual CPI (Consumer Price Index) rate, based on certain justifications ("grounds"), if approved after a hearing with the Rent Adjustment Program ("RAP"). By completing this Tenant Response and submitting it in the required time for filing, you will be able to participate in the hearing. Failure to provide the required information may result in your Tenant Response being rejected or delayed. See "Important Information Regarding Filing Your Response" on the last pages of this packet for more information, including filing instructions and how to contact RAP with questions. Additional information is also available on the RAP website. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR RESPONSE BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Tenant Rental Information			
<u>366</u>	<u>Bellevue Ave</u>	<u>104</u>	Oakland, CA <u>94610</u>
Street Number	Street Name	Unit Number	Zip Code
<u>Allen</u>	<u>Vaughan</u>		
Your First Name	Last Name		
Mailing Address (if different from above): _____			
Primary Telephone: <u>(510) 978-3249</u>		Other Telephone: _____ Email: _____	
Type of unit (check one):	<input type="checkbox"/> Single family home <input type="checkbox"/> Condominium <input checked="" type="checkbox"/> Apartment, room, or live-work	Are you current on your rent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No*	
Number of units on the property: <u>26</u>		If not current, explain why: _____	
(*Note: You must be current on your rent or lawfully withholding rent in order to file a response. Checking "No" without providing an adequate explanation may result in your response being excluded and limit your participation in the hearing.)			
Case number(s) of any relevant prior Rent Adjustment case(s): <u>L23-0042</u>			
Tenant Representative: (Check one) <input checked="" type="checkbox"/> No Representative <input type="checkbox"/> Attorney <input type="checkbox"/> Non-Attorney			
First Name _____		Last Name _____	
Mailing Address: _____		Firm/Organization (if any) _____	
Phone Number: _____		Email: _____	

RENT HISTORY

Move-in Date: 4/12/2009 Initial Rent at Move-In: \$ _____ Current Rent: \$ 1481.00

When did the property owner first provide you with the City form, NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM ("RAP Notice")?

- ☒ I first received the RAP Notice on (date): 2009
☐ I was never provided with the RAP Notice
☐ I do not remember if I ever received the RAP Notice

List all rent increases you have received for this unit in the past five years. Enter all information requested.

Date received rent increase notice: (mm/dd/yy)	Date rent increase went into effect: (mm/dd/yy)	Amount of increase:		Received RAP Notice with notice of rent increase?	
		FROM	TO	YES	NO
<u>02/28/23</u>	<u>04/01/23</u>	\$ <u>1465.00</u>	\$ <u>1480.00</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Feb. 2022</u>	<u>04/01/22</u>	\$ <u>1437.00</u>	\$ <u>1465.00</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Feb. 2021</u>	<u>04/01/21</u>	\$ _____	\$ <u>1437.00</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Feb. 2020</u>	<u>04/01/20</u>	\$ <u>1234.83</u>	\$ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Jan. 2018</u>	<u>03/01/18</u>	\$ <u>1207.07</u>	\$ <u>1234.83</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RESPONSE TO PROPERTY OWNER PETITION

Use the space below to respond to the rent increase requested in the Owner Petition.

- > To generally contest the Owner Petition, simply check the first box under the "GENERAL RESPONSE(S)" section below.
- > You may also (but are not required to) raise specific defenses pertaining to the claimed rent increase justification(s) by selecting from the "SPECIFIC RESPONSES" checklist on the following page. **Note that the property owner has the burden of proving that all requirements for the requested rent increase have been met.** Your failure to check any of the boxes below does NOT mean that any objection you may have is waived.

Attach additional sheets if needed to provide further explanation. You may attach any documentation supporting your position together with your Tenant Response form. For detailed information on allowable rent increases, see Appendix A of the Rent Adjustment Program Regulations or see the Rent Adjustment Ordinance. Copies of Appendix A and the Ordinance are available on the RAP website. Brief summaries of each rent increase justification are also listed on the last page of this response packet.

GENERAL RESPONSE(S)

- ☒ I wish to generally contest the requested rent increase.
- ☐ The requested increase would cause my rent to increase by more than 30% in the last five years (This response may not apply when the increase sought is based on the tenant not residing in the unit as principal residence.)
- ☐ I believe I should not have to pay the requested rent increase because the unit has been cited in an inspection report by a governmental agency as containing serious health, safety, fire, or building code violations. (Attach copy of inspection report.)
- ☒ I believe the property owner is not entitled to the proposed rent increase because:
1. I am disabled and the garbage chute in the building has not been fixed since 2018.
 2. This capital improvement is not primarily benefiting tenants. not like fixing the garbage chute.

SPECIFIC RESPONSES

(Optional)

NOTE: You do not have to make these claims in order for these issues to be decided by the Hearing Officer.

Justification	Tenant Response
Capital Improvements	<input type="checkbox"/> The claimed improvements do not meet the legal or factual requirements for "Capital Improvements" as set forth in Appendix A of the Rent Adjustment Program Regulations. <input type="checkbox"/> The claimed improvements were not completed by the date the Property Owner Petition was filed or were completed more than 24 months prior to the date the Petition was filed. <input type="checkbox"/> Property owner did not obtain finalized permit(s) for work that required permit(s). <input checked="" type="checkbox"/> The claimed improvements were not primarily a benefit to the tenants. <input checked="" type="checkbox"/> Other (provide explanation): <u>This capital improvement is just a cosmetic improvement to owner's property.</u>
Uninsured Repair Costs	<input type="checkbox"/> Property owner received insurance reimbursement for claimed costs. <input type="checkbox"/> The need for some or all of the repairs was not caused by a natural disaster. <input type="checkbox"/> Other (provide explanation): _____
Increased Housing Service Costs	<input type="checkbox"/> The claimed expenses do not meet the legal or factual requirements for "Housing Service Costs" as set forth in Appendix A of the Rent Adjustment Program Regulations. <input type="checkbox"/> Property owner did not include all rental income or all expenses as required. <input type="checkbox"/> Other (provide explanation): _____
Fair Return	<input type="checkbox"/> Property owner did not provide adequate information or documentation on gross income or gross expenses as required. <input type="checkbox"/> Other (provide explanation): _____
Banking	<input type="checkbox"/> I have received an annual CPI increase each year since I moved in. <input type="checkbox"/> I have not received an annual CPI increase every year (just some years) but I think the proposed banking increase is too high. <input type="checkbox"/> I moved into the current unit more than 10 years ago. My rent amount 11 years ago was \$_____/month. <input type="checkbox"/> Other (provide explanation): _____
Additional Occupant(s)	<input type="checkbox"/> The additional occupant(s) is/are a one-for-one replacement of former tenant(s) (total number of tenants does not exceed the base occupancy level). <input type="checkbox"/> The additional occupant(s) is/are family member(s) and/or caretaker/attendant(s) of an existing tenant. (See O.M.C. § 8.22.020.) <input type="checkbox"/> The person does not permanently reside in the unit. <input type="checkbox"/> Other (provide explanation): _____
Tenant Not Residing in the Unit as Principal Residence	<input type="checkbox"/> As of the date the petition is filed, I reside in the unit as my principal residence.

TENANT VERIFICATION*(Required)*

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this Response is true and that all of the documents attached to the Response are true copies of the originals.

Tenant 1 Signature_____
Date_____
Tenant 2 Signature_____
Date**REQUEST FOR OWNER DOCUMENTATION IN EXCESS OF 25 PAGES**

If the property owner submitted more than 25 pages of attachments in support of their petition, the owner may have opted to not serve you with a copy of all the attachments (see if box is checked on the Property Owner Petition under "Documentation in Excess of 25 pages"). You may contact RAP to request copies of the documents (email RAP@oaklandca.gov), or you may check the box below to request that the owner provide you with copies.

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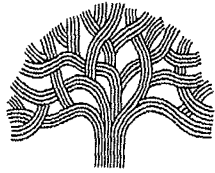
Tenant Signature_____
Date**INTERPRETATION SERVICES**

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- ☐ Spanish (Español)
☐ Cantonese (廣東話)
☐ Mandarin (普通话)
☐ Other: _____

-END OF RESPONSE-



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

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- 4) File a completed copy of this *PROOF OF SERVICE* form with RAP together with your Response. Your Response will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 1 / 9 / 2024 served a copy of (check all that apply):

☒ **TENANT RESPONSE TO OWNER PETITION FOR APPROVAL OF RENT INCREASE** plus _____ attached pages (number of pages attached to Response not counting the Response form or *PROOF OF SERVICE*)

☐ Other: _____

by the following means (check one):

☒ **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

PERSON(S) SERVED:

Name	University President Associates, Lp. Attn: Evan Darragh
Address	1717 Powell Street
City, State, Zip	San Francisco, CA 94133

Name	City of Oakland Rent Adjustment Program
Address	250 Frank H. Ogawa Plaza, Suite 5313
City, State, Zip	Oakland, CA 94612-0243

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Allen Vaughan

PRINTED NAME

Allen Vaughan

SIGNATURE

Jan. 9, 2024

DATE SIGNED



**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR PETITION OR RESPONSE (PLUS ANY ADDITIONAL DOCUMENTS) ON THE OPPOSING PARTIES.

- Use this PROOF OF SERVICE form to indicate the date and manner in which service took place, as well as the person(s) served.
- Provide a copy of this PROOF OF SERVICE form to the opposing parties together with the document(s) served.
- File the completed PROOF OF SERVICE form with the Rent Adjustment Program together with the document you are filing and any attachments you are serving.
- Please number sequentially all additional documents provided to the RAP.

PETITIONS FILED WITHOUT A PROOF OF SERVICE WILL BE CONSIDERED INCOMPLETE AND MAY BE DISMISSED.

[Supporting documents for Property Owner Petition for Approval of Rent Increase for Case Number L24-0002.](#)

I served a copy of:

(insert name of document served)
☐ And Additional Documents

and (write number of attached pages) 46 attached pages (not counting the Petition or Response served or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- a. United States mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Deposited it with a commercial carrier, using a service at least as expeditious as first class mail, with all postage or charges fully prepaid, addressed to each opposing party as listed below.
- ☐ c. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.

X [Sent via email to SSmekonnen@att.net as requested in tenant response to owner petition for approval of rent increase received 2/5/2024.](#)

PERSON(S) SERVED:

Name	Mekonnen Seyoum
Address	366 Bellevue Avenue Unit 303
City, State, Zip	Oakland, CA 94610

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and the documents were served on 02/05/2024 (insert date served).

Evan Darragh

PRINT YOUR NAME

Evan Darragh

SIGNATURE

02/05/2024

DATE

Account Statement

BUSINESS ANALYZED CHECKING

Statement Period: March 01, 2023-
March 31, 2023

Account Number: [REDACTED]

UNIVERSITY PRESIDENT ASSOCIATES LP

Account Activity

Date	Description	Amount
Deposits and Credits (Continued)		
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
03/23	ACH DEBIT CITY OF OAKLAND CTYOAKLAND UNIVERSITY PRESIDE [REDACTED] [REDACTED]	\$10,644.09 -
Total Withdrawals and Debits		[REDACTED]

Fee Summary

	Total For This Period	Total Year-to-Date
Total Overdraft Fees	[REDACTED]	[REDACTED]
Total Returned Item Fees	[REDACTED]	[REDACTED]

Message

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Guest

[Home](#) [Report a Problem](#)
[Find Account](#) → [Registration](#) → [Calculation](#) → [Payment](#) → **Receipt**

Account # 00206232

UNIVERSITY PRESIDENT ASSOCIATES LP

Business License Online Renewal

PRINT THIS PAGE FOR YOUR RECORD

The business tax license renewal has been submitted. Business tax certificates will be emailed 2 to 5 days after successfully renewing account. For questions, please contact the Business Tax office at (510) 238-3704 or btwebsupport@oaklandca.gov. Thank you, City of Oakland - Business Tax

Submission Date 2/6/2023
Confirmation # 409306

Account Information

Account # 00206232
Expire Date 12/31/2023
Name UNIVERSITY PRESIDENT ASSOCIATES LP
Address 366 BELLEVUE AVE
City OAKLAND
Phone (415) 773-0828

Summary**Input Amount****Tax Calculation**

Current Year Business Tax – Residential/Non-Residential Rental	574,164.22	\$8,009.59
BT SB1186 (AB1379)	1	\$4.00
BT Recordation and Tech	1	\$4.50
Total # of Employees, Excluding Owners - report only employees that work within Oakland		\$0.00

Rent Adjustment Program (RAP) Calculation - only use whole numbers below

a. Total # of units per Alameda County Records:	26	\$2,626.00
Total Due		\$10,644.09

Payment Information

Payment Amount	\$10,644.09
----------------	-------------

After printing or saving this page for your records, you may close this browser window/tab.

Powered by Hdt

Select Language ▼

Have a question?

CITY OF OAKLAND
BUSINESS TAX CERTIFICATE

**ACCOUNT
NUMBER**
00206232

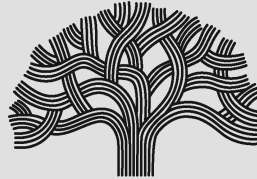
The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other agency of the City of Oakland and/or any other ordinance, law or regulation of the State of California, or any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per Section 5.04.190(A), of the O.M.C. you are allowed a renewal grace period until March 1st the following year.

DBA UNIVERSITY PRESIDENT ASSOCIATES LP

BUSINESS LOCATION 366 BELLEVUE AVE
OAKLAND, CA 94610-3459

BUSINESS TYPE O2 Rental - Apartment

EXPIRATION DATE
12/31/2023



Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to:
<https://www.dca.ca.gov/publications>



UNIVERSITY PRESIDENT ASSOCIATES LP
ISABELLE MAZZONI
1717 POWELL ST STE 300
SAN FRANCISCO, CA 94133-2823

A BUSINESS TAX CERTIFICATE
IS REQUIRED FOR EACH
BUSINESS LOCATION AND IS
NOT VALID FOR ANY OTHER
ADDRESS.

ALL OAKLAND BUSINESSES
MUST OBTAIN A VALID
ZONING CLEARANCE TO
OPERATE YOUR BUSINESS
LEGALLY. RENTAL OF REAL
PROPERTY IS EXCLUDED
FROM ZONING.

PUBLIC INFORMATION ABOVE
THIS LINE TO BE
CONSPICUOUSLY POSTED!

