



City of Pomona Fair Return Petition

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. Landlords may submit a Fair Return Petition to request an increase in rent for a covered rental unit in an amount that is greater than what is allowed under the Ordinance and if they contend that the limitations on rent increases will prevent them from receiving a fair and reasonable return with respect to the operation of the property. The applicant shall bear the burden of proving by a preponderance of the evidence at the hearing that because of the implementation of the Ordinance, the landlord is unable to obtain a fair and reasonable return. A copy of the Ordinance can be found at <https://www.pomonaca.gov/RS>.

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

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

- The landlord must submit a complete copy of this petition to the City to request a hearing. The petition should include a statement indicating the basis on which the landlord contends that the Ordinance will prevent them from receiving a fair and reasonable return, all requested documentation, together with any evidence that the landlord 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 landlord must mail a copy of the petition by first class mail, postage prepaid, to all tenants whose units are subject to the petition within ten (10) calendar days after the date the petition is accepted as complete by the City.
- Within fifteen (15) calendar days after the date the petition is accepted as complete, the landlord must file a proof of service signed under penalty of perjury stating that a copy of the petition was mailed to all such tenants.
- The applicant shall be responsible for all costs associated with the City's review of the petition.
- 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.
- Department staff shall send written notice to all parties of the date, time and place set for the hearing. Upon receipt, the landlord shall post such notice in a conspicuous location at the subject property to ensure reasonable visibility to all affected tenants, such as in a common area or near entryways. Within ten (10) calendar days of receipt of the notice of hearing, the landlord shall serve a copy of the notice to each affected tenant.

Petitioner Information

Landlord Name: _____

Landlord Telephone: _____ Email: _____

Landlord Address: _____

Rental Property Information

Rental Property Address: _____

Total Number of Rental Units at Property: _____

Total Number of Rental Units Affected by Proposed Increase: _____

Year Property Built: _____ Year Your Ownership Started: _____

Has a Fair Return Petition previously been approved by the City of Pomona for this same Property?

No Yes

Briefly explain the reasons for requesting a rent increase in excess of the allowable amount.

Establishment of Base Year and Current Year

To complete this petition, you must identify the Base Year and Current Year that apply to your property. The steps below are intended to help you determine the correct years.

Base Year and Current Year Definitions¹

Base Year: The Base Year is the calendar year used as the reference point for evaluating changes in operating costs and net operating income over time. Under the Ordinance, the Base Year is 2021, because it represents the last full year prior to the adoption of the original Rent Stabilization Ordinance.

Current Year: The Current Year is the most recently completed calendar year, ending December 31, as of the date the petition is submitted.

Determining Your Base Year and Current Year

Please answer the following questions to determine the correct Base Year and Current Year for your petition:

Step 1: Is this your first Fair Return Petition for this property?

- Yes, and I used the property as a rental before August 1, 2022
 - ⇒ Your Base Year is 2021, the last full calendar year before the Ordinance took effect
- Yes, but the property was purchased, or not used as a rental until, after August 1, 2022
 - ⇒ Please contact program staff for guidance on whether an alternate Base Year may be used.
- No, a prior Fair Return Petition was submitted and approved
 - ⇒ Use the Current Year from the most recently approved petition as your new Base Year

Step 2: What is the most recently completed calendar year?

- This will be your Current Year for the purposes of this petition
 - ⇒ For example: If you are submitting this petition in July 2025, your Current Year is 2024.

Please indicate the years below for your petition:

Base Year: _____

Current Year: _____

Note: Base Year and Current Year must be full calendar years (January–December)

¹ These definitions are based on the Administrative Regulations governing Fair Return Petitions. In limited circumstances, the hearing officer may authorize an alternate Base Year.

Income

List all rent income for units that are subject to the Fair Return Petition. This should include totals for the most recent 12-month period (the "Current Year") and for the 12-month period used as the basis for comparison (the "Base Year"). Rent is defined in the Ordinance.

Rent	Annual Total	
	Base Year: _____	Most Recent 12-Month Calendar Year: _____
1. Total of unit/space rent	\$ _____	\$ _____

Fees (indicate what each fee is for)		
2. Late fees	\$ _____	\$ _____
3. Laundry income	\$ _____	\$ _____
Other Fees (list separately by type)		
4.	\$ _____	\$ _____
5.	\$ _____	\$ _____
6.	\$ _____	\$ _____
7.	\$ _____	\$ _____
8.	\$ _____	\$ _____
Other (list separately by type)		
9.	\$ _____	\$ _____
10.	\$ _____	\$ _____
Total Gross Income	\$ _____	\$ _____

Note: All income reported must be supported by documentation, such as rent rolls, ledgers, or rent receipts, as further outlined in the "Supporting Documentation" section of this petition.

Utilities

List all utility amounts collected for the rental units subject to the Fair Return Petition.

Electricity (please check one)

- _____ Residents pay directly to utility company (proceed to the Natural Gas section below)
- _____ Residents are billed by the owner based on their meter reading (proceed to A, below)
- _____ Cost of the utility is included in the rent

A. Electricity pass-through	Fill in the amounts paid and collected for Electricity (Most Recent 12-Month Calendar Year Period)
1. Amount collected from residents	
2. Amount billed by utility company	
Difference (1. Minus 2.)	

