

**HOUSING, RESIDENTIAL RENT AND RELOCATION
BOARD
FULL BOARD REGULAR MEETING
October 23, 2025
6:00 P.M.
CITY HALL, HEARING ROOM # 2
ONE FRANK H. OGAWA PLAZA
OAKLAND, CA 94612**

AGENDA

PUBLIC PARTICIPATION

The public may observe or participate in this meeting in person or remotely via Zoom.

OBSERVE:

• To observe the meeting by video conference, please click on the link below:

When: **October 23, 2025 06:00 PM Pacific Time (US and Canada)**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87057829522>

Meeting ID: 870 5782 9522

One tap mobile: +16694449171, 87057829522# US, +16699009128,,87057829522# US (San Jose)

Or by telephone: +1 669 444 9171 US, +1 669 900 9128 US (San Jose), +1 346 248 7799 US (Houston), +1 719 359 4580 US, +1 253 205 0468 US, +1 253 215 8782 US (Tacoma), +1 564 217 2000 US, +1 646 558 8656 US (New York), +1 646 931 3860 US, +1 689 278 1000 US, +1 301 715 8592 US (Washington DC), +1 305 224 1968 US, +1 309 205 3325 US, +1 312 626 6799 US (Chicago), +1 360 209 5623 US, +1 386 347 5053 US, +1 507 473 4847 US

Webinar ID: 870 5782 9522

Find your local number: <https://us02web.zoom.us/j/87057829522>

The Zoom link is to view, listen and/or participate in the meeting.

PARTICIPATION/COMMENT:

To participate/comment during the meeting, you may appear in person or remotely via Zoom.

Comments on all agenda items will be taken during public comment at the beginning of the meeting. Comments for items not on the agenda will be taken during open forum towards the end of the meeting.

If you have any questions, please email hearingsunit@oaklandca.gov

HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD MEETING

000001

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

- a. Comments on all agenda items will be taken at this time. Comments for items not on the agenda will be taken during open forum.

4. CONSENT ITEMS

- a. Approval of Board Minutes, 09/25/2025 (pp.4-6)
- b. Approval of Board Minutes, 10/09/2025 (pp.7-8)

5. APPEALS*

- a. T25-0119, Chow v. 2B Living (pp.9-107)
- b. L25-0029, CCC Property Management v. Tenants (pp.108-203)

**6. RESOLUTION RECOMMENDING AMENDMENT OF THE RENT
ADJUSTMENT ORDINANCE TO ALLOW THE HOUSING, RESIDENTIAL
RENT, AND RELOCATION BOARD TO ADOPT OR AMEND THE RENT
ADJUSTMENT PROGRAM REGULATIONS WITHOUT CITY COUNCIL
APPROVAL (pp.203-206)**

7. INFORMATION AND ANNOUNCEMENTS

8. NEW BOARD BUSINESS

9. SCHEDULING AND REPORTS

10. OPEN FORUM

- a. Comments from the public on all items will be taken at this time.

11. ADJOURNMENT

The Rent Adjustment Program and the Clerk's office has at least 72 hours prior to the meeting to post all meeting materials pursuant to O.M.C. 2.20.080.C and 2.20.090.

As a reminder, alternates in attendance (other than those replacing an absent board member) will not be able to take any action, such as with regard to the consent calendar.

Accessibility: Contact us to request disability-related accommodations, American Sign Language (ASL), Spanish, Cantonese, Mandarin, or another language interpreter at least five (5) business days before the event. Rent Adjustment Program (RAP) staff can be contacted via email at RAP@oaklandca.gov or via

phone at (510) 238-3721. California relay service at 711 can also be used for disability-related accommodations.

Si desea solicitar adaptaciones relacionadas con discapacidades, o para pedir un intérprete de en Español, Cantonese, Mandarin o de lenguaje de señas (ASL) por favor envíe un correo electrónico a RAP@oaklandca.gov o llame al (510) 238-3721 o 711 por lo menos cinco días hábiles antes de la reunión.

