



Tenant Petition for Noncompliance

The City of Pomona's Rent Stabilization and Eviction Control Ordinance ("Ordinance") allows for a maximum rent increase of five percent (5%) within any 12-month period, as further described in the Ordinance. A tenant of a covered rental unit may file a Petition of Noncompliance with the City to request a hearing if the tenant contends that a proposed or actual rent increase is not in compliance with the Ordinance, housing services have been reduced without a reduction in rent, the landlord's failure to maintain or repair has resulted in uninhabitable conditions or noncompliance with the implied warranty of habitability, or the landlord has violated other provisions of the Ordinance. A copy of the Ordinance can be found at <https://www.pomonaca.gov/RS>.

If you have any questions regarding the Petition for Noncompliance, please contact a representative at (909) 620-3777 or RentStabilization@pomonaca.gov.

The Ordinance details the following process for the submission of a Petition for Noncompliance:

- The tenant must submit a copy of this petition to the City to request a hearing. The petition shall include a statement indicating the basis on which the tenant contends that a proposed or actual Rent increase is in violation of this Division, or that a landlord has violated other provisions of the Ordinance, together with any evidence that the tenant wants the hearing officer to consider.
- The petition will be reviewed for completeness and compliance with applicable requirements and heard by a hearing officer appointed by the City Manager upon acceptance of the complete petition.
- The tenant must mail a copy of the petition by first class mail, postage prepaid, to the appropriate landlord whose rents are the subject of the petition within ten (10) calendar days after the petition is accepted as complete by the City.
- Within fifteen (15) calendar days after the petition is accepted as complete, the tenant must file a proof of service signed under penalty of perjury stating that a copy of the petition was mailed to all such landlords.
- The tenant shall bear the burden of proving by a preponderance of the evidence at the hearing that the proposed rent increase is not in compliance with the Ordinance, or the landlord has violated other provisions of the Ordinance.
- A hearing before the hearing officer shall be set for a date no sooner than fifteen (15) days and no later than sixty (60) calendar days after the petition has been accepted as complete and proof of service has been provided in accordance with the requirements of the Ordinance, unless the hearing officer determines that just cause exists for an extension of time.
- Upon setting the hearing date, the Department shall send written notice to the tenant and landlord of the date, time and place set for the hearing.

Rental Unit Information

Property Address: _____

Move-in Date: _____

Tenant Information

Tenant #1

First and Last Name: _____

Mailing Address: _____

Phone Number: _____ Email Address: _____

Tenant #2 (if applicable)

First and Last Name: _____

Mailing Address: _____

Phone Number: _____ Email Address: _____

Tenant Representative Information: Attorney Other representative Interpreter N/A

First and Last Name: _____

Mailing Address: _____

Phone Number: _____ Email Address: _____

Landlord Information

First and Last Name: _____

Mailing Address: _____

Phone Number: _____ Email Address: _____

Petition for Noncompliance

I am filing this petition for the following reason(s): (Check ONLY the reasons that apply.)

A. To request a hearing based on a rent increase that is out of compliance with the Ordinance.

(Form A must be attached to petition)

B. To request a hearing based on a decrease in housing services.

(Form B must be attached to petition)

C. To request a hearing based on the unit's uninhabitable condition or landlord's failure to comply with the implied warranty of habitability.

(Form C must be attached to petition)

D. To request a hearing based on any other violation of the Ordinance (e.g., failure to provide required relocation assistance or required notices).

(Form D must be attached to petition)

**Petition for Noncompliance – Form A
Noncompliant Rent Increase**

Check all that apply:

- My rent was increased by an amount that is out of compliance with the Ordinance
- My rent was increased more than once in a 12-month period

Rental Unit Information:

1. Move-in date: _____
2. What was the total initial rent when you moved in? \$ _____
3. Type of rental unit: Apartment Duplex/Triplex Single-Family Home ADU
 Other: _____
4. Does the property owner live at the property? No Yes
5. Do you receive rental subsidies or assistance (e.g., Section 8, VASH, other)? No Yes

Please provide your full rent history on Form A: Rent History and provide any additional information below that helps explain your claim.

Petition for Noncompliance – Form A (Continued)
Rent History

Please follow these instructions carefully:

- In the chart below, first write the date the original tenancy began (“Move-in Date”). Then write the amount of the rent at the commencement of the tenancy (the “Total Initial Rent”). This amount should be the total rent paid for the *entire rental unit*, not just your share of the rent.
- Starting in Box No. 1 under “Date of Increase,” list the date of each rent increase for the tenancy, starting with the first rent increase after the Move-in Date and ending with the most recent rent increase (If you need additional space, please attach another page).
- Opposite each rent increase date, write the total amount of the new rent after that increase (“Total New Rent”).
- Attach documents that demonstrate the date and amount of each rent increase such as rent increase notices, rent receipts, money order receipts and/or canceled rent checks.

Date of Increase (Month/Date/Year)	Total New Rent (Dollar Amount)
Move-in Date:	Total Initial Rent:
1.	\$
2.	\$
3.	\$
4.	\$
5.	\$
6.	\$
7.	\$
8.	\$

Petition for Noncompliance – Form B
Decrease in Housing Services

A tenant may file a petition for an adjustment in rent when the landlord has decreased a Housing Service without reducing the tenant's rent.

“Housing Services” are defined as services that are connected with the use or occupancy of a rental unit including, but not limited to, utilities paid by the landlord (including light, heat, water and telephone), ordinary repairs or replacement, and maintenance including painting. The term also includes the provision of elevator service, laundry facilities and privileges, common recreational facilities, janitor service, resident manager, refuse removal, furnishings, food service, parking and any other benefits, privileges or facilities.

1. Please describe the Housing Service(s) that were decreased.

2. Was the service listed in your lease or provided when you moved in? No Yes
(Please provide a copy of lease or rental agreement showing the service)

3. Was the Housing Service completely removed or just no longer functioning properly?
(Please provide photos or videos showing the absence or condition of the service, if possible)

4. Are you still paying the same amount for rent as when the service was in place? No Yes

Current rent amount: _____

5. Please provide any additional information that helps explain your claim, including the dollar amount of the monthly rent reduction you are requesting and how you determined that amount (if applicable).

Petition for Noncompliance – Form B (Continued)
Decrease in Housing Services

All the information below must be provided. If you need additional space, please attach another Form B to the petition.

Separately List Each Decreased Housing Service Below	Date Housing Service was Decreased	Date Landlord was Notified of the Decreased Housing Service (List All Dates of Notice and Attach All Written Notices)	Was the Decreased Housing Service Restored?
1.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____
2.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____
3.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____
4.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____
5.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____
6.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____
7.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____
8.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____

Petition for Noncompliance – Form C
Failure to Maintain Habitable Premises

A tenant may petition for a reduction in rent based on the unit’s uninhabitable condition or landlord’s failure to comply with the implied warranty of habitability.

1. What specific habitability issue(s) are you experiencing in your unit? (Provide photos of the conditions, if possible)

2. When did the issue(s) first begin? Please provide the approximate dates and describe if conditions have gotten worse over time.

3. Have the conditions impacted your ability to safely live in or use part of the unit? No Yes
Explain.

4. Have you filed any complaints with City Code Enforcement, the Health Department, or any other agency? No Yes (Provide copies of inspection reports, if applicable)

5. Has your rent been reduced or adjusted due to these conditions? No Yes

Current rent \$ _____

6. Have you withheld rent or paid reduced rent? If yes, indicate the reason, months affected, and amount withheld or reduced each month.

7. Please provide any additional information that helps explain your claim, including the dollar amount of the monthly rent reduction you are requesting and how you determined that amount (if applicable).

Petition for Noncompliance – Form C (Continued)
Failure to Maintain Habitable Premises

All the information below must be provided. If you need additional space, please attach another Form C to the petition .

Separately List Each Repair or Maintenance Issue	How was the Landlord Notified? (Attach All Written Notices)	When Was the Repair or Maintenance Requested? (List All Dates of Notice)	Was the Repair Completed?
1.	<input type="checkbox"/> Verbal <input type="checkbox"/> Written <input type="checkbox"/> Email/Text <input type="checkbox"/> Other: _____		<input type="checkbox"/> No <input type="checkbox"/> Yes Date performed: _____
2.	<input type="checkbox"/> Verbal <input type="checkbox"/> Written <input type="checkbox"/> Email/Text <input type="checkbox"/> Other: _____		<input type="checkbox"/> No <input type="checkbox"/> Yes Date performed: _____
3.	<input type="checkbox"/> Verbal <input type="checkbox"/> Written <input type="checkbox"/> Email/Text <input type="checkbox"/> Other: _____		<input type="checkbox"/> No <input type="checkbox"/> Yes Date performed: _____
4.	<input type="checkbox"/> Verbal <input type="checkbox"/> Written <input type="checkbox"/> Email/Text <input type="checkbox"/> Other: _____		<input type="checkbox"/> No <input type="checkbox"/> Yes Date performed: _____
5.	<input type="checkbox"/> Verbal <input type="checkbox"/> Written <input type="checkbox"/> Email/Text <input type="checkbox"/> Other: _____		<input type="checkbox"/> No <input type="checkbox"/> Yes Date performed: _____
6.	<input type="checkbox"/> Verbal <input type="checkbox"/> Written <input type="checkbox"/> Email/Text <input type="checkbox"/> Other: _____		<input type="checkbox"/> No <input type="checkbox"/> Yes Date performed: _____

**Tenant Petition – Form D
Other Violation Statement**

A tenant may file a petition for any other violation of the Ordinance. The party who files the petition shall have the burden of proof for the violation being claimed.

1. What did the landlord do (or fail to do) that you believe violates the Ordinance? Please describe the issue clearly, including key dates and the section of the Ordinance it relates to.

2. What are you asking for as a result of this petition? For example: reimbursement, rent reduction, relocation assistance, corrected notice, or another specific action. If you are requesting a specific amount, please include the dollar amount and how you determined that amount.

3. Have you communicated with the landlord about this issue? If so, how and when? Please attach emails, texts, or letters if available.

4. Please indicate which documents you are submitting with this Petition:

- Notices from the landlord
- Lease/Contract
- Rent Receipts
- Copies of communication i.e., emails, letters, texts, etc.
- Photos
- Other evidence: _____

**Tenant’s or Tenant Representative’s Declaration
Under Penalty of Perjury**

I declare as follows:

I am the tenant, or authorized representative of the tenant(s), of said residential property involved in this request. I am authorized to submit this petition form and supporting documentation on behalf of the residential property being applied for. I declare under penalty of perjury of law that the information and documentation and statements herein are true and correct to the best of my knowledge and belief.

Executed this _____ (Day) of _____ (Month), 20_____(Year)
at _____ (City), California.

Signed

Print Name

Capacity (e.g., Owner, Manager, Attorney, etc.)

Mailing Address

City, State, Zip

Telephone

**This section does not need to be notarized.*