Natural Gas (please check one)

- _____ Residents pay directly to utility company (proceed to the Water section below)
- _____ Residents are billed by the owner based on their meter reading (proceed to B, below)
- _____ Cost of the utility is included in the rent

B. Natural Gas pass-through	Fill in the amounts paid and collected for Natural Gas (Most Recent 12-Month Calendar Year Period)
1. Amount collected from residents	
2. Amount billed by utility company	
Difference (1. Minus 2.)	

Water (please check one)

- _____ Residents pay directly to utility company
- _____ Residents are billed by the owner based on their meter reading (proceed to C, below)
- _____ Cost of the utility is included in the rent

C. Water pass-through	Fill in the amounts paid and collected for Water (Most Recent 12-Month Calendar Year Period)
1. Amount collected from residents	
2. Amount billed by utility company	
Difference (1. Minus 2.)	

Operating Expenses

List all operating expenses for the rental units subject to the Fair Return Petition.

Item	Annual Total	
	Base Year	Most Recent 12-Month Calendar Year Period
1. Accounting	\$ _____	\$ _____
2. Assessments	\$ _____	\$ _____
3. Electricity (if not paid directly by the tenant)	\$ _____	\$ _____
4. Gas (if not paid directly by the tenant)	\$ _____	\$ _____
5. Gardening	\$ _____	\$ _____
6. Insurance	\$ _____	\$ _____
7. Legal	\$ _____	\$ _____
8. Licenses and Fees	\$ _____	\$ _____
9. Manager (if any)	\$ _____	\$ _____
10. Miscellaneous Supplies	\$ _____	\$ _____
11. Normal Repairs	\$ _____	\$ _____
12. Office Supplies	\$ _____	\$ _____
13. Pool Maintenance	\$ _____	\$ _____
14. Plumbing Maintenance	\$ _____	\$ _____
15. Real Property Taxes	\$ _____	\$ _____
16. Security	\$ _____	\$ _____
17. Street Maintenance	\$ _____	\$ _____
18. Street Sweeping	\$ _____	\$ _____
19. Trash (do not include charges reimbursed by tenants)	\$ _____	\$ _____
20. Water (do not include charges reimbursed by tenants)	\$ _____	\$ _____
21. Sewer (do not include charges reimbursed by tenants)	\$ _____	\$ _____
22. Cable (do not include charges reimbursed by tenants)	\$ _____	\$ _____
Other (list separately by type)		
24.	\$ _____	\$ _____
25.	\$ _____	\$ _____
26.	\$ _____	\$ _____
27.	\$ _____	\$ _____

28.	\$ _____	\$ _____
29.	\$ _____	\$ _____
30.	\$ _____	\$ _____
Total Operating Expenses	\$ _____	\$ _____

Note: All expenses reported must be supported by documentation, including an invoice or receipt describing the service and proof of payment, such as a copy of a check, credit card or bank statement, or other valid transaction confirmation. See the “Supporting Documentation” section of this petition for further guidance.

Completing the Fair Return Petition

A Fair Return Petition must include documentation sufficient to verify all claimed income and expenses for the Base Year and Current Year. For each claimed expense, applicants must submit documentation substantiating the expense (such as invoices or contracts) and proof of payment (such as cancelled checks, bank statements, or receipts). If any information requested is not available, indicate this fact and give the reason for its unavailability.

Required Documentation (Base Year and Current Year)

- A. For the most recent completed 12-month period (“Current Year”) and the 12-month period used as the basis for comparison (“Base Year”), please include copies of all invoices, cancelled checks, receipts, rent rolls, operating statements, ledger sheets, or other documentation showing the following:
1. Rents collected from all tenants, including rent rolls for the Base Year and Current Year;
 2. Leases entered into between the applicant and affected tenant(s);
 3. Other income received, including Housing Choice Voucher (Section 8) contracts, if applicable;
 4. Property tax statements assessed and paid;
 5. Utility bills and proof of payment, including electricity, gas, water, sewer, and trash service;
 6. Maintenance and repair expenses, including logs, invoices, and proof of payment;
 7. Insurance premiums paid;
 8. Administrative and management expenses, if applicable;
 9. Licenses and regulatory fees paid, if applicable;
 10. Other miscellaneous operating expenses, with documentation and proof of payment

Next Steps

- Your petition will be reviewed by the Department to confirm all required materials have been submitted.
- If the petition is incomplete, you will be notified and given an opportunity to submit missing information or explain why it is unavailable.
- A hearing will be scheduled within 60 calendar days after the petition is accepted as complete.

Relevant Factors in Deciding a Fair Return Petition

In evaluating a Fair Return Petition, the hearing officer shall consider all relevant factors that may impact a landlord's ability to obtain a fair and reasonable return. These factors may include, but are not limited to:

- (1) Utility rates
- (2) Property taxes
- (3) Insurance expenses
- (4) Advertising expenses
- (5) Governmental assessments and fees
- (6) Employee-related expenses
- (7) Normal repair and maintenance
- (8) Improvements to amenities or services that do not constitute Capital Improvements
- (9) Rental income documentation
- (10) Financial statements
- (11) Expert analysis
- (12) Relevant studies

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

I declare as follows:

I am the owner, or authorized representative of the owner(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