需要殘障輔助設施, 手語, 西班牙語, 粵語或國語翻譯服務, 請在會議前五個工作天電郵 RAP@oaklandca.gov 或致電 (510) 238-3721 或 711 California relay service.

**HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD
FULL BOARD REGULAR MEETING**

September 25, 2025

6:00 P.M.

**CITY HALL, HEARING ROOM # 1
ONE FRANK H. OGAWA PLAZA
OAKLAND, CA 94612**

MINUTES

1. CALL TO ORDER

a. The Board meeting was administered in-person by Nyila Webb from the Rent Adjustment Program (RAP), Housing and Community Development Department. Nyila Webb explained the procedure for conducting the meeting. The HRRRB meeting was called to order by Chair Cucullu Lim at 6:04 PM.

2. ROLL CALL

MEMBER	STATUS	PRESENT	ABSENT	EXCUSED
D. INGRAM	Tenant	X		
C. MUNOZ RAMOS	Tenant	X		
Vacant	Tenant Alt.			
M. GOOLSBY	Tenant Alt.			
C. OSHINUGA	Undesignated	X		
M. CUCULLU LIM	Undesignated	X		
R. SAMATI	Undesignated	X		
K. BRODFUEHRER	Landlord	X		
C. JACKSON	Landlord			X
Vacant	Landlord Alt.			

**Member Munoz Ramos arrived at 6:14pm.*

Staff Present

Braz Shabrell
Susan Ma
Nyila Webb

Deputy City Attorney
Hearing Officer (RAP)
Administrative Assistant II

3. PUBLIC COMMENT

- a. No requests submitted online or in person.

4. CONSENT ITEMS

- a. Approval of Board Minutes, 09/11/2025:

**Vice Chair Samati made a motion to approve the minutes from September 11, 2025.
Member Ingram seconded.**

The Board voted as follows:

Aye: K. Brodfuehrer, R. Samati, Chair Cucullu Lim, D. Ingram C. Oshinuga
Nay: None
Abstain:

The Minutes are approved.

5. APPEALS*

- a. L24-0061 Dang v. Tenants

Appearances at appeal:

Owner: Ted Dang
Tenant(s): Tenant Unit 7 – Carlos & Glenda Didrickson

Once the parties had time for discussion, the Board asked questions and then deliberated on the case. After consideration, they concluded, and a motion was made.

Member Oshinuga made a motion to affirm the hearing examiners decision as substantial evidence exists to demonstrate that the landlord provided qualified capital improvements and consequently deny the tenant's appeal.

Member Brodfuehrer seconded.

The Board voted as follows:

Aye: Chair Cucullu Lim, C. Munoz Ramos, K. Brodfuehrer, R. Samati, D. Ingram C. Oshinuga
Nay: None
Abstain: None

The motion was approved.

6. INFORMATION AND ANNOUNCEMENTS

- a. 2025 Encampment Abatement Policy (pp. 150-161)
 - 1. Board initiated discussion on the 2025 Encampment Abatement Policy; item may return on 10/9 or a subsequent meeting.

7. NEW BOARD BUSINESS

- a. Member Brodfuehrer raised the idea of adopting a Code of Conduct to support respectful dialogue; tabled for in-depth discussion at a future meeting.
- b. Vice Chair Samati and the Board suggested reviewing Roberts Rules of Order as a potential training topic.

8. SCHEDULING AND REPORTS

- a. The Board and City Attorney agreed that, since no appeals are scheduled for the October 9 meeting, the City Attorney will lead a training, and the Board will discuss other proposed items in depth.

9. OPEN FORUM

- a. No speaker cards were submitted in person or online.

10. ADJOURNMENT

- a. Meeting adjourned at 8:11 pm.

**HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD
FULL BOARD REGULAR MEETING**

October 9, 2025

6:00 P.M.

**CITY HALL, HEARING ROOM # 1
ONE FRANK H. OGAWA PLAZA
OAKLAND, CