



APPEAL TO RENT STABILIZATION COMMISSION

PLEASE READ THROUGH ALL PAGES BEFORE COMPLETING THIS FORM.

You must specifically identify each issue of the Hearing Examiner’s Decision that you are appealing and provide a sufficient explanation for the basis of why you are appealing each issue. Please be aware that matters not appealed from the Decision are deemed final and will not be considered by the Commission.

Parcel Identification Number: _____ - _____ - _____ **D-Case #:** _____

Property address: _____
Street number Street name Unit number

I am the: Owner/Owner’s designated representative Tenant/Tenant’s designated representative
affected by the Decision and have legal grounds to appeal for the following reason(s) (check at least one):

- A. The determination is clearly in error.
- B. The determination is not reasonably supported by the findings or evidence in the hearing record.
- C. The Hearing Examiner's determination constitutes an abuse of discretion.
- D. The determination is contrary to specific provisions of the Rent Stabilization Ordinance/state law.

Provide a detailed explanation of your basis for this appeal. Specifically, for each issue you believe was incorrectly decided by the Hearing Examiner, state the issue and how you contend the Hearing Examiner made an error in one or more of the ways set forth in the legal grounds above (A through D).

Examples:

Example 1: The Hearing Examiner erred because they failed to consider my March 2024 rent payment when calculating the overcharge due to me.

Example 2: The Hearing Examiner erred because they failed to grant a rent decrease for the landlord's failure to paint the interior of my unit for six years when the Rent Stabilization Ordinance requires painting once every four years.

**PLEASE EXPLAIN YOUR BASIS FOR THIS APPEAL ON PAGE 2.
PROVIDING NEW EVIDENCE IS GENERALLY DISALLOWED.**

SEE PAGE 3 UNDER 'INFORMATION REGARDING APPEALS' FOR MORE INFORMATION.

FILING FEE

\$25: Rent decrease case (D-XXXX) decision, objection to rent certification decision, or compliance determination

\$65: Rent increase case (I-XXXX) decision

FINANCE CODE: RETA

Received

Per Rent Stabilization Regulation 60028.C “Appellant shall have copies of the completed appeal form served upon all affected parties; proof of service must accompany the original completed appeal form when it is filed with the Rent Stabilization Division”.

Declaration: I declare under penalty of perjury under the laws of the state of California that I have served a copy of this appeal on all affected parties by:

Mail (please choose one): Certified Standard

Process Server (name): _____ Date served: _____

Other (describe how appeal notification was served): _____

Signature: _____ Date: _____

Print name: _____

Email: _____ Phone: (_____) _____

Information Regarding Appeals

IMPORTANT: If the decision is appealed, the entire decision is stayed (placed on hold) pending the results of the appeal. The tenant is not entitled to withhold rent based upon any reduction in the MAR ordered until after the appeal is decided.

No new matter or evidence shall be received or considered unless it is shown why such matter or evidence could not, with due diligence, have been produced at the hearing before the hearing officer. For consideration of a new matter or evidence, submit a written request to the Commission with this application. New evidence will only be accepted in person or by mail (not electronically) and must be submitted with this application. New evidence will only be considered at the appeal meeting if the Commission approves your request. Documentation that is already a part of the hearing record does not need to be submitted again.

1. What is required to file an appeal?

- The appeal must be filed with the Rent Stabilization Division no later than ten business days from the date of the Notice of Determination or Notice of Compliance Determination.
- The person filing the appeal (the appellant) must be a party affected by the determination or their designated representative.
- The appellant must check at least one of the reasons listed on page 1 stating why he or she believes the decision is in error. The appellant must then put in writing what he or she believes is wrong with the decision.
- The appeal must be filed on this form; if necessary, the appellant may use additional pages.
- The entire appeal (including this page and any attachments) must be served on all affected parties prior to filing it with the Rent Stabilization Division. Mailing it is sufficient if mailed prior to filing.
- PAYMENT:** Appeal fees must be paid upon filing. The fee is \$25 to appeal a rent decrease case (D-XXXX) decision, objection to rent certification decision, or compliance determination. To appeal a rent increase case (I-XXXX), the fee is \$65.

Visit our [Online Payment Portal](#). Click “Rent Stabilization Payments”. Under Form Name, select “Appeal Request.”

2. What happens after the appeal is filed?

If the appellant complies with all steps outlined above, the Rent Stabilization Division will review the grounds of the appeal. The appeal will be scheduled for consideration and a staff report will be prepared for the Rent Stabilization Commission.

3. When and how are appeals considered?

Appeals are considered by the Rent Stabilization Commission, which generally meets on the second and fourth Thursday evenings of each month. The Commission will review the appeal, staff report, original application, hearing examiner's decision, and any communication on the issues on appeal from affected parties. All affected parties will be notified by mail of the date, time, and location of the Commission meeting at least ten days prior to the meeting.

4. How can one communicate with the Commission?

There are two ways you can communicate with the Commission:

1. Submit a written argument

This statement may include any comments you have concerning the issues on appeal and in the staff report.

NOTE: The Rent Stabilization Division may not give the Commission your written argument if it raises issues other than those presented in the hearing or if it includes new evidence. If you choose to submit a written argument, be sure to provide it to the Rent Stabilization Division no later than five business days prior to the Commission meeting date.

2. You may also speak directly to the Commission at the meeting

Check with the Rent Stabilization Division to confirm the date of the appeal.

Each side will be given five minutes to address the Commission, unless extended by the Commission due to the complexity of a particular matter. During this presentation, you may argue your position based upon the evidence presented to the hearing examiner but may not bring in new testimony or evidence that was not presented at that time or since approved. You will be asked to divide the five minutes between either:

1. Five minutes of undivided speaking time **OR**
2. Five minutes divided into two segments: an initial presentation and rebuttal to the opposing party's statement

5. Will the Commission make a decision on the appeal at the meeting?

Ordinarily, yes. However, in some instances, the Commission may return (remand) the case back to the Hearing Examiner for further consideration. A written resolution may be adopted at the following meeting.