

INSTRUCTIONS FOR REQUESTING CERTIFICATE OF PERMISSIBLE RENT LEVEL

Maximum lawful rent ceilings (occasionally called permissible rent levels) are established for all non-exempt rental units under the City of Berkeley Rent Stabilization Ordinance. To obtain a legally binding maximum lawful rent ceiling determination, landlords and tenants can request a “Certificate of Permissible Rent Level” from the Rent Board. To obtain a certificate, please follow the instructions below. Information about setting rent levels can be found in Board Regulations 1005-1006.

REQUESTING A CERTIFICATE

YOU MUST MAIL OR BRING THE FOLLOWING ITEMS TO THE ABOVE ADDRESS:

1. A completed “Request for Certificate of Permissible Rent Level”; and
2. A proof of service stating that the other party was served a copy of the request either by first-class mail or in person.
3. Fee, if applicable.

For a unit that was previously certified, the fee for filing the certificate request is \$15.00 per unit, up to a maximum of \$300.00 per property; no fee is charged for a unit has not previously been certified.

The Proof of Service and the Request must be filed within ten (10 days) of the date of service. The Board should issue a Certificate of Permissible Rent Level within five (5) business days of the date the request is filed.

The landlord and/or the tenant may challenge the rent levels stated in the certificate by filing an appeal within fifteen (15) calendar days of the date the certificate is issued, or twenty (20) days if the certificate is mailed.

CHALLENGING A CERTIFICATE

A Certificate of Permissible Rent Level can be appealed by filing an “Appeal of Certificate of Permissible Rent” available at the Rent Board’s Public Information counter. There is no fee to file this appeal.

If the certificate is based on a previous certification or a Board decision, the appeal is limited to whether the certificate accurately reflects the prior certification or decision, or whether the landlord is eligible for annual general adjustments (AGAs) subsequent to the prior certification or decision. Misrepresentation of initial rents may also be a basis for challenge. A hearing will be held before a Board hearing examiner.

Request for Unofficial Advisory Determination of Rent Levels for Exempt Units

A party who wants to know the probable rent ceiling for a unit that is exempt from rent control may request an advisory determination. An advisory determination is usually provided within 15 working days, if the Board has sufficient information. A Request for Advisory Determination does not require a proof of service.

REQUEST FOR CERTIFICATE OF PERMISSIBLE RENT LEVEL []
REQUEST FOR ADVISORY DETERMINATION ONLY []

[] LANDLORD REQUEST [] TENANT REQUEST

Address for which Certificate is being requested: _____

Name of Tenant(s)

Name and address of Landlord (s)

The lawful rent ceiling of the rental unit [] has [] has not been previously certified by the Board. Please state the date of the last certification, if applicable: _____.

NAME: _____ TELEPHONE NUMBER: _____

ADDRESS: _____

SIGNATURE: _____ DATE: _____

PROOF OF SERVICE

I am a resident of _____ County and was, at the time of service, over eighteen years of age. On _____ (date), I served one copy of the REQUEST FOR CERTIFICATE OF PERMISSIBLE RENT LEVEL BY: (CHECK APPROPRIATE BOX)

DELIVERING THE DOCUMENTS IN PERSON TO THE FOLLOWING INDIVIDUAL(S):
[PRINT NAME OF EACH PARTY SERVED]

PLACING THE DOCUMENTS, ENCLOSED IN A SEALED ENVELOPE WITH FIRST-CLASS POSTAGE FULLY PAID, INTO A U.S. POSTAL SERVICE MAILBOX, ADDRESSED AS FOLLOWS:
[PRINT NAME AND ADDRESS AS SHOWN ON ENVELOPE OF EACH PARTY SERVED:]

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

(SIGNATURE)

(DATE)

(PRINTED NAME)

(For Office Use Only) CONTROL NUMBER _____

RECEIPT # _____