

## DECLARATION OF RESIDENTIAL PROPERTY RENT REGISTRATION COMPLIANCE OR EXEMPTION

**Purpose of This Form:** Oakland Municipal Code, Section 8.22.090.B.1.c.ii states that, after July 1, 2023, property owners are required to provide evidence of registration with the Rent Adjustment Program (RAP) for each affected covered unit in the building prior to the petition or response being filed. Given that July 1, 2023 was a Saturday, property owners' actual deadline to register was July 3, 2023.

Since July 3, 2023, certain property owners have filed petitions or responses using old RAP forms that did not include this new requirement. Thus, the purpose of this form is to allow property owners who were registered prior to filing their petition or response to submit to RAP evidence of registration AND to serve the tenant with this evidence.

**Deadline to Serve and Submit This Declaration:** Property owners must submit this declaration (and the accompanying documents) within thirty (30) days from the date the Notice of Incomplete Petition / Response was served with a proof of service on the tenant(s).

**Dismissal for Failure to Provide Evidence of Registration:** RAP will dismiss any property owner petition or response submitted after July 3, 2023, if the property owner does not provide evidence of registration.

**Tenant's Challenge:** Tenants can challenge the owner's rent registration declaration. To do so, at least seven (7) days prior to the hearing date, tenants must serve on the property owner and file any supporting evidence of the tenant's challenge (along with any other supporting evidence of their case) with RAP. If the tenant decides to challenge the owner's declaration, the tenant will have to provide evidence that, for instance, the owner misrepresented information in their registration about the dwelling unit, failed to provide publicly available information, or failed to even ask the tenant for any missing information that was required on the rent registration forms. If a Hearing Officer finds in favor of the tenant on the tenant's challenge to the owner's declaration of rent registration compliance, any requested rent increase will be subject to penalties outlined in OMC 8.22.510.C.

**Rent Registration Copies For Pending RAP Petition Cases:** For purposes of a pending rent adjustment petition case, property owners and tenants of the residential dwelling units subject to a pending rent adjustment petition can request a copy of the Property Registration and Residential Unit Registration forms or a copy of a document containing the registration data related to property registration and residential unit registration if the registration was done through RAP's online registration portal by directly emailing RAP's Rent Registry Unit at [rentregistry@oaklandca.gov](mailto:rentregistry@oaklandca.gov).

When making a request for copies, please provide your name, property address, residential unit number(s) if applicable, and RAP petition case number if already assigned to your case. The subject line of your email requesting registration information should read *REGISTRATION COPY FOR PETITION PURPOSES/[street number]/[street name]*.

For property owners: If the property registration was done online or via email, please use the same email address used for the registration or copy that email address if you are requesting information on behalf of the property owner.

Requests for registration information NOT related to a pending RAP petition case or submitted by other than the parties to a pending RAP petition case or their representatives should be submitted through NextRequest

**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](http://www.oaklandca.gov/RAP)



at: <https://www.oaklandcityattorney.org/how-do-i/request-public-records/>

**PROPERTY OWNER'S DECLARATION OF RENT REGISTRATION COMPLIANCE:**

Case Name/Number: \_\_\_\_\_

Property Address: \_\_\_\_\_

- (1) On \_\_\_\_\_, I 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.

To support this declaration, I am providing:

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.

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.

**OR**

- (2) Declaration of Exemption:

The above listed residential property is not covered by either the city's Rent Adjustment Ordinance or the Just Cause Ordinance. Thus, this petition or response is not subject to the registration requirements under the Oakland Municipal Code, Section 8.22.090.B.1.c.ii.

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

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)