000179

Oakland Unit Registration

Unit	Unit Address	Unit Name	Unit Type	Year Unit Created	Status	Occupancy Type	Initial Rent	Item s	Current Rent	Occupancy Start Date	Date of Most Recent Rent Increase	Amount of Most Recent Rent Increase	Services Provided	Amount of Security Deposit	Number of Occupants	Tenant Name 1	Tenant Email 1	Tenant phone 1	Tenant Name 2	Tenant Email 2	Reason Previous Tenancy Ended	Date Previous Tenant Vacated	Number of Bedrooms	Number of Bathrooms	Water Metering	Electricity Metering	Gas Metering
366 BELLEVUE AVE OAKLAND CA 94610 US	101		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 650.00		\$ 1,429.51	12/01/1998	10/01/2021	\$ 63.54	Water, Refuse/Recycle	\$ 95.00	1	Pablo Rose	noemail@email.com				Unknown		2	2		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	102		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 2,600.00		\$ 2,600.00	05/01/2023		\$ 0.00	Water, Refuse/Recycle	\$ 2,400.00	2	Rahel Milte Kahsay	noemail@email.com		Bassan Manna	noemail@email.c	Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	103		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 1,595.00		\$ 1,990.59	02/01/2014	04/01/2023	\$ 57.97	Water, Refuse/Recycle	\$ 1,595.00	2	Alexandre Glenard	alisonemier@gmail.com				Unknown		2	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	104		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 1,075.00		\$ 1,480.01	04/12/2009	04/01/2023	\$ 43.10	Water, Refuse/Recycle	\$ 1,000.00	1	Allen Vaughan	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	105		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 620.00		\$ 1,343.13	06/01/1988	01/01/2023	\$ 39.12	Water, Refuse/Recycle	\$ 720.00	2	Joyce Smith	noemail@email.com		Charles Smith	noemail@email.c	Unknown		2	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	106		Multifamily Property - Two or f 1969		Non-Exempt	Vacant - Available f				05/05/2023													1	1			
366 BELLEVUE AVE OAKLAND CA 94610 US	107		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 600.00		\$ 920.59	11/28/1998	01/01/2023	\$ 26.81	Water, Refuse/Recycle	\$ 900.00	1	Sunfun Su	susjara@yahoo.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	108		Multifamily Property - Two or f 1969		Non-Exempt	Vacant - Available f				05/30/2023													1	1			
366 BELLEVUE AVE OAKLAND CA 94610 US	201		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 710.00		\$ 1,256.86	09/01/1993	01/01/2020	\$ 36.61	Water, Refuse/Recycle	\$ 1,400.00	1	Victoria Gambrell	noemail@email.com				Unknown		2	2		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	202		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 2,495.00		\$ 2,495.00	10/01/2021		\$ 0.00	Water, Refuse/Recycle	\$ 2,495.00	2	Jonathan Brywater	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	203		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 2,800.00		\$ 2,884.00	08/01/2020	08/01/2022	\$ 84.00	Water, Refuse/Recycle	\$ 2,800.00	2	Elise Marie Brown	noemail@email.com				Unknown		2	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	204		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 1,950.00		\$ 1,950.00	03/01/2023		\$ 0.00	Water, Refuse/Recycle	\$ 1,900.00	2	Elen Y Yehedago	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	205		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 2,200.00		\$ 2,410.10	12/01/2020	01/01/2023	\$ 39.90	Water, Refuse/Recycle	\$ 1,700.00	2	Liya Tesfamicheal	noemail@email.com				Unknown		2	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	206		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 2,300.00		\$ 2,300.00	06/01/2021		\$ 0.00	Water, Refuse/Recycle	\$ 2,300.00	2	Ty Clarke	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	207		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 580.00		\$ 934.16	12/25/1996	01/01/2023	\$ 27.21	Water, Refuse/Recycle	\$ 870.00	2	Yeh Hwang	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	301		Multifamily Property - Two or f 1969		Non-Exempt	Manager				08/15/2020													1	1			
366 BELLEVUE AVE OAKLAND CA 94610 US	302		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 1,307.27		\$ 1,464.10	08/10/2008	10/01/2021	\$ 65.07	Water, Refuse/Recycle	\$ 1,000.00	2	Calos Zepeda	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	303		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 1,636.42		\$ 1,803.82	03/15/2007	08/01/2022	\$ 52.54	Water, Refuse/Recycle	\$ 1,395.00	3	Mekonnen Seyoum	ssmekonnen@att.net				Unknown		2	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	304		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 1,050.00		\$ 1,329.48	04/19/2008	06/01/2023	\$ 36.72	Water, Refuse/Recycle	\$ 800.00	2	Barbara Pemberton	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	305		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 1,375.00		\$ 1,723.59	08/15/2009	08/01/2022	\$ 50.20	Water, Refuse/Recycle	\$ 1,000.00	3	Getchew Desybelew	getsam04@yahoo.com		Aster Amose	noemail@email.c	Unknown		2	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	306		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 1,025.00		\$ 1,284.85	10/16/2011	01/01/2023	\$ 37.42	Water, Refuse/Recycle	\$ 1,025.00	1	Osmany Hernandez	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	307		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 1,175.00		\$ 1,445.89	06/05/2012	10/01/2021	\$ 64.26	Water, Refuse/Recycle	\$ 1,175.00	1	Andrew Gaubatz	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	308		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 2,300.00		\$ 2,369.00	02/12/2022	03/01/2023	\$ 69.00	Water, Refuse/Recycle	\$ 2,200.00	1	Rebecca Grayzel	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	PH 401		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 4,095.00		\$ 4,095.00	07/01/2020	08/01/2022	\$ 0.00	Water, Refuse/Recycle	\$ 4,095.00	1	Carolyn Clark	noemail@email.com				Unknown		2	1		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	PH 402		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 4,545.00		\$ 4,545.00	07/25/2020	08/01/2022	\$ 0.00	Water, Refuse/Recycle	\$ 4,495.00	2	Maxwell Lapidus	noemail@email.com		Jasmine Ruddy	noemail@email.c	Unknown		3	2		Master metri individualh	Individually Metered
366 BELLEVUE AVE OAKLAND CA 94610 US	208		Multifamily Property - Two or f 1969		Non-Exempt	Tenant	\$ 989.41		\$ 1,090.63	12/05/1994	01/01/2023	\$ 31.77	Water, Refuse/Recycle	\$ 675.00	1	Joale Robinso	noemail@email.com				Unknown		1	1		Master metri individualh	Individually Metered

CITY OF OAKLAND

Evan Darragh  

My Dashboard





Overview

Parcel Number : 010078402701 | Site Address : 366 BELLEVUE AVE OAKLAND CA 94610 US | Year Built : 1969 | Assessor Total Unit Count : 26 | Total Units Added : 26 | Property Status : Registration Completed

← Back

My Cases

Columns						Export to Excel	Refresh	Search...
Case Number	Created On Entity	Case Type	Created On	Updated Date	Status			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
RR2023-2346657	APN: 010078402701	Rent Registry	04/05/2023 10:21 AM	06/26/2023 07:24 PM	Registration Completed			

**1**

10 items per page

1-1 of 1 items

000180

NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland has a Rent Adjustment Program (“RAP”) that limits rent increases (Chapter 8.22 of the Oakland Municipal Code) and covers most residential rental units built before 1983. For more information on which units are covered, contact the RAP office.
- Starting on February 1, 2017, an owner must petition the RAP for any rent increase that is more than the annual general rent increase (“CPI increase”) or allowed “banked” rent increases. These include, but are not limited to, capital improvements and operating expense increases. For these types of rent increases, the owner may raise your rent only after a hearing officer has approved the increase. No annual rent increase may exceed the maximum increase which changes annually with a 10% cap. You have a right to contest the proposed rent increase by responding to the owner’s petition.
- **Contesting a Rent Increase:** You can file a petition with the RAP to contest unlawful rent increases or decreased housing services. To contest a rent increase, you must file a petition (1) within ninety (90) days of the notice of rent increase if the owner also provided this Notice to Tenants with the notice of rent increase; or (2) within 120 days of the notice of rent increase if this Notice to Tenants was not given with the notice of rent increase. If the owner did not give this Notice to Tenants at the beginning of your tenancy, you must file a petition within ninety (90) days of first receiving this Notice to Tenants. Information. The petition forms are available from the website at [Rent Adjustment Program Petition and Response Forms](#).
- If you contest a rent increase, you must pay your rent with the contested increase until you file a petition. If the increase is approved and you did not pay the increase, you will owe the amount of the increase retroactive to the effective date of increase.
- Oakland has eviction controls (the Just Cause for Eviction Ordinance and Regulations, O.M.C. 8.22) which limit the grounds for evictions in covered units. For more information contact the RAP office.
- Oakland charges owners a Rent Program Service Fee per unit per year. If the fee is paid on time, the owner is entitled to get half of the fee from you. Tenants in subsidized units are not required to pay the tenant portion of the fee.
- Oakland has a Tenant Protection Ordinance (“TPO”) to deter harassing behaviors by landlords and to give tenants legal recourse in instances where they are subjected to harassing behavior by landlords (O.M.C. 8.22.600).
- The owner ____ is ____ is not permitted to set the initial rent on this unit without limitations (such as pursuant to the Costa-Hawkins Act). If the owner is not permitted to set the initial rent without limitation, the rent in effect when the prior tenant vacated was _____.

TENANTS’ SMOKING POLICY DISCLOSURE

- Smoking (circle one) IS or IS NOT permitted in Unit _____, the unit you intend to rent.
- Smoking (circle one) IS or IS NOT permitted in other units of your building. (If both smoking and non-smoking units exist in tenant’s building, attach a list of units in which smoking is permitted.)
- There (circle one) IS or IS NOT a designated outdoor smoking area. It is located at _____.

I received a copy of this notice on _____ (Date) _____ (Tenant’s signature)

此份屋崙 (奧克蘭) 市租客權利通知書附有中文版本。請致電 (510) 238-3721 索取副本。

La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.

住宅租金調整計劃的租客通知書

- 屋崙 (奧克蘭) 市的租金調整分部 (RAP) 旨在限制租金調漲 (屋崙 (奧克蘭) 市政法規 8.22 章) , 且主要是針對建於 1983 年以前大多數的出租住宅單位。若要了解哪些單位在本計劃限制範圍內, 請聯絡 RAP 辦事處。
- 從 2017 年 2 月 1 日起, 如果租金調漲幅度超出一般租金年漲幅 (「CPI 漲幅」) 或允許的「調整存放」漲幅, 業主就必須向 RAP 陳情。調漲原因可包括但不限於固定資產整修和營運支出增加。對於這些類型的租金調漲方案, 業主必須在聽證官同意調漲後才能提高您的租金。任何租金年漲幅不得超過每年最變動且最多 10% 的漲幅。如果不同意建議的租金調幅, 您有權對業主的陳情提出抗辯。
- **對租金調漲提出抗辯:** 您可以租金調漲違法或者住房服務縮為由, 向 RAP 陳情抗辯。如果您要對租金調漲提出抗辯, (1) 且業主隨同這份「租客通知」一併提供租金調漲通知, 則您必須在收到租金調漲通知後九十 (90) 天內提出陳情; (2) 但業主未隨這份「租客通知」提供租金調漲通知, 則您必須在收到租金調整通知後的 120 天內提出陳情。如果業主在租期一開始時沒有提供這份租客通知, 您就必須在第一次收到這份租客通知後的九十 (90) 天內提出請願。若需要請願書表格, 可上網站 [Rent Adjustment Program Petition and Response Forms](#) (租金調整分部請願書和回應表格) 取得。
- 如果您對租金調漲有異議, 在提出陳情之前, 您仍必須支付所要抗辯的調漲租金。若調漲金額獲准但您並未支付, 您將積欠從調漲生效日期算起的調漲金額。
- 屋崙 (奧克蘭) 市的驅逐管制規則 (屋崙 (奧克蘭) 市政法規 8.22 中的「驅逐正當理由」) 對所管制單位的驅逐理由設有限制。若要瞭解更多資訊, 請聯絡 RAP 辦公室。
- 屋崙 (奧克蘭) 市政府每年會向業主收取每個出租單位的「租金分部服務費」 (Rent Program Service Fee)。若業主準時支付這筆費用, 就有權向您收取一半費用。受補助單位的租客無需支付該費用的租客部分。
- 屋崙 (奧克蘭) 市的租客保護法令 (Tenant Protection Ordinance, TPO) 旨在遏阻房東的騷擾行為, 並且在租客受房東騷擾的情況下賦予租客法律追索權 (屋崙 (奧克蘭) 市政法規 8.22.600)。
- 業主 ____ 得以 ____ 不得對本單位設下毫無限制的起租租金 (例如根據 Costa-Hawkins 法案規定)。如果業主不得設下毫無限制的起租租金, 則前任房客遷出後生效的租金是 _____。

針對租客的吸煙政策聲明

- 住房單位 _____ (您有意承租的單位) 「允許」或「不允許」吸煙 (圈選一項)。
- 您所住建築物中的其他單位「允許」或「不允許」吸煙 (圈選一項)。(若租客所住的建築物中同時包含可吸煙和不可吸煙的單位, 應附上一張可吸煙單位列表。)

- 本建築物「有」或「沒有」指定的戶外吸煙區 (圈選一項)。該吸煙區位於 _____。

我於 _____ 收到本通知書 _____
(日期) (租客簽名)

本份屋崙 (奧克蘭) 市租客權利通知書附有中文版本。請致電 (510) 238-3721 索取副本。

La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.

AVISO A LOS INQUILINOS DEL RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland tiene un Programa de Ajustes en el Alquiler (“RAP”) que limita los aumentos en el alquiler (Capítulo 8.22 del Código Municipal de Oakland) y cubre a la mayoría de las unidades residenciales en alquiler construidas antes de 1983. Para obtener más información sobre las viviendas cubiertas, contacte a la oficina del RAP.
- A partir del 1.º de febrero de 2017, un propietario debe presentar una petición ante el RAP para todo aumento en el alquiler que sea mayor que el aumento general anual en el alquiler (“aumento CPI”) o para todo aumento del alquiler “guardado” que esté permitido. Estos incluyen, entre otros, mejoras de capital y aumentos en los gastos operativos. En lo que respecta a este tipo de aumentos, el propietario puede aumentar su alquiler sólo después de que un funcionario de audiencia haya autorizado el incremento. Ningún aumento anual en el alquiler podrá exceder el aumento máximo que cambia de manera anual con un 10 % de capitalización. Usted tiene derecho a disputar el aumento en el alquiler propuesto respondiendo a la petición del propietario.
- **Cómo disputar un aumento en el alquiler:** Puede presentar una petición ante el RAP para disputar aumentos ilícitos en el alquiler o la disminución de servicios en la vivienda. Para disputar el aumento en el alquiler, debe presentar una petición (1) en un plazo de (90) días a partir de la fecha del aviso de aumento en el alquiler si el propietario también proporcionó este Aviso a los Inquilinos con la notificación del aumento en el alquiler; o (2) en un plazo de 120 días a partir de la fecha de recepción del aviso de aumento en el alquiler si este Aviso a los Inquilinos no fue entregado con la notificación de aumento en el alquiler. Si el propietario no entregó este Aviso a los Inquilinos al inicio del periodo de arrendamiento, usted deberá presentar una solicitud en un plazo de (90) días a partir de la fecha en que recibió por primera vez este Aviso a los Inquilinos. Información. Encontrará los formularios de petición disponibles en el sitio web, donde dice [Rent Adjustment Program Petition and Response Forms](#) “Formularios de Petición y Respuesta del Programa de Ajustes en el Alquiler”.
- Si usted disputa un aumento en el alquiler, debe pagar su alquiler con el aumento disputado hasta que presente la petición. Si el aumento es aprobado y usted no lo pagó, adeudará la suma del incremento retroactivo a la fecha de inicio de vigencia del aumento.
- Oakland tiene controles de desalojo (Ordenanza y Reglamentos de Desalojo por Causa Justa, O.M.C. 8.22) que limitan los motivos de desalojo en las viviendas cubiertas. Para obtener más información contacte a la oficina RAP.
- Oakland cobra a los propietarios una Tarifa de Servicio del Programa de Ajustes en el Alquiler por vivienda al año. Si la tarifa se paga a tiempo, el propietario tiene derecho a cobrar la mitad del costo de esta tarifa al inquilino. No se requiere que los inquilinos de viviendas subsidiadas paguen la parte de la tarifa que correspondería al inquilino.
- Oakland posee una Ordenanza de Protección al Inquilino (Tenant Protection Ordinance, “TPO”) para impedir el comportamiento abusivo por parte de los propietarios y para ofrecer a los inquilinos recursos legales en instancias donde hayan sido víctimas de comportamiento abusivo por parte de los propietarios (O.M.C. 8.22.600).
- El propietario ____ tiene ____ no tiene permitido establecer el alquiler inicial de esta unidad sin limitaciones (por ejemplo, de conformidad con la Ley Costa-Hawkins). Si el propietario no tiene permitido establecer el alquiler inicial sin limitaciones, el alquiler vigente cuando el inquilino anterior desalojó la vivienda era de _____.

INFORMACIÓN PARA LOS INQUILINOS SOBRE LAS POLÍTICAS PARA FUMADORES

- Fumar (encierre en un círculo) ESTÁ o NO ESTÁ permitido en la Unidad _____, la unidad que

usted pretende alquilar.

- Fumar (encierre en un círculo) ESTÁ o NO ESTÁ permitido en otras unidades de su edificio. (Si hay disponibilidad de ambas unidades, para fumadores y no fumadores, en el edificio del inquilino, adjunte una lista de las unidades en donde se permite fumar).
- (Encierre en un círculo) HAY o NO HAY un área designada al aire libre para fumar. Se encuentra en _____.

Recibí una copia de este aviso el _____
(Fecha) (Firma del inquilino)

此份屋崙 (奧克蘭) 市租客權利通知書附有中文版本。請致電 (510) 238-3721 索取副本。

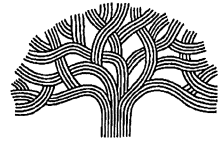
La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.

Relevant Petition Background Information

RECEIVED

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CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 5313 • OAKLAND, CALIFORNIA 94612-2034

Housing and Community Development Department
Rent Adjustment Program

TEL (510) 238-3721
FAX (510) 238-6181
CA Relay Service 711

CORRECTED ADMINISTRATIVE DECISION

CASE NUMBER L23-0043

CASE NAME: University President Associates LP v. Tenants

PROPERTY ADDRESS: 366 Bellevue Avenue
Oakland, CA

PARTIES: Flynn Investments Inc., Owner's Agent

CORRECTION

An Administrative Decision was issued on April 5, 2023. There are typographical errors in the Administrative Decision. This Corrected Administrative Decision is issued to correct the typographical errors. These are clerical errors, and there is no further appeal period.

SUMMARY OF DECISION

The Owner's petition is denied.

INTRODUCTION

Reason for Administrative decision: An Administrative Decision is a decision issued without a hearing. The purpose of a hearing is to allow the parties to present testimony and other evidence to allow the resolution of disputes of material fact. However, in this case, sufficient uncontested facts have been presented to issue a decision without a hearing, and no material facts are disputed. Therefore, an administrative decision, without a hearing, is being issued.

000187

BACKGROUND

On July 20, 2023, the Owner filed the petition herein. The petition requested approval of a rent increase on the grounds of capital improvements made to the subject property. The petition was completed under penalty of perjury and did not state that the Owner (or a previous owner) had given the City of Oakland's Notice to Tenants of Residential Rent Adjustment Program to the tenants in each affected unit by the petition, did not provide a Business Tax Certificate, proof of payment of the RAP Fee, did not provide evidence of registration with the Rent Adjustment Program, and did not provide organized documentation showing the justification and detailed calculations.

On August 9, 2023, the petitioner was served with a Notice of Incomplete Petition, and the petitioner was given 35 days to file the necessary documents to complete the petition.¹ The Owner provided a copy of the Business Tax Certificate, evidence of Registration with the Rent Adjustment Program, some documentation showing the justification and detailed calculations, and evidence of service of the RAP Notice to the affected tenants on August 25, 2023.

RATIONALE FOR ADMINISTRATIVE DECISION

The Rent Adjustment Ordinance (Ordinance) requires an owner to serve the Notice to Tenants of the Rent Adjustment Program (RAP Notice) at the start of a tenancy² and together with any notice of rent increase or change in the terms of a tenancy.³ Likewise, the Ordinance requires an owner filing a petition seeking a rent increase to provide evidence of a current City Business License, evidence of payment of the Rent Adjustment Program Service Fee, evidence of registration with the Rent Adjustment Program, and evidence of service of written notice of the existence and scope of the rent adjustment program on the tenant in each affected covered unit in the building prior to the petition being filed. Effective September 21, 2016, Owners are required to provide a RAP Notice in the following languages: English, Spanish, and Chinese.⁴

¹ O.M.C. §8.22.090(B)(1) requires, inter alia, evidence of possession of a current City business license, evidence of payment of the rent adjustment program service fee, and evidence of registration with the Rent Adjustment Program.

² O.M.C. § 8.22.060(A)

³ O.M.C. § 8.22.070(H)(1)(A)

⁴ RAP Notices in the required languages are provided by the Rent Adjustment Program.

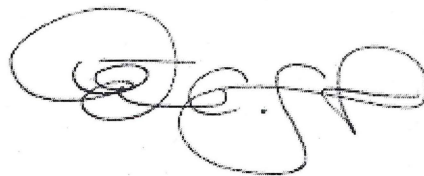
The Owner has the burden of proving service of the Notice. Failure of an Owner to provide the required notice may be cured if the Owner gives the notice at least six months prior to serving the rent increase notice on the tenant or at least six months prior to filing a petition.

The Owner's Agent herein filed the petition on July 5, 2023, signed under the penalty of perjury. The Owner provided a copy of the Business Tax Certificate, evidence of Registration with the Rent Adjustment Program, and evidence of service of the RAP Notice to the affected tenants on August 25, 2023. Therefore, the service of written notice of the existence and scope of the rent adjustment program on the tenant in each affected covered unit in the building was not completed before the petition was filed as required. Therefore, the Owner must wait six months from the service to file a petition.

Accordingly, the earliest date the Owner can file a petition is December 5, 2023. Therefore, the petition herein filed on July 20, 2023, prior to the service of the RAP Notice, cannot proceed. As such, the petition is denied.

ORDER

1. Petition L23-0043 is denied.
2. The Remote Settlement Conference and Hearing, scheduled for September 13, 2023, is canceled.



Dated: October 12, 2023

Élan Consuella Lambert
Hearing Officer
Rent Adjustment Program

PROOF OF SERVICE

Case Number: L23-0043

Case Name: University President Associates LP v. Tenants

I am a resident of the State of California at least eighteen years of age. I am not a party to the Residential Rent Adjustment Program case listed above. I am employed in Alameda County, California. My business address is 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California 94612.

Today, I served the attached documents listed below by placing a true copy in a City of Oakland mail collection receptacle for mailing on the below date at 250 Frank H. Ogawa Plaza, Oakland, California, addressed to:

Documents Included

Corrected Administrative Decision

Owner

University President Associates LP University President Associates LP, University President Associates LP
1717 Powell Street
San Francisco, CA 94133

Owner Representative

Flynn Investments, Inc.
1717 Powell Street
San Francisco, CA 94133

Tenant

Abraham Hagos
366 Bellevue Avenue Unit 301
Oakland, CA 94610

Tenant

Alexandre Glenard
366 Bellevue Avenue Unit 103
Oakland, CA 94610

Tenant

Allen Vaughn
366 Bellevue Avenue Unit 104
Oakland, CA 94610

Tenant

Andrew Gaubatz
366 Bellevue Avenue Unit 307
Oakland, CA 94610

Tenant

Angel Mateo
366 Bellevue Avenue Unit 306
Oakland, CA 94610

000190

Tenant

Barbara Pemberton
366 Bellevue Avenue Unit 304
Oakland, CA 94610

Tenant

Calos Zepeda
366 Bellevue Avenue Unit 302
Oakland, CA 94610

Tenant

Carolyn Clarke
366 Bellevue Avenue Unit 401
Oakland, CA 94610

Tenant

Elise Brown
366 Bellevue Avenue Unit 203
Oakland, CA 94610

Tenant

Getachew Desybelew
366 Bellevue Avenue Unit 305
Oakland, CA 94610

Tenant

Joale Robinso
366 Bellevue Avenue Unit 208
Oakland, CA 94610

Tenant

Jonathan Bywater
366 Bellevue Avenue Unit 202
Oakland, CA 94610

Tenant

Joyce Smith
366 Bellevue Avenue Unit 105
Oakland, CA 94610

Tenant

Liya Tesfamicheal
366 Bellevue Avenue Unit 205
Oakland, CA 94610

Tenant

Maxwell Lapidés
366 Bellevue Avenue Unit 402
Oakland, CA 94610

Tenant

Mekonnen Seyoum
366 Bellevue Avenue Unit 303
Oakland, CA 94610

Tenant

Paolo Rose
366 Bellevue Avenue Unit 101
Oakland, CA 94610

Tenant

Rebecca Grayzel
366 Bellevue Avenue Unit 308
Oakland, CA 94610

Tenant

Sunfun Su
366 Bellevue Avenue Unit 107
Oakland, CA 94610

Tenant

Ty Clarke
366 Bellevue Avenue Unit 206
Oakland, CA 94610

Tenant


Victoria Gambrell
366 Bellevue Avenue Unit 201
Oakland, CA 94610

Tenant

Yeh Hwang
366 Bellevue Avenue Unit 207
Oakland, CA 94610

I am readily familiar with the City of Oakland's practice of collection and processing correspondence for mailing. Under that practice an envelope placed in the mail collection receptacle described above would be deposited in the United States mail with the U.S. Postal Service on that same day with first class postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **October 12, 2023** in Oakland, California.



Brittnei Jackson

Oakland Rent Adjustment Program

Calculations

Capital Improvement Calculator
City of Oakland Rent Adjustment Program

IMPROVEMENTS BENEFITING ALL UNITS BUILDING WIDE										
								Petition Date		12/6/23
								Number of Residential Units		26
IMPROVEMENT OR REPAIR	DATE PERMIT OBTAINED (or date started if permit not required)	DATE COMPLETED	FULL COST	ALLOWABLE PASS THROUGH (70%)	ALLOWABLE PASS THROUGH PER UNIT	Imputed Interest	Amortization Period (years)	Allowable Monthly Amortized Cost For Building (70%)	Allowable Amortized Cost per Unit	Date Validation (2 years ago max)
Exterior Paint	1/17/2023	02/09/23	\$68,587.00	\$48,010.90	\$1,846.57	5.379%	5	\$914.38	\$35.17	OK
Subtotal (with weighted averages)				\$48,010.90	\$1,846.57	5.379%	5	\$914.38	\$35.17	
Place X in cell B19 if property is mixed use.										
Residential square footage										
Other use square footage										
Percent residential use										
Total Cost Per Unit Allocated to Residential Units					\$1,846.57	5.379%	5		\$35.17	

Capital Improvement Calculator
City of Oakland Rent Adjustment Program

[illegible]

Contract

GONZALEZ PAINTING
448 LONDON STREET
SAN FRANCISCO CA 94112
CA US
(415) 946-9494
PaintingSF@gmail.com

Estimate

ADDRESS

Meridian Management Group

ESTIMATE # 2241

DATE 09/07/2022

ACTIVITY

AMOUNT

Proposal for exterior seal and paint at 366 Bellevue, Oakland

Pressure wash the walls.

Mask all window during painting.

Wet scrape and sand loose peeling paint.

Protect all surfaces not to be coated.

Remove failed and defective caulking.

Open up and clean out cracks.

Sand rust off metal surfaces.

Ensure a clean, dry and sound substrate before applying coatings.

Install new sealants around the perimeter of window openings where missing.

Use only acrylic urethane caulking for a water tight surfaces.

Replace loose and missing window glaze.

Full prime where needed.

Four color scheme.

Clean up on a daily basis.

Any dry rot discovered will be extra cost.

Services

9,800.00

Scaffolding and netting

Services

48,500.00

Labor and materials

License no 948218

Contractor
signature _____

TOTAL

\$58,300.00

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Accepted By

Accepted Date

000197

GONZALEZ PAINTING
448 LONDON STREET
SAN FRANCISCO CA 94112
CA US
(415) 946-9494
PaintingSF@gmail.com

Estimate

ADDRESS

Meridian Management Group
JOB: 366 BELLEVUE,
OAKLAND

ESTIMATE # 2283

DATE 01/24/2023

ACTIVITY

AMOUNT

Services

5,800.00

JOB: 366 BELLEVUE, OAKLAND DRY ROT REPAIRS ON EXTERIOR

To replace

200' of dry rot windows trim

45' of 1" x 10" facias fj

30' of 2" x 14" df

36' of 3" x 4" fj cedar trim

50' of 1" x 4" fj cedar trim

2 sheets of T-1 - 11 siding

Contractor

TOTAL

\$5,800.00

signature _____

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Accepted By

Accepted Date

000198

Invoices & Checks

Expense Distribution (Paid Only)

Property=0170 AND Account=6620 AND mm/yy=01/2023-12/2023

Account Code - Name									
Invoice									
Check									
Vendor Code - Name	Control	Property	Invoice #	Date	Period	Amount	Check #	Date	Remarks
6620 - Special Renovation									
951814 - GONZALEZ PAINTING LLC	P-615626	0170	3122	1/26/2023	02-2023	20,000.00	1206	2/10/2023	
951814 - GONZALEZ PAINTING LLC	P-615631	0170	3128	2/8/2023	02-2023	44,100.00	1210	2/14/2023	
100254 - MERIDIAN MANAGEMENT GROUP	P-625215	0170	021723-170	2/17/2023	04-2023	4,487.00	1264	4/20/2023	Supervision fee
Total 6620 - Special Renovation						68,587.00			
						68,587.00			

GONZALEZ PAINTING
448 LONDON STREET
SAN FRANCISCO CA 94112
CA US
(415) 946-9494
PaintingSF@gmail.com

INVOICE

BILL TO
Meridian Management Group

INVOICE # 3122
DATE 01/26/2023
DUE DATE 02/10/2023

ACTIVITY	AMOUNT
Services	20,000.00
JOB: 366 BELLEVUE FIRST PAYMENT FOR SCAFFOLDING AND MATERIALS	
LICENSE NO 948218 B,C33	

BALANCE DUE **\$20,000.00**

000201

UNIVERSITY PRESIDENT ASSOC.,LP-366 Bellevue
MERIDIAN MANAGEMENT GROUP
TRUST ACCOUNT
1145 BUSH STREET
SAN FRANCISCO, CA 94109

First Republic Bank
1699 Van Ness Avenue
San Francisco, CA 94109

1206

11-8166/3210

02/10/2023

\$20,000.00**

**** TWENTY THOUSAND AND 00/100 DOLLARS
TO THE ORDER OF

GONZALEZ PAINTING LLC
448 LONDON STREET
SAN FRANCISCO, CA 94112



MEMO: 50T63

⑈001206⑈

000202



P Morgan Chase Bank

4-10-2010 10:25:20 AM

CREDITED TO ACCOUNT OF
WITHIN NAMED PAYEE
FOR DEPOSIT ONLY
JP Morgan Chase Bank, N.A.

000203

GONZALEZ PAINTING
448 LONDON STREET
SAN FRANCISCO CA 94112
CA US
(415) 946-9494
PaintingSF@gmail.com

INVOICE

BILL TO
Meridian Management Group

INVOICE # 3128
DATE 02/08/2023
DUE DATE 03/10/2023
TERMS Net 30

ACTIVITY	AMOUNT
Proposal for exterior seal and paint at 366 Bellevue, Oakland	
Pressure wash the walls.	
Mask all window during painting.	
Wet scrape and sand loose peeling paint.	
Protect all surfaces not to be coated.	
Remove failed and defective caulking.	
Open up and clean out cracks.	
Sand rust off metal surfaces.	
Ensure a clean, dry and sound substrate before applying coatings.	
Install new sealants around the perimeter of window openings where missing.	
Use only acrylic urethane caulking for a water tight surfaces.	
Replace loose and missing window glaze.	
Full prime where needed.	
Four color scheme.	
Clean up on a daily basis.	
Any dry rot discovered will be extra cost.	
Services	14,800.00
Scaffolding and netting	
Services	43,500.00
Labor and materials	
License no 948218	
Services	5,800.00
All dryrot repairs	

License no 948218

BALANCE DUE

\$64,100.00

000204

GONZALEZ PAINTING
448 LONDON STREET
SAN FRANCISCO CA 94112
CA US
(415) 946-9494
PaintingSF@gmail.com

INVOICE

BILL TO
Meridian Management Group

INVOICE # 3128
DATE 02/08/2023
DUE DATE 03/10/2023
TERMS Net 30

ACTIVITY	AMOUNT
Proposal for exterior seal and paint at 366 Bellevue, Oakland Pressure wash the walls. Mask all window during painting. Wet scrape and sand loose peeling paint. Protect all surfaces not to be coated. Remove failed and defective caulking. Open up and clean out cracks. Sand rust off metal surfaces. Ensure a clean, dry and sound substrate before applying coatings. Install new sealants around the perimeter of window openings where missing. Use only acrylic urethane caulking for a water tight surfaces. Replace loose and missing window glaze. Full prime where needed. Four color scheme. Clean up on a daily basis. Any dry rot discovered will be extra cost.	
Services	14,800.00
Scaffolding and netting	
Services	43,500.00
Labor and materials	
License no 948218	
Services	5,800.00
All dryrot repairs	
Services	-20,000.00
First draw	

License no 948218

BALANCE DUE

\$44,100.00

000205

UNIVERSITY PRESIDENT ASSOC., LP-366 Bellevue
MERIDIAN MANAGEMENT GROUP
TRUST ACCOUNT
1145 BUSH STREET
SAN FRANCISCO, CA 94109

First Republic Bank
1899 Van Ness Avenue
San Francisco, CA 94109

11-8188/3210

1210

02/14/2023

\$44,100.00**

**** FORTY FOUR THOUSAND ONE HUNDRED AND 00/100 DOLLARS
TO THE ORDER OF

GONZALEZ PAINTING LLC
448 LONDON STREET
SAN FRANCISCO, CA 94112



MEMO: 50T63

0001210

000206

Meridian Management Group
1145 Bush Street
SAN FRANCISCO, CA 94109
TEL. 415-434-9700 FAX. 415-782-3833

Date: February 17, 2023

To: University Presidents Assoc., LP
366 Bellevue Ave., Oakland

SUPERVISION FEE

SEAL AND PAINT EXTERIOR

Building Code: 0170

Address: 366 Bellevue Ave., Oakland, CA

Refer to checklist, ledger, invoices, estimate, approval & pictures

TOTAL \$ 64,100.00

According to the Management Agreement, Owner shall pay Agent for coordination of major projects a seven percent (7%) coordination and supervision fee based on the total amount of monies expensed.

Seven (7.0%) percent of \$ 64,100.00 equals \$ 4,487.00

TOTAL FEE FOR ABOVE: \$ 4,487.00

Please make check payable to Meridian Management Group and reference the address on the check. Thank you very much.

UNIVERSITY PRESIDENT ASSOC., LP-368 Bellevue
MERIDIAN MANAGEMENT GROUP
TRUST ACCOUNT
1145 BUSH STREET
SAN FRANCISCO, CA 94109

First Republic Bank
1699 Van Ness Avenue
San Francisco, CA 94109

11-8168/3210

1264

04/20/2023

\$4,487.00***

**** FOUR THOUSAND FOUR HUNDRED EIGHTY SEVEN AND 00/100 DOLLARS
TO THE ORDER OF

MERIDIAN MANAGEMENT GROUP
1145 BUSH STREET
SAN FRANCISCO, CA 94109



⑈001264⑈

000209

For Deposit Only

CHECK HERE IF MOBILE DEPOSIT

DO NOT WRITE STAMP OR MAKE SIGNATURE LINE

000210



Some paper and the security features provided an environment which meet and/or exceed industry guidelines

Security Features

Results of Check Alteration

• 100% of the paper is made from 100% recycled paper	• The paper is made from 100% recycled paper
• The paper is made from 100% recycled paper	• The paper is made from 100% recycled paper
• The paper is made from 100% recycled paper	• The paper is made from 100% recycled paper
• The paper is made from 100% recycled paper	• The paper is made from 100% recycled paper
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• The paper is made from 100% recycled paper	• The paper is made from 100% recycled paper
• The paper is made from 100% recycled paper	• The paper is made from 100% recycled paper

Photos



perfect palette®

366 Bellevue

Daniela Franco, Property Services Rep, 323-215-7897, daniela.franco@dunnedwards.com



1 8



2 6 7



3 4



5



9

Scheme

2

1 Main Body - DET618 Industrial Age

2 Accent - DE6335 Novelty Navy

3 Windows - DEW383 Cool December

4 Fascia/Belly Band - DEW383 Cool December

5 Railings - DET619 Celluloid

6 Lower Body - DE6335 Novelty Navy

7 Balcony - DE6335 Novelty Navy

8 Address Numbers - DET618 Industrial Age

9 Lightpost - DEA002 Black

DISCLAIMER

Paint colors represented are approximations and are not exact matches.

No guarantee is intended and approval of final colors, and color placement is the responsibility of the building owner or the owner's agent.

26011 NW

000212

From:
Sent: Thursday, February 9, 2023 1:56 PM
To:
Cc:
Subject: 170-366 Bellevue

Good afternoon, all,

More photos for your review and we are done with the project. Looks amazing! Thank you





















Sent from my iPhone



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

RECEIVED

For Rent Adjustment Program date stamp.

FEB - 9 2024

**OAKLAND RENT
ADJUSTMENT PROGRAM**

CASE NUMBER L - _____

**TENANT RESPONSE
TO OWNER PETITION FOR APPROVAL OF RENT
INCREASE**

Please fill out this form as completely as you can. Use this form to respond to the Property Owner Petition for Approval of Rent Increase filed by the property owner of your rental unit. The Rent Adjustment Ordinance allows property owners to increase rents above the allowable annual CPI (Consumer Price Index) rate, based on certain justifications ("grounds"), if approved after a hearing with the Rent Adjustment Program ("RAP"). By completing this Tenant Response and submitting it in the required time for filing, you will be able to participate in the hearing. Failure to provide the required information may result in your Tenant Response being rejected or delayed. See "Important Information Regarding Filing Your Response" on the last pages of this packet for more information, including filing instructions and how to contact RAP with questions. Additional information is also available on the RAP website. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR RESPONSE BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Tenant Rental Information

366 Bellevue Avenue 303 Oakland, CA 94610
Street Number Street Name Unit Number Zip Code

Mekonnen Beyoum
Your First Name Last Name

Mailing Address (if different from above): _____

Primary Telephone: 510 227 4445 Other Telephone: 510 227 4087 Email: ssmekonnen@att.net

Type of unit (check one):
☐ Single family home
☐ Condominium
☒ Apartment, room, or live-work

Number of units on the property: 26

Are you current on your rent? ☒ Yes ☐ No*

If not current, explain why: _____

(*Note: You must be current on your rent or lawfully withholding rent in order to file a response. Checking "No" without providing an adequate explanation may result in your response being excluded and limit your participation in the hearing.)

Case number(s) of any relevant prior Rent Adjustment case(s): L24-0002

Tenant Representative: (Check one) ☒ No Representative ☐ Attorney ☐ Non-Attorney

First Name Last Name Firm/Organization (if any)

Mailing Address: _____

Phone Number: _____ Email: _____

RENT HISTORY

Move-in Date: 03/15/2004 Initial Rent at Move-In: \$ 1460.⁰⁰ Current Rent: \$ 1848.92

When did the property owner first provide you with the City form, NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM ("RAP Notice")?

- ☒ I first received the RAP Notice on (date): 06/15/23
☐ I was never provided with the RAP Notice
☐ I do not remember if I ever received the RAP Notice

List all rent increases you have received for this unit in the past five years. Enter all information requested.

Date received rent increase notice: (mm/dd/yy)	Date rent increase went into effect: (mm/dd/yy)	Amount of Increase:		Received RAP Notice with notice of rent increase?	
		FROM	TO	YES	NO
<u>06/15/23</u>	<u>08/01/23</u>	\$ <u>1803.82</u>	\$ <u>1848.92</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>03/31/22</u>	<u>08/01/22</u>	\$ <u>1751.28</u>	\$ <u>1803.82</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>no increase</u>	<u>-</u>	\$ <u>-</u>	\$ <u>-</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>no increase</u>	<u>-</u>	\$ <u>-</u>	\$ <u>-</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>06/10/19</u>	<u>08/01/2019</u>	\$ <u>1670.42</u>	\$ <u>1751.28</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RESPONSE TO PROPERTY OWNER PETITION

Use the space below to respond to the rent increase requested in the Owner Petition.

- To generally contest the Owner Petition, simply check the first box under the "GENERAL RESPONSE(S)" section below.
- You may also (but are not required to) raise specific defenses pertaining to the claimed rent increase justification(s) by selecting from the "SPECIFIC RESPONSES" checklist on the following page. **Note that the property owner has the burden of proving that all requirements for the requested rent increase have been met—your failure to check any of the boxes below does NOT mean that any objection you may have is waived.**

Attach additional sheets if needed to provide further explanation. You may attach any documentation supporting your position together with your Tenant Response form. For detailed information on allowable rent increases, see Appendix A of the Rent Adjustment Program Regulations or see the Rent Adjustment Ordinance. Copies of Appendix A and the Ordinance are available on the RAP website. Brief summaries of each rent increase justification are also listed on the last page of this response packet.

GENERAL RESPONSE(S)


- ☒ I wish to generally contest the requested rent increase.
- ☐ The requested increase would cause my rent to increase by more than 30% in the last five years (This response may not apply when the increase sought is based on the tenant not residing in the unit as principal residence.)
- ☐ I believe I should not have to pay the requested rent increase because the unit has been cited in an inspection report by a governmental agency as containing serious health, safety, fire, or building code violations. (Attach copy of inspection report.)
- ☐ I believe the property owner is not entitled to the proposed rent increase because: _____
- _____
- _____
- _____

SPECIFIC RESPONSES <i>(Optional)</i>	
NOTE: You do not have to make these claims in order for these issues to be decided by the Hearing Officer.	
Justification	Tenant Response
Capital Improvements	<input checked="" type="checkbox"/> The claimed improvements do not meet the legal or factual requirements for "Capital Improvements" as set forth in Appendix A of the Rent Adjustment Program Regulations. <input type="checkbox"/> The claimed improvements were not completed by the date the Property Owner Petition was filed or were completed more than 24 months prior to the date the Petition was filed. <input type="checkbox"/> Property owner did not obtain finaled permit(s) for work that required permit(s). <input checked="" type="checkbox"/> The claimed improvements were not primarily a benefit to the tenants. <input type="checkbox"/> Other (provide explanation): _____
Uninsured Repair Costs	<input type="checkbox"/> Property owner received insurance reimbursement for claimed costs. <input type="checkbox"/> The need for some or all of the repairs was not caused by a natural disaster. <input type="checkbox"/> Other (provide explanation): _____
Increased Housing Service Costs	<input type="checkbox"/> The claimed expenses do not meet the legal or factual requirements for "Housing Service Costs" as set forth in Appendix A of the Rent Adjustment Program Regulations. <input type="checkbox"/> Property owner did not include all rental income or all expenses as required. <input type="checkbox"/> Other (provide explanation): _____
Fair Return	<input type="checkbox"/> Property owner did not provide adequate information or documentation on gross income or gross expenses as required. <input type="checkbox"/> Other (provide explanation): _____
Banking	<input type="checkbox"/> I have received an annual CPI increase each year since I moved in. <input type="checkbox"/> I have not received an annual CPI increase every year (just some years) but I think the proposed banking increase is too high. <input type="checkbox"/> I moved into the current unit more than 10 years ago. My rent amount 11 years ago was \$_____/month. <input type="checkbox"/> Other (provide explanation): _____
Additional Occupant(s)	<input type="checkbox"/> The additional occupant(s) is/are a one-for-one replacement of former tenant(s) (total number of tenants does not exceed the base occupancy level). <input type="checkbox"/> The additional occupant(s) is/are family member(s) and/or caretaker/attendant(s) of an existing tenant. (See O.M.C. § 8.22.020.) <input type="checkbox"/> The person does not permanently reside in the unit. <input type="checkbox"/> Other (provide explanation): _____
Tenant Not Residing in the Unit as Principal Residence	<input type="checkbox"/> As of the date the petition is filed, I reside in the unit as my principal residence.

TENANT VERIFICATION

(Required)

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this Response is true and that all of the documents attached to the Response are true copies of the originals.



Tenant 1 Signature

1/29/24

Date

Tenant 2 Signature

Date

REQUEST FOR OWNER DOCUMENTATION IN EXCESS OF 25 PAGES

If the property owner submitted more than 25 pages of attachments in support of their petition, the owner may have opted to not serve you with a copy of all the attachments (see if box is checked on the Property Owner Petition under "Documentation in Excess of 25 pages"). You may contact RAP to request copies of the documents (email RAP@oaklandca.gov), or you may check the box below to request that the owner provide you with copies.

☒ I/We request that the owner provide me/us with copies of all documents submitted in support of the Property Owner Petition.

CONSENT TO ELECTRONIC SERVICE

(Highly Recommended)

Check the box below if you agree to have RAP staff and the OTHER PARTY/IES send you documents related to your case electronically. If you agree to electronic service, the RAP may send certain documents only electronically and not by first class mail.

☒ I/We consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) provided in this response.

MEDIATION PROGRAM

Mediation is an optional process offered by RAP to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. A trained third party will work with the parties prior to the hearing to see if a mutual agreement can be reached. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you agree to mediation in your case.

I agree to have the case mediated by a Rent Adjustment Program staff mediator.

Tenant Signature

Date

INTERPRETATION SERVICES

If English is not your primary language, you have the right to an interpreter in your primary language/dialect at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

☐ I request an interpreter fluent in the following language at my Rent Adjustment proceeding:

- ☐ Spanish (Español)
- ☐ Cantonese (廣東話)
- ☐ Mandarin (普通话)
- ☐ Other: _____

-END OF RESPONSE-



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

RECEIVED

FEB - 9 2024

**OAKLAND RENT
ADJUSTMENT PROGRAM**

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR RESPONSE (PLUS ANY ATTACHMENTS) ON THE PROPERTY OWNER PRIOR TO FILING YOUR RESPONSE WITH RAP.

- 1) Use this *PROOF OF SERVICE* form to indicate the date and manner of service and the person(s) served.
- 2) Note: Email is not a form of allowable service on a party of a petition or response pursuant to the Ordinance.
- 3) Provide a completed copy of this *PROOF OF SERVICE* form to the person(s) being served together with the documents being served.
- 4) File a completed copy of this *PROOF OF SERVICE* form with RAP together with your Response. Your Response will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 02 / 03 / 24 I served a copy of (check all that apply):

☐ **TENANT RESPONSE TO OWNER PETITION FOR APPROVAL OF RENT INCREASE** plus _____ attached pages (number of pages attached to Response not counting the Response form or *PROOF OF SERVICE*)

☐ Other: _____

by the following means (check one):

☐ **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☒ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

PERSON(S) SERVED:

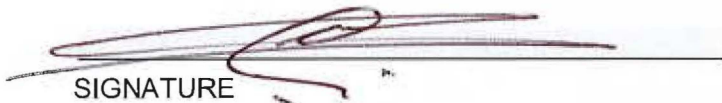
Name	Isabelle Mazani / University President Associates, LP
Address	1777 Powell St.
City, State, Zip	8F, CA 94613

initials
here

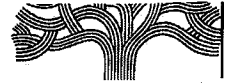
Name	MEKONEN SEYOUN
Address	366 BELLEVUE AVE. #303
City, State, Zip	OAKLAND, CA 94612

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

MEKONEN SEYOUN
PRINTED NAME


SIGNATURE

02/05/24
DATE SIGNED



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1612-2034

Housing and Community Development
Department Rent Adjustment Program

TEL (510) 238-3721
FAX (510) 238-6181
CA Relay Service 711

HEARING DECISION

CASE NUMBER: L24-0002 University President Association LP v. Tenants

PROPERTY ADDRESS: 366 Bellevue Avenue, Oakland, CA

DATE OF HEARING: April 23, 2024

DATE OF DECISION: July 29, 2024

APPEARANCES: Shella Ehsan - Owner Representative
Evan Darragh - Owner Representative
Aster Mitiku - Tenant, Unit 305
Carlos Zepeda - Tenant, Unit 302
Sunfun Su – Tenant, Unit 107
Joyce Smith – Tenant, Unit 105
Victoria Gambrell – Tenant, Unit 201
Yeh Feng Hwang – Tenant, Unit 207
Weikuan Tang – Interpreter

SUMMARY OF DECISION

The owner petition is granted in part.

CONTENTIONS OF THE PARTIES

On December 6, 2023, the owner filed a Petition for Approval of Rent Increase based on building-wide capital improvements to the subject property.

Tenants from five (5) units filed a response to the owner petition (Units 107, 207, 105, 104, and 303). Tenants from six (6) units appeared for the hearing (Units 305, 302, 107, 105, 201, and 207).

THE ISSUE

(1) Is the owner entitled to a rent increase based on capital improvements?

EVIDENCE

The subject property is a residential building consisting of twenty-six (26) units. On the petition, the owner indicated that only nineteen (19) units would be subject to the proposed capital improvement pass-through. The owner provided a list of the tenants subject to the proposed rent increase along with the current rent for each unit. This information will be used in the calculation of any approved capital improvement pass-through. The capital improvement project consisted of painting the entire exterior of the subject property and completing some exterior dry rot repairs at a total claimed cost of \$68,587.00. Finally, the owner representative testified that the Notice to Tenants of the Residential Rent Adjustment Program (RAP Notice) was served to the tenants on August 25, 2023.

The owner representative submitted the following documents at the hearing:

1. Copy of a Business Tax Certificate and a receipt verifying payment of the Oakland Business Tax and the Rent Adjustment Program fee, as well as proof of registration with the City of Oakland Rent Registry.¹
2. Copy of the RAP Notice issued to the tenants on August 25, 2023.²
3. An initial estimate from Gonzalez Painting dated September 7, 2022, for exterior painting in the amount of \$58,300.00 and for exterior dry rot repair in the amount of \$5,800.00.³
4. Copies of invoices and checks for the exterior painting and dry rot repair project totaling \$68,587.00 as described below⁴:
 - a. An invoice from Gonzalez Painting to Meridian Management Group dated January 26, 2023, in the amount of \$20,000.00 for the exterior painting, along with a corresponding check in the same amount issued to Gonzalez Painting on February 10, 2023.
 - b. An invoice from Gonzalez Painting to Meridian Management Group dated February 8, 2023, in the amount of \$44,100.00 for the exterior painting and dry rot repairs, along with a corresponding check in the same amount issued to Gonzalez Painting on February 14, 2023.
 - c. An invoice from Meridian Management Group to University Presidents Association, LP dated February 17, 2023, in the amount of \$4,487.00 for a supervision fee for the exterior painting and dry rot repair project, along with a corresponding check in the same amount issued to Gonzalez Painting on April 20, 2023.

¹ Exhibit 1

² Exhibit 2

³ Exhibit 3

⁴ Exhibit 4

5. Photographs of the subject building.⁵

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Capital Improvements

A rent increase in excess of the CPI Rent Adjustment may be justified by capital improvement costs.⁶ Capital improvement costs are those improvements which materially add to the value of the property and appreciably prolong its useful life or adapt it to new building codes. Normal routine maintenance and repair is not a capital improvement cost, but a housing service cost.⁷ The improvements must primarily benefit the tenant rather than the owner.⁸

Seventy percent (70%) of the total cost for the capital improvement may be passed through to the tenants.⁹ The capital improvement costs are to be amortized over the useful life of the improvement as set out in the Amortization Schedule attached as Exhibit 1 to the Regulations and the total costs shall be amortized over that time period. The dollar amount of the capital improvement rent increase shall be removed from the rent at the end of the amortization period.¹⁰

Some of the work completed by the owner qualifies as a capital improvement. The exterior painting of the subject property at a cost of \$62,787.00 adds value to the entire building and prolongs the useful life of the property. It also primarily benefits the tenants. Therefore, the painting qualifies as a capital improvement project. The dry rot repairs at a cost of \$5,800.00 do not qualify as a capital improvement as they were repairs necessitated by deferred maintenance.

Calculation of Capital Improvement Pass-through

Expenses claimed by the owner in the amount of \$62,787.00 for exterior painting meet the requirements for a capital improvement rent increase. The attached Table calculates the pass-through plus imputed interest and sets the amortization period pursuant to the formula set forth in the Regulations. Additionally, the City Council changed the maximum rent increase from 10% to align with the allowable increase under state law¹¹ and the amortization period may be adjusted to keep the pass-through under the state limit.

ORDER

⁵ Exhibit 5

⁶ O.M.C. Section 8.22.070(C)

⁷ Regulations, Appendix, Section 10.2.2(5)

⁸ Regulations, Appendix A, §10.2

⁹ Regulations, Appendix A, Section 10.2.3 (3)(a)

¹⁰ Regulations Appendix, Section 10.2.3(2)

¹¹ Tenant Protection Act of 2019

1. The Owner Petition for Approval of Rent Increase L24-0002 is granted in part.
2. The maximum approved amount per month for an increase based on the capital improvements is \$31.00 for a 5-year amortization period.
3. The rent increase only applies to the nineteen (19) units listed in the petition.
4. The increase will be effective thirty (30) days after the owner serves the rent increase notice, together with a RAP Notice, and the attached Decision Summary. If the rent increase notice is served by mail, it will be effective thirty-five (35) days after the service.

Right to Appeal: This decision is the final decision of the Rent Adjustment Program Staff. Either party may appeal this decision by filing a properly completed appeal using the form provided by the Rent Adjustment Program. The appeal must be received within twenty (20) days after service of the decision. The date of service is shown on the attached Proof of Service. If the Rent Adjustment Office is closed on the last day to file, the appeal may be filed on the next business day.

Dated: July 29, 2024

Maimoona Ahmad
Maimoona Ahmad
Hearing Officer, Rent Adjustment Program



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Housing and Community Development
Department Rent Adjustment Program

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HEARING DECISION SUMMARY

CASE NUMBER: L24-0002 University President Association LP v. Tenants
PROPERTY ADDRESS: 366 Bellevue Avenue, Oakland, CA
DATE OF HEARING: April 23, 2024
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Dated: July 29, 2024

Maimoona Ahmad

Maimoona Ahmad

Hearing Officer, Rent Adjustment Program

IMPROVEMENTS BENEFITING ALL UNITS BUILDING WIDE

Petition Date

Number of Residential Units

IMPROVEMENT OR REPAIR	DATE PERMIT OBTAINED (or date started if permit not required)	DATE COMPLETED	FULL COST	ALLOWABLE PASS THROUGH (70%)	ALLOWABLE PASS THROUGH PER UNIT	Imputed Interest	Amortization Period (years)	At N An C B
Exterior Painting	1/26/23	04/20/23	\$62,787.00	\$43,950.90	\$1,690.42	3.827%	5	
Subtotal (with weighted averages)				\$43,950.90	\$1,690.42	3.827%	5	
Place X in cell B19 if property is mixed use.								
Residential square footage								
Other use square footage								
Percent residential use								
Total Cost Per Unit Allocated to Residential Units					\$1,690.42	3.827%	5	

TOTAL RENT INCREASE FOR EACH UNIT[illegible]

PROOF OF SERVICE

Case Number: L24-0002

Case Name: University President Associates LP v. Tenants

I am a resident of the State of California at least eighteen years of age. I am not a party to the Residential Rent Adjustment Program case listed above. I am employed in Alameda County, California. My business address is 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California 94612.

Today, I served the attached documents listed below by placing a true copy in a City of Oakland mail collection receptacle for mailing on the below date at 250 Frank H. Ogawa Plaza, Oakland, California, addressed to:

Documents Included

Hearing Decision

Hearing Decision Summary

Calculations

Owner

Evan Darragh

University President Associates LP

1717 Powell Street Suite 300

San Francisco, CA 94133

Owner Representative

Evan Darragh

Flynn Investments Inc.

1717 Powell Street Suite 300

San Francisco, CA 94133

Tenant

Abraham Hagos

366 Bellevue Avenue Unit 301

Oakland, CA 94610

Tenant

Alexandre Glenard

366 Bellevue Avenue Unit 103

Oakland, CA 94610

Tenant

Allen Vaughan

366 Bellevue Avenue Unit 104

Oakland, CA 94610

Tenant

Andrew Gaubatz

366 Bellevue Avenue Unit 307

Oakland, CA 94610

000237

Tenant

Angel Mateo
366 Bellevue Avenue Unit 306
Oakland, CA 94610

Tenant

Barbara Pemberton
366 Bellevue Avenue Unit 304
Oakland, CA 94610

Tenant

Calos Zepeda
366 Bellevue Avenue Unit 302
Oakland, CA 94610

Tenant

Carolyn Clarke
366 Bellevue Avenue Unit 401
Oakland, CA 94610

Tenant

Getachew Desybelew
366 Bellevue Avenue Unit 305
Oakland, CA 94610

Tenant

Joale Robinso
366 Bellevue Avenue Unit 208
Oakland, CA 94610

Tenant

Jonathan Bywater
366 Bellevue Avenue Unit 202
Oakland, CA 94610

Tenant

Joyce Smith
366 Bellevue Avenue Unit 105
Oakland, CA 94610

Tenant

Liya Tesfamicheal
366 Bellevue Avenue Unit 205
Oakland, CA 94610

Tenant

Mekonnen Seyoum
366 Bellevue Avenue Unit 303
Oakland, CA 94610

Tenant

Paolo Rose
366 Bellevue Avenue Unit 101
Oakland, CA 94610

Tenant

Rebecca Grayzel
366 Bellevue Avenue Unit 308
Oakland, CA 94610

Tenant

Sunfun Su
366 Bellevue Avenue Unit 107
Oakland, CA 94610

Tenant

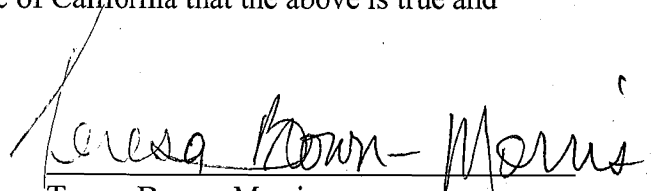
Victoria Gambrell
366 Bellevue Avenue Unit 201
Oakland, CA 94610

Tenant

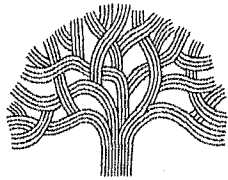
Yeh Hwang
366 Bellevue Avenue Unit 207
Oakland, CA 94610

I am readily familiar with the City of Oakland's practice of collection and processing correspondence for mailing. Under that practice an envelope placed in the mail collection receptacle described above would be deposited in the United States mail with the U.S. Postal Service on that same day with first class postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **July 30, 2024** in Oakland, California.


