



Housing and Community Development Department
RENT ADJUSTMENT PROGRAM
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**HOW TO COMPLY WITH ELLIS ACT REQUIREMENTS
PURSUANT TO ELLIS ACT ORDINANCE**
(Oakland Municipal Code § 8.22.400, et seq.)

1. Owner serves Tenants in all affected Rental Units with notices terminating tenancy (including a copy of the business Tax Certificate) requiring the tenants to quit the premises on the effective date of the withdrawal, which is 120 days after the *Notice to Rent Adjustment Program of Intent to Withdraw Rental Unit from Rental Market* (OMC 8.22.430) is filed with the Rent Adjustment Program. Owner must pay half of the relocation payment as provided for in Section 8.22.450(A).
2. Owner files with Rent Adjustment Program:
 - a. **Notice to Rent Adjustment Program of Intent to Withdraw Rental Unit from Rental Market (Form 1).**
 - b. Copy of **Certificate and Summary (Form 2)** with the Alameda County Recorder's seal verifying recording.
 - c. **Filing Fee.** A filing fee of \$262.50 must be paid for **each** unit that is being withdrawn from the rental market.
3. Tenants have thirty (30) days from the date of displacement to notify the Owner in writing that tenants would be interested in re-renting the unit if it is re-offered for rent at a future time. Tenants may use **Notice of Interest in Re-renting Unit (Form 3)** for this purpose.
4. Within sixty (60) days of receiving the eviction notice, elderly or disabled tenants who have lived in the unit for at least one year can give to the owner written notice of their entitlement of to an extension of the withdrawal period to one year as provided under Section 8.22.440(A). Tenants may use the **Notice of Entitlement to Extension to One Year Based on Disability or Age (Form 5)** for this purpose.
5. Within thirty (30) days of receipt of a tenant's claim to an extension of the date of withdrawal (Form 5, Step 4), owner gives written notice of the claim to the Rent Adjustment Program.

6. Within sixty (60) days of receiving the eviction notice, tenants who are low-income, elderly, disabled, or whose households have minor children can give written notice to the owner of their eligibility for additional relocation assistance in the amount of \$2,500 as provided under Section 8.22.450(B).
7. Within 15 days of receiving notice of the tenant's eligibility for relocation assistance, owners can either 1) pay the tenant the additional payment, OR 2) request documentation from the tenant demonstrating the tenant's income qualification as allowed under Section 8.22.450(D). The tenant must supply the requested documentation within 30 days of the owner's request. Within 15 days of receipt of such documentation, the owner must deliver to the tenant the additional relocation payment.
8. Within ninety (90) days after filing a Notice of Intent (Step 2), Owner must file with the Rent Adjustment Program a **Notice to Rent Adjustment Program of Constraints on Real Property (Form 4)**, including a legal description.
9. Withdrawal of rental units is effective 120 days (or one year for qualified elderly or disabled tenants and any other tenants for which the date of withdrawal has been extended by the landlord) after filing of Notice of Intent (Step 2). The second half of the required relocation assistance shall be paid when the tenant vacates the unit.
10. The property owner must file the NFE-01 form with RAP within 30 days of tenant's moving out.