Teresa Brown-Morris
Oakland Rent Adjustment Program

000239



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
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CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

RECEIVED

AUG 19 2024

OAKLAND RENT
ADJUSTMENT PROGRAM

APPEAL

Appellant's Name Allen Vaughan		<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant	
Property Address (Include Unit Number) 366 Bellevue Ave Apt 104, Oakland, CA 94610			
Appellant's Mailing Address (For receipt of notices)		Case Number L24-0002	
		Date of Decision appealed July 29, 2024	
Name of Representative (if any)		Representative's Mailing Address (For notices)	

Please select your ground(s) for appeal from the list below. As part of the appeal, an explanation must be provided responding to each ground for which you are appealing. Each ground for appeal listed below includes directions as to what should be included in the explanation.

1) There are math/clerical errors that require the Hearing Decision to be updated. *(Please clearly explain the math/clerical errors.)*

2) Appealing the decision for one of the grounds below (required):

- a) ☐ The decision is inconsistent with OMC Chapter 8.22, Rent Board Regulations, or prior decisions of the Board. *(In your explanation, you must identify the Ordinance section, Regulation or prior Board decision(s) and describe how the description is inconsistent.)*
- b) ☐ The decision is inconsistent with decisions issued by other Hearing Officers. *(In your explanation, you must identify the prior inconsistent decision and explain how the decision is inconsistent.)*
- c) ☐ The decision raises a new policy issue that has not been decided by the Board. *(In your explanation, you must provide a detailed statement of the issue and why the issue should be decided in your favor.)*
- d) ☐ The decision violates federal, state, or local law. *(In your explanation, you must provide a detailed statement as to what law is violated.)*
- e) ☐ The decision is not supported by substantial evidence. *(In your explanation, you must explain why the decision is not supported by substantial evidence found in the case record.)*

- f) ☐ I was denied a sufficient opportunity to present my claim or respond to the petitioner's claim. (In your explanation, you must describe how you were denied the chance to defend your claims and what evidence you would have presented. Note that a hearing is not required in every case. Staff may issue a decision without a hearing if sufficient facts to make the decision are not in dispute.)
- g) ☐ The decision denies the Owner a fair return on the Owner's investment. (You may appeal on this ground only when your underlying petition was based on a fair return claim. You must specifically state why you have been denied a fair return and attach the calculations supporting your claim.)
- h) ☒ Other. (In your explanation, you must attach a detailed explanation of your grounds for appeal.)

Supporting documents (in addition to this form) must not exceed 25 pages, and must be received by the Rent Adjustment Program, along with a proof of service on the opposing party, within 15 days of the filing of this document. Only the first 25 pages of submissions from each party will be considered by the Board, subject to Regulations 8.22.010(A)(4). Please number attached pages consecutively.

• You must serve a copy of your appeal on the opposing parties, or your appeal may be dismissed. •

I served a copy of: Appeal Form (insert name of document served)
☒ And Additional Documents

and (write number of attached pages) 1 attached pages (not counting the Appeal Form or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- ☒ a. First-Class Mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.
- ☐ c. Electronic Service. I electronically sent the document(s) to the person(s) at the address(es) listed below who have previously given written consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) they provided.

Name	University President Associates, LP Attn: Evan Darragh
Address	1717 Powell Street, Suite 300
City, State Zip	San Francisco, CA 94133
Email Address	Evan@flynninv.com
Name	City of Oakland - Rent Adjustment Program
Address	250 Frank H. Ogawa Plaza, Suite 5313
City, State Zip	Oakland, CA 94612-0243

Email Address

RAP@oaklandca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024 (insert date served).

Allen Vaughan

PRINT YOUR NAME

SIGNATURE

Allen Vaughan

August 16, 2024

DATE

IMPORTANT INFORMATION:

This Appeal must be received by the Rent Adjustment Program, 250 Frank Ogawa Plaza, Suite 5313, Oakland, California 94612, not later than 5:00 P.M. on the 20th calendar day after the date the decision was mailed to you as shown on the proof of service attached to the decision. If the last day to file is a weekend or holiday, the time to file the document is extended to the next business day.

- Appeals filed late without good cause will be dismissed.
- You must provide all the information required, or your appeal cannot be processed and may be dismissed.
- **Any response to the appeal by the responding party must be received by the Rent Adjustment Program, along with a proof of service on appealing party, within 30 days of service of the service of the appeal if the party was personally served. If the responding party was served the appeal by mail, the party must file the response within 35 days of the date the appeal was mailed to them.**
- There is no form for the response, but the entire response is limited to 25 pages or less.
- The Board will not consider new claims. All claims, except jurisdictional issues, must have been made in the petition, response, or at the hearing.
- The Board will not consider new evidence at the appeal hearing without specific approval.
- You must sign and date this form or your appeal will not be processed.
- The case record is available to the Board, but sections of audio recordings that you want the Board to review must be pre-designated to Rent Adjustment Staff.

Explanation of Grounds for Appeal for Case Number L24-0002

We, the tenants of 366 Bellevue Ave, Oakland, CA 94610, respectfully submit this appeal regarding the Hearing Decision made on July 29, 2024, which partially granted the Owner Petition for a Capital Improvements Rent Increase.

Before the current landlord, University President Associates, LP, acquired the property in August 2018, the previous landlord, J & R Associates, had recently painted the entire apartment building — both the interior and exterior. According to the law, Capital Improvements must primarily benefit the tenant, not just the owner. These improvements should materially add to the property's value, significantly extend its useful life, or bring it up to new building codes.

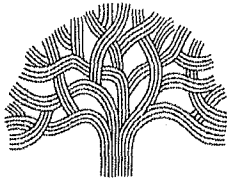
The recent petition for a Capital Improvement Rent Increase, which involves applying an additional coat of exterior paint, does not meet these criteria. Given that the building was already freshly painted just before the new ownership, this improvement seems more cosmetic and beneficial to the owner rather than to the tenants. It does not add substantial value or longevity to the property, and it raises concerns about potentially recurring expenses for tenants every five years for such superficial updates.

Therefore, we believe that this increase is both unnecessary and unfairly burdensome to the tenants, given the already recent paint job. We kindly request a review and reconsideration of this decision, and we appeal for a reversal or adjustment to ensure that any increases in rent due to Capital Improvements are justified and equitable.

Thank you for your attention to this matter. We appreciate your consideration of our appeal.

Sincerely,

Victoria Gambrell
Yeh-Feng Hwang
Joale Robinson
Carlos Zepeda
Mekonnen Seyoum
Getachew Desybelew
Allen Vaughan
Joyce Smith
Sunfun Su



CITY OF OAKLAND

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RENT ADJUSTMENT PROGRAM**

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AUG 19 2024

OAKLAND RENT
ADJUSTMENT PROGRAM

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR PETITION OR RESPONSE (PLUS ANY ADDITIONAL DOCUMENTS) ON THE OPPOSING PARTIES.

- Use this PROOF OF SERVICE form to indicate the date and manner in which service took place, as well as the person(s) served.
- Provide a complete but unsigned copy of this PROOF OF SERVICE form to the opposing parties together with the document(s) being served.
- File the completed and signed PROOF OF SERVICE form with the Rent Adjustment Program together with the document you are filing and copies of any attachments you served on the opposing party/parties.
- Please sequentially number all additional documents provided to the RAP.

PETITIONS FILED WITHOUT A PROOF OF SERVICE WILL BE CONSIDERED INCOMPLETE AND MAY BE DISMISSED.

I served a copy of: Appeal Form (insert name of document served) and
☒ And Additional Documents

(write number of attached pages) 1 attached pages (not counting the Petition or Response served or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- ☒ a. First-Class Mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.
- ☐ c. Electronic Service (DO NOT USE THIS SERVICE METHOD TO SERVE PETITIONS OR RESPONSES TO PETITIONS.) I electronically sent the document(s) to the person(s) at the address(es) listed below who have previously given written consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) they provided.

PERSON(S) SERVED:

Name	University President Associates, LP Attn: Evan Darragh
Address	1717 Powell Street, Suite 300
City, State, Zip	San Francisco, CA 94133
Email Address	Evan@flynninv.com

Name	City of Oakland - Rent Adjustment Program
Address	250 Frank H. Ogawa Plaza, Suite 5313
City, State, Zip	Oakland, CA 94612-0243
Email Address	RAP@oaklandca.gov

Name	
Address	
City, State, Zip	
Email Address	

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City, State, Zip	
Email Address	

Name	
Address	
City, State, Zip	
Email Address	

To serve more than 8 people, copy this page as many times as necessary and insert in your proof of service document. If you are only serving one person, you can use just the first and last page

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024 (insert date served).

Allen Vaughan

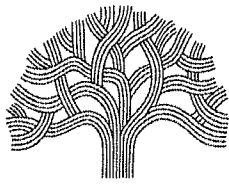
PRINT YOUR NAME

Allen Vaughan

SIGNATURE

August 16, 2024

DATE



CITY OF OAKLAND

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For Rent Adjustment Program date stamp.

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AUG 19 2024

OAKLAND RENT
ADJUSTMENT PROGRAM

APPEAL

Appellant's Name Joyce Smith	<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant
Property Address (Include Unit Number) 366 Bellevue Ave Apt 105, Oakland, CA 94610	
Appellant's Mailing Address (For receipt of notices)	Case Number L24-0002
	Date of Decision appealed July 29, 2024
Name of Representative (if any)	Representative's Mailing Address (For notices)

Please select your ground(s) for appeal from the list below. As part of the appeal, an explanation must be provided responding to each ground for which you are appealing. Each ground for appeal listed below includes directions as to what should be included in the explanation.

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Supporting documents (in addition to this form) must **not** exceed 25 pages, and must be received by the Rent Adjustment Program, along with a proof of service on the opposing party, within 15 days of the filing of this document. Only the first 25 pages of submissions from each party will be considered by the Board, subject to Regulations 8.22.010(A)(4). Please number attached pages consecutively.

• You must serve a copy of your appeal on the opposing parties, or your appeal may be dismissed. •

I served a copy of: Appeal Form (insert name of document served)
☒ And Additional Documents

and (write number of attached pages) 1 attached pages (not counting the Appeal Form or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- ☒ a. First-Class Mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.
- ☐ c. Electronic Service. I electronically sent the document(s) to the person(s) at the address(es) listed below who have previously given written consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) they provided.

<u>Name</u>	University President Associates, LP Attn: Evan Darragh
<u>Address</u>	1717 Powell Street, Suite 300
<u>City. State Zip</u>	San Francisco, CA 94133
<u>Email Address</u>	Evan@flynninv.com
<u>Name</u>	City of Oakland - Rent Adjustment Program
<u>Address</u>	250 Frank H. Ogawa Plaza, Suite 5313
<u>City. State Zip</u>	Oakland, CA 94612-0243

Email Address

RAP@oaklandca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024 (insert date served).

Joyce Smith

PRINT YOUR NAME

SIGNATURE

August 16, 2024

DATE

IMPORTANT INFORMATION:

This Appeal must be received by the Rent Adjustment Program, 250 Frank Ogawa Plaza, Suite 5313, Oakland, California 94612, not later than 5:00 P.M. on the 20th calendar day after the date the decision was mailed to you as shown on the proof of service attached to the decision. If the last day to file is a weekend or holiday, the time to file the document is extended to the next business day.

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Explanation of Grounds for Appeal for Case Number L24-0002

We, the tenants of 366 Bellevue Ave, Oakland, CA 94610, respectfully submit this appeal regarding the Hearing Decision made on July 29, 2024, which partially granted the Owner Petition for a Capital Improvements Rent Increase.

Before the current landlord, University President Associates, LP, acquired the property in August 2018, the previous landlord, J & R Associates, had recently painted the entire apartment building — both the interior and exterior. According to the law, Capital Improvements must primarily benefit the tenant, not just the owner. These improvements should materially add to the property's value, significantly extend its useful life, or bring it up to new building codes.

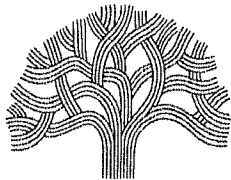
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Therefore, we believe that this increase is both unnecessary and unfairly burdensome to the tenants, given the already recent paint job. We kindly request a review and reconsideration of this decision, and we appeal for a reversal or adjustment to ensure that any increases in rent due to Capital Improvements are justified and equitable.

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Sincerely,

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Joale Robinson
Carlos Zepeda
Mekonnen Seyoum
Getachew Desybelew
Allen Vaughan
Joyce Smith
Sunfun Su



CITY OF OAKLAND

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RENT ADJUSTMENT PROGRAM**

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PROOF OF SERVICE

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024 (insert date served).

Joyce Smith

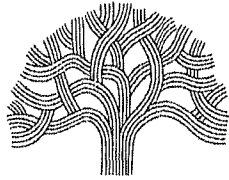
PRINT YOUR NAME



SIGNATURE

August 16, 2024

DATE



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OAKLAND RENT
ADJUSTMENT PROGRAM

APPEAL

Appellant's Name Sunfun Su	<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant
Property Address (Include Unit Number) 366 Bellevue Ave Apt 107, Oakland, CA 9461C	
Appellant's Mailing Address (For receipt of notices)	Case Number L24-0002
	Date of Decision appealed July 29, 2024
Name of Representative (if any)	Representative's Mailing Address (For notices)

Please select your ground(s) for appeal from the list below. As part of the appeal, an explanation must be provided responding to each ground for which you are appealing. Each ground for appeal listed below includes directions as to what should be included in the explanation.

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Supporting documents (in addition to this form) must *not* exceed 25 pages, and must be received by the Rent Adjustment Program, along with a proof of service on the opposing party, within 15 days of the filing of this document. Only the first 25 pages of submissions from each party will be considered by the Board, subject to Regulations 8.22.010(A)(4). *Please number attached pages consecutively.*

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<u>City, State Zip</u>	Oakland, CA 94612-0243

Email Address

RAP@oaklandca.gov

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Sunfun Su

PRINT YOUR NAME



SIGNATURE

August 16, 2024

DATE

IMPORTANT INFORMATION:

This Appeal must be received by the Rent Adjustment Program, 250 Frank Ogawa Plaza, Suite 5313, Oakland, California 94612, not later than 5:00 P.M. on the 20th calendar day after the date the decision was mailed to you as shown on the proof of service attached to the decision. If the last day to file is a weekend or holiday, the time to file the document is extended to the next business day.

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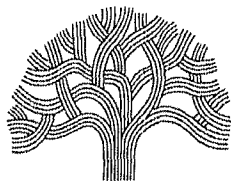
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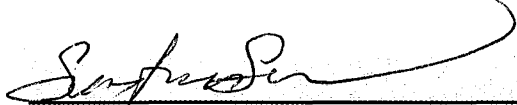
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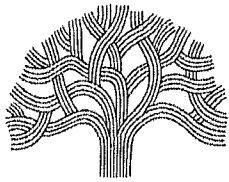
PRINT YOUR NAME



SIGNATURE

August 16, 2024

DATE



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OAKLAND RENT
ADJUSTMENT PROGRAM

APPEAL

Appellant's Name Victoria Gambrell		<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant	
Property Address (Include Unit Number) 366 Bellevue Ave Apt 201, Oakland, CA 9461C			
Appellant's Mailing Address (For receipt of notices)		Case Number L24-0002	
		Date of Decision appealed July 29, 2024	
Name of Representative (if any)		Representative's Mailing Address (For notices)	

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Email Address

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Victoria Gambrell

PRINT YOUR NAME



SIGNATURE

August 16, 2024

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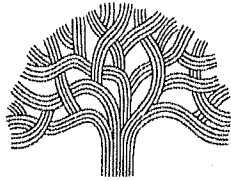
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CITY OF OAKLAND

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024(insert date served).

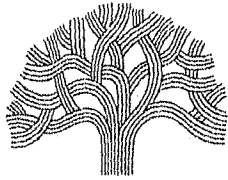
Victoria Gambrell

PRINT YOUR NAME

SIGNATURE

August 16, 2024

DATE



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
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For Rent Adjustment Program date stamp.

RECEIVED

AUG 19 2024

OAKLAND RENT
ADJUSTMENT PROGRAM

APPEAL

Appellant's Name Yeh-Feng Hwang	<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant
Property Address (Include Unit Number) 366 Bellevue Ave Apt 207, Oakland, CA 9461C	
Appellant's Mailing Address (For receipt of notices)	Case Number L24-0002
	Date of Decision appealed July 29, 2024
Name of Representative (if any)	Representative's Mailing Address (For notices)

Please select your ground(s) for appeal from the list below. As part of the appeal, an explanation must be provided responding to each ground for which you are appealing. Each ground for appeal listed below includes directions as to what should be included in the explanation.

- 1) There are math/clerical errors that require the Hearing Decision to be updated. *(Please clearly explain the math/clerical errors.)*
- 2) Appealing the decision for one of the grounds below (required):
 - a) ☐ The decision is inconsistent with OMC Chapter 8.22, Rent Board Regulations, or prior decisions of the Board. *(In your explanation, you must identify the Ordinance section, Regulation or prior Board decision(s) and describe how the description is inconsistent.)*
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- g) ☐ The decision denies the Owner a fair return on the Owner's investment. (You may appeal on this ground only when your underlying petition was based on a fair return claim. You must specifically state why you have been denied a fair return and attach the calculations supporting your claim.)
- h) ☒ Other. (In your explanation, you must attach a detailed explanation of your grounds for appeal.)

Supporting documents (in addition to this form) must not exceed 25 pages, and must be received by the Rent Adjustment Program, along with a proof of service on the opposing party, within 15 days of the filing of this document. Only the first 25 pages of submissions from each party will be considered by the Board, subject to Regulations 8.22.010(A)(4). Please number attached pages consecutively.

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and (write number of attached pages) 1 attached pages (not counting the Appeal Form or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

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- ☐ c. Electronic Service. I electronically sent the document(s) to the person(s) at the address(es) listed below who have previously given written consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) they provided.

<u>Name</u>	University President Associates, LP Attn: Evan Darragh
<u>Address</u>	1717 Powell Street, Suite 300
<u>City, State Zip</u>	San Francisco, CA 94133
<u>Email Address</u>	Evan@flynninv.com
<u>Name</u>	City of Oakland - Rent Adjustment Program
<u>Address</u>	250 Frank H. Ogawa Plaza, Suite 5313
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Email Address	RAP@oaklandca.gov
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Yeh-Feng Hwang

PRINT YOUR NAME


SIGNATURE

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- There is no form for the response, but the entire response is limited to 25 pages or less.
- The Board will not consider new claims. All claims, except jurisdictional issues, must have been made in the petition, response, or at the hearing.
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Explanation of Grounds for Appeal for Case Number L24-0002

We, the tenants of 366 Bellevue Ave, Oakland, CA 94610, respectfully submit this appeal regarding the Hearing Decision made on July 29, 2024, which partially granted the Owner Petition for a Capital Improvements Rent Increase.

Before the current landlord, University President Associates, LP, acquired the property in August 2018, the previous landlord, J & R Associates, had recently painted the entire apartment building — both the interior and exterior. According to the law, Capital Improvements must primarily benefit the tenant, not just the owner. These improvements should materially add to the property's value, significantly extend its useful life, or bring it up to new building codes.

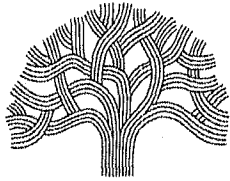
The recent petition for a Capital Improvement Rent Increase, which involves applying an additional coat of exterior paint, does not meet these criteria. Given that the building was already freshly painted just before the new ownership, this improvement seems more cosmetic and beneficial to the owner rather than to the tenants. It does not add substantial value or longevity to the property, and it raises concerns about potentially recurring expenses for tenants every five years for such superficial updates.

Therefore, we believe that this increase is both unnecessary and unfairly burdensome to the tenants, given the already recent paint job. We kindly request a review and reconsideration of this decision, and we appeal for a reversal or adjustment to ensure that any increases in rent due to Capital Improvements are justified and equitable.

Thank you for your attention to this matter. We appreciate your consideration of our appeal.

Sincerely,

Victoria Gambrell
Yeh-Feng Hwang
Joale Robinson
Carlos Zepeda
Mekonnen Seyoum
Getachew Desybelew
Allen Vaughan
Joyce Smith
Sunfun Su



CITY OF OAKLAND

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RENT ADJUSTMENT PROGRAM**

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OAKLAND RENT
ADJUSTMENT PROGRAM

PROOF OF SERVICE

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PERSON(S) SERVED:

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Address	1717 Powell Street, Suite 300
City, State, Zip	San Francisco, CA 94133
Email Address	Evan@flynninv.com

Name	City of Oakland - Rent Adjustment Program
Address	250 Frank H. Ogawa Plaza, Suite 5313
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Name	
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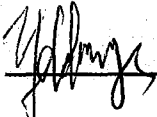
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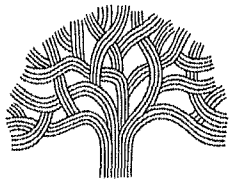
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OAKLAND RENT
ADJUSTMENT PROGRAM

APPEAL

Appellant's Name Joale Robinson	<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant
Property Address (Include Unit Number) 366 Bellevue Ave Apt 208, Oakland, CA 9461C	
Appellant's Mailing Address (For receipt of notices)	Case Number L24-0002
	Date of Decision appealed July 29, 2024
Name of Representative (if any)	Representative's Mailing Address (For notices)

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<u>City, State Zip</u>	Oakland, CA 94612-0243

Email Address

RAP@oaklandca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024 (insert date served).

Joale Robinson

PRINT YOUR NAME

SIGNATURE

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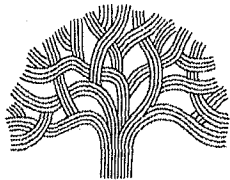
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Sincerely,

Victoria Gambrell
Yeh-Feng Hwang
Joale Robinson
Carlos Zepeda
Mekonnen Seyoum
Getachew Desybelew
Allen Vaughan
Joyce Smith
Sunfun Su



CITY OF OAKLAND

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OAKLAND RENT
ADJUSTMENT PROGRAM

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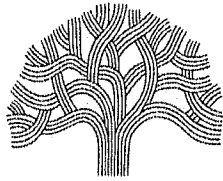
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CITY OF OAKLAND

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OAKLAND RENT
ADJUSTMENT PROGRAM

APPEAL

Appellant's Name Carlos Zepeda	<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant
Property Address (Include Unit Number) 366 Bellevue Ave Apt 302, Oakland, CA 94610	
Appellant's Mailing Address (For receipt of notices)	Case Number L24-0002
	Date of Decision appealed July 29, 2024
Name of Representative (if any)	Representative's Mailing Address (For notices)

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City, State Zip	Oakland, CA 94612-0243

Email Address

RAP@oaklandca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024 (insert date served).

Carlos Zepeda

PRINT YOUR NAME

SIGNATURE

August 16, 2024

DATE

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Explanation of Grounds for Appeal for Case Number L24-0002

We, the tenants of 366 Bellevue Ave, Oakland, CA 94610, respectfully submit this appeal regarding the Hearing Decision made on July 29, 2024, which partially granted the Owner Petition for a Capital Improvements Rent Increase.

Before the current landlord, University President Associates, LP, acquired the property in August 2018, the previous landlord, J & R Associates, had recently painted the entire apartment building — both the interior and exterior. According to the law, Capital Improvements must primarily benefit the tenant, not just the owner. These improvements should materially add to the property's value, significantly extend its useful life, or bring it up to new building codes.

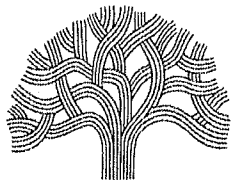
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Therefore, we believe that this increase is both unnecessary and unfairly burdensome to the tenants, given the already recent paint job. We kindly request a review and reconsideration of this decision, and we appeal for a reversal or adjustment to ensure that any increases in rent due to Capital Improvements are justified and equitable.

Thank you for your attention to this matter. We appreciate your consideration of our appeal.

Sincerely,

Victoria Gambrell
Yeh-Feng Hwang
Joale Robinson
Carlos Zepeda
Mekonnen Seyoum
Getachew Desybelew
Allen Vaughan
Joyce Smith
Sunfun Su



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313 Oakland,
CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

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OAKLAND RENT
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PROOF OF SERVICE

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Address	1717 Powell Street, Suite 300
City, State, Zip	San Francisco, CA 94133
Email Address	Evan@flynninv.com

Name	City of Oakland - Rent Adjustment Program
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024 (insert date served).

Carlos Zepeda

PRINT YOUR NAME

SIGNATURE

August 16, 2024

DATE



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RENT ADJUSTMENT PROGRAM
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OAKLAND RENT
ADJUSTMENT PROGRAM

APPEAL

Appellant's Name Mekonnen Seyoum & Yodit Kiflai		<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant	
Property Address (Include Unit Number) 366 Bellevue Ave Apt 303, Oakland, CA 9461C			
Appellant's Mailing Address (For receipt of notices)		Case Number L24-0002	
		Date of Decision appealed July 29, 2024	
Name of Representative (if any)		Representative's Mailing Address (For notices)	

Please select your ground(s) for appeal from the list below. As part of the appeal, an explanation must be provided responding to each ground for which you are appealing. Each ground for appeal listed below includes directions as to what should be included in the explanation.

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Email Address	RAP@oaklandca.gov
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024 (insert date served).

Mekonnen Seyoum & Yodit Kiflai

PRINT YOUR NAME

Yodit Kiflai
SIGNATURE

August 16, 2024

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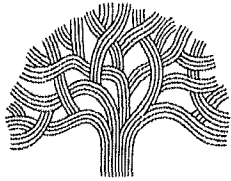
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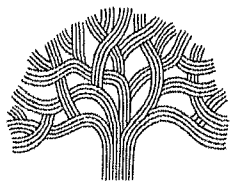
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OAKLAND RENT
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APPEAL

Appellant's Name Getachew Desybelew		<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant	
Property Address (Include Unit Number) 366 Bellevue Ave Apt 305, Oakland, CA 9461C			
Appellant's Mailing Address (For receipt of notices)		Case Number L24-0002	
		Date of Decision appealed July 29, 2024	
Name of Representative (if any)		Representative's Mailing Address (For notices)	

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<u>City, State Zip</u>	Oakland, CA 94612-0243


Email Address

RAP@oaklandca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024 (insert date served).

Getachew Desybelew

PRINT YOUR NAME



SIGNATURE

August 16, 2024

DATE

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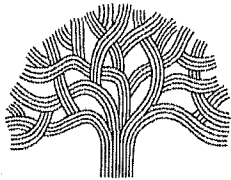
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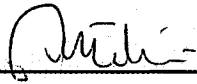
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 08/16/2024 (insert date served).

Getachew Desybelew

PRINT YOUR NAME



SIGNATURE

August 16, 2024

DATE

CITY OF OAKLAND
Rent Adjustment Program



MEMORANDUM

Date: January 16, 2025
To: Members of the Housing, Rent Residential & Relocation Board (HRRRB)
From: Braz Shabrell, Deputy City Attorney
Re: Appeal Memo T24-0138, Little v. Advent Properties
Appeal Hearing Date: March 7, 2025

Property Address: 8343 International Blvd., Oakland CA
Appellant/Owner: Advent Properties Inc.
Respondent/Tenant: Mario Little

BACKGROUND

On August 27, 2024, the Tenant filed a petition contesting two rent increases on the basis that they exceeded the permissible increase amount(s): \$2,190.00 to \$2,409.00, effective July 1, 2023, and \$2,409.00 to \$2,649.00, effective September 1, 2024. The petition indicated that the Owner was served with a copy of the petition the same day it was filed. On September 5, 2024, the Rent Adjustment Program mailed the Owner a notice of hearing, notice and copy of the petition, and a landlord response form.

No timely response from the Owner was received.

RULING ON THE CASE

On October 2, 2024, the Hearing Officer issued an Administrative Decision, granting the Tenant's petition with respect to the 2024 increase, and denying the petition with respect to the 2023 increase due to timeliness. The Decision was served on the parties on October 3, 2024.

GROUND'S FOR APPEAL

On October 7, 2024, the Owner filed a response to the Tenant petition, alleging that the unit is exempt from the Rent Adjustment Ordinance pursuant to Costa-Hawkins (Civil Code 1954.50). On October 22, 2024, the Owner filed an appeal of the Administrative Decision on the grounds that the Owner was denied a sufficient opportunity to respond to the Tenant's claim. The Owner alleges that they had good cause for missing the response deadline because of an "internal clerical error" and "misunderstanding." Had the Hearing Officer conducted a hearing, it would have been discovered that the unit is outside of RAP's jurisdiction because it is a townhouse.

ISSUES

1. Has the Owner established good cause for failure to file a timely response?
2. If an owner fails to submit a response to a tenant petition contesting a rent increase, and the RAP issues an Administrative Decision granting the petition, does the order apply if the unit is exempt? What is the impact of exemption on such an order?
3. Has the owner in this case made a sufficient proffer of evidence demonstrating that good cause exists to conduct a factual determination on the issue of exemption?

APPLICABLE LAW AND PAST BOARD DECISIONS

I. Owner response requirements and filing deadline

- In order to file a response to a tenant petition, the owner must submit a completed response form, evidence of a current City business license, evidence of payment of the RAP fee or exemption from the fee, evidence of service of a RAP notice on affected tenants in covered units, evidence of registration with the rent registry, organized documentation supporting the owner's claimed justifications or claim of exemption, and a proof of service. *OMC 8.22.090B1.*
- An owner must file a response to a tenant petition within 30 days of service of the tenant petition if served in-person, or 35 days if served via mail. *OMC 8.22.090B2.*
- Responses that are incomplete or untimely may be dismissed. *Reg. 8.22.090C2.* At the hearing, an owner who fails to file a timely response is prohibited from calling or examining witnesses or introducing written evidence and is limited to cross-examination. *Reg. 8.22.110E3g.*

- Failure to properly or timely submit a response may result in the Hearing Officer issuing a decision without a hearing. *OMC 8.22.110F1*.

II. Administrative Decision in lieu of hearing

- A hearing on the petition may not be scheduled and a Hearing Officer may issue a decision without a hearing if the petition or response are incomplete or untimely, a certificate of exemption was previously issued and is not challenged by the tenant, or the petition or response forms raise no genuine dispute as to any material fact and the petition may be decided as a matter of law. *OMC 8.22.110F*.

III. New evidence on appeal

- Appeals shall be based on the record as presented to the Hearing Officer unless the Appeal Body determines that an evidentiary hearing is required. If the Appeal Body deems an evidentiary hearing necessary, the case will be continued and the Appeal Body shall issue a written order setting forth the issues on which the parties may present evidence. All evidence submitted to the Appeal Body must be submitted under oath. *OMC 8.22.120C4*.

IV. Impact of exemption / lack of RAP jurisdiction

- The decision of an administrative agency must be within the agency's constitutional or statutory powers. *Motor Transit Co. v. Railroad Commission of California* (1922) 189 Cal. 573.
- The question of subject-matter jurisdiction of an administrative agency over the subject matter generally may be raised at any time during the pendency of an adjudicative proceeding before the agency or at any stage of an appeal thereafter. *Stuck v. Board of Medical Examiners of State* (1949) 94 Cal. App. 2d 751.
- Administrative action that is not authorized by, or is inconsistent with, acts of the legislature is void. Acts of agencies undertaken wholly without the power to do so generally may be collaterally attacked at any time without regard to a statute of limitations. Thus, where subject-matter jurisdictional requirements are not satisfied, the action of the agency is a nullity and may be attacked collaterally at any time. 2 Cal. Jur. 3d Administrative Law § 471; *In re J.G.* (2008) 159 Cal. App. 4th 1056; *Schneider v. California Coastal Com.* (2006) 140 Cal. App. 4th 1339; *City of Lodi v. Randtron* (2004) 118 Cal. App. 4th 337; *Hamilton v. Gourley* (2002) 103 Cal. App. 4th 351; *Miller v. Board of Medical Quality Assurance* (1987) 193 Cal. App. 3d 1371; *City and County of San Francisco v. Padilla* (1972) 23 Cal. App. 3d 388.
- “A court lacks jurisdiction in a fundamental sense when it has no authority at all over the subject matter or the parties, or when it lacks any power to hear or determine the case. (*Abelleira v. District Court of Appeal* (1941) 17 Cal.2d 280, 288, 109 P.2d 942.) If a court lacks such “ ‘fundamental’ ” jurisdiction, its ruling is void. (*People v. Lara* (2010) 48 Cal.4th 216, 225, 106 Cal.Rptr.3d 208, 226 P.3d

322.) A claim based on a lack of fundamental jurisdiction may be raised for the first time on appeal. (Ibid.)” *People v. Ford*, 61 Cal. 4th 282, 286, 349 P.3d 98, 101 (2015).

V. Relevant Past Board Decisions

- **T01-0178 Parfait v. Miller.** Owner letter claiming exemption not a valid response to tenant petition since owner did not pay filing fee, submit evidence of current business tax certificate, or submit any documentary evidence in support of his claim of exemption. On appeal, the Board agreed to hear new evidence regarding exemption and overturned administrative decision which granted tenant petition.
- **T14-0150 Harris v. Sullivan Management:** Board remanded hearing decision to determine if RAP has jurisdiction under Costa Hawkins.



MEMORANDUM

Date: March 7, 2025

To: Members of the Housing, Rent Residential & Relocation Board (HRRRB)

From: Braz Shabrell, Deputy City Attorney

Re: Appeal Memo L24-0002, University President Associates LP v. Tenants

Appeal Hearing Date: March 13, 2025

Property Address: 366 Bellevue Avenue, Oakland CA

Appellant/Tenants: Allen Vaughan
Victoria Gambrell
Yeh-Feng Hwang
Joale Robinson
Carlos Zepeda
Mekonnen Seyoum
Getachew Desybelew
Joyce Smith
Sunfun Su

Respondent/Landlord: University President Associates LP
Evan Darragh: Flynn Investments Inc.

BACKGROUND

On December 6, 2023¹, the owner filed a Petition for Approval of Rent Increase based on capital improvements. The claimed capital improvements consist of exterior painting, for a total cost of \$68,587.00. According to the petition, the improvements took

¹ The owner previously filed a petition regarding the same matter in July 2023 (L23-0043), which was dismissed administratively on October 12, 2023.

place between January 17, 2023, and February 9, 2023. The property consists of 26 units. 19 units were included in the petition seeking a rent increase.

Tenants from several units filed responses to the petition, contesting the claimed capital improvements on the basis that they did not meet the legal or factual requirements for “Capital Improvements” as set forth in the Regulations, they do not primarily benefit the tenants, the painting was cosmetic in nature, and they primarily benefited the owner. Tenants further alleged that the garbage chute at the property has not been repaired since 2018, and that such repair would be a benefit to the tenants, unlike exterior painting.

RULING ON THE CASE

A hearing took place on April 23, 2024. On July 29, 2024, the Hearing Officer issued a decision granting the owner’s petition in part, approving a rent increase of \$31.00 per month, per unit, for a 5-year period. The Hearing Officer found that exterior painting is an eligible capital improvement because it “adds value to the entire building and prolongs the useful life of the property,” and “primarily benefits the tenants.” The exterior painting costs totaled \$62,787.00. The allowable passthrough amount is therefore \$43,950.90 (70%). The maximum rent increase amount per month per unit is \$31.00 for the 19 units listed in the petition, amortized over a 5-year period.

GROUND FOR APPEAL

The tenants appeal the Hearing Decision on the grounds that the capital improvements did not primarily benefit the tenants, nor did the exterior coat of paint add substantial value or longevity to the property. Before the current owner acquired the building, the prior owner had already recently painted the entire building. Therefore, the claimed improvement was cosmetic and more beneficial to the owner rather than the tenants. Additionally, this raises concerns about subjecting tenants to recurring increases every five years for superficial updates that are not necessary, which is unfairly burdensome to tenants, and rent increases should be justified and equitable.

ISSUES

1. Is the Hearing Officer’s finding that the exterior paint adds value to the property and prolongs the useful life of the property supported by substantial evidence?
2. Is the Hearing Officer’s finding that the exterior paint primarily benefitted the tenants as opposed to the owner supported by substantial evidence?
3. Is work that is cosmetic eligible as a capital improvement cost?

APPLICABLE LAW AND PAST BOARD DECISIONS

Capital Improvements

One of the justifications for a rent increase in excess of the CPI or banking is capital improvement costs. OMC 8.22.070C1. Rules regarding capital improvement rent increases are found in the Rent Ordinance Regulations, 8.22.070C(a).

- **ELIGIBILITY** (Regulation 8.22.070C(a)(1)-(2))

a. **Capital Improvement Costs:** Capital Improvement Costs are those improvements which materially add to the value of the property and appreciably prolong its useful life or adapt it to new building codes. Those improvements primarily must benefit the tenant rather than the landlord.

- 1) Credit for capital improvements will only be given for those improvements which have been completed and paid for within the twenty-four (24) month period prior to the date the petition for a rent increase based on the improvements is filed.
- 2) Eligible capital improvements include, but are not limited to, the following items:
 1. Those improvements which primarily benefit the tenant rather than the landlord. (For example, the remodeling of a lobby would be eligible as a capital improvement, while the construction of a sign advertising the rental complex would not be eligible). However, the complete painting of the exterior of a building, and the complete interior painting of internal dwelling units are eligible capital improvement costs.
 2. In order for equipment to be eligible as a capital improvement cost, such equipment must be permanently fixed in place or relatively immobile (for example, draperies, blinds, carpet, sinks, bathtubs, stoves, refrigerators, and kitchen cabinets are eligible capital improvements. Hot plates, toasters, throw rugs, and hibachis would not be eligible as capital improvements).
 3. Except as set forth in subsection 4, repairs completed in order to comply with the Oakland Housing Code may be considered capital improvements.
 4. The following may not be considered as capital improvements:
 - a. Repairs for code violations may not be considered capital improvements if the Tenant proves the following:
 - i. That a repair was performed to correct a Priority 1 or 2 Condition from the list set forth in Subsection (8), below, that was not created by the Tenant, which may be demonstrated by any of the following:
 - (a) the condition was cited by Code Enforcement Services in a notice of violation; or

(b) the Tenant produces factual evidence to show that had the property or unit been inspected, Code Enforcement Services would have issued a notice of violation. The Hearing Officer may determine that in order to decide if a condition is a Priority 1 or 2 Condition expert testimony is required, in which case the Hearing Officer may require such testimony.

ii. That the tenant

(a) informed the Owner of the condition in writing;

(b) otherwise proves that the landlord knew of the conditions, or

(c) proves that there were exceptional circumstances that prohibited the tenant from submitting needed repairs in writing; and

iii. That the Owner failed to repair the condition within a reasonable time after the Tenant informed Owner of the condition or the Owner otherwise knew of the condition.

...

c. "Gold-plating" or "Over-improvements"

i. Examples:

(a) A landlord replaces a Kenmore stove with a Wolf range. In such a case, the landlord may only pass on the cost of the substantially equivalent replacement.

(b) A landlord replaces a standard bathtub with a jacuzzi bathtub. In such a case, the landlord may only pass on the cost of the substantially equivalent replacement.

ii. Burden of Proof

(a) The tenant has the initial burden to prove that the improvement is greater in character or quality than existing improvements.

(b) Once a tenant meets the burden to prove that the improvement is greater in character or quality than existing improvements, the burden shifts to the landlord to prove that the tenant approved the improvement in writing, the improvement brought the unit up to current building or housing codes, or the improvement did not cost more than a substantially equivalent replacement.

...

e. Normal routine maintenance and repair of the rental unit and the building is not a capital improvement cost, but a housing service cost. (For example: while the replacement of old screens with new screens would be a capital improvement).

f. Costs for which an Owner is reimbursed (e.g., insurance, court awarded damages, subsidies, tax credits, and grants) are not capital improvement costs.

- **CALCULATION** (Regulation 8.22.070C(a)(3))

2. Items determined to be capital improvements pursuant to Section 10.2.2. shall be amortized over the useful life of the improvement as set out in the Amortization Schedule attached as Exhibit 1 to these regulations and the total costs shall be amortized over that time period, unless the Rent increase using this amortization would exceed the Rent increase limits provided by O.M.C. 8.22.070 A2 or 3.

...

3. A monthly Rent increase for a Capital Improvement is determined as follows:

- a. A maximum of seventy percent (70%) of the total cost for the Capital Improvement (plus imputed interest calculated pursuant to the formula set forth in Regulation 8.22.020) may be passed through to the Tenant;
- b. The amount of the Capital Improvement calculated in a. above is then divided equally among the Units that benefit from the Capital Improvement;
- c. The monthly Rent increase is the amount of the Capital Improvement that may be passed through as determined above, divided by the number of months the Capital Improvement is amortized over for the particular Unit.

4. If a unit is occupied by an agent of the landlord, this unit must be included when determining the average cost per unit. (For example, if a building has ten (10) units, and one is occupied by a nonpaying manager, any capital improvement would have to be divided by ten (10), not nine (9), in determining the average rent increase). This policy applies to all calculations in the financial statement which involve average per unit figures.

- **CASE-BY-CASE DETERMINATION** (Regulation 8.22.070C(a)(4))

(4) In some cases, it is difficult to separate costs between rental units; common vs. rental areas; commercial vs. residential areas; or housing service costs vs. Capital Improvements. In these cases, the Hearing Officer will make a determination on a case-by-case basis.

- **PRIOR BOARD DECISIONS**

- T06-0093 (*Bernhardt v. Gee Realty*): The Board affirmed a hearing decision granting capital improvement costs for renovation of bathroom fixtures, roof replacement, and building paint, despite the tenant's contention that the work was unnecessary because these items were already in good condition. Regarding the paint, the hearing officer found that the tenants "benefit from living in a structure that is more attractive." The Board held that the standard for evaluating the benefit to tenant required by Regulations, Appendix A, Sections 10.2-0.2.2 is objective not subjective.
- T08-0387, 0389 (*Marquardt et al. v. Regency Tower Apts.*): There was substantial evidence that landscaping, swimming pool, garage repair, and window replacements provide a benefit to the tenants and extends the life of the building so these costs qualify as capital improvements. The Board held that an expense directed to aesthetic rather than structural improvement does not, by itself, disqualify the expense as a capital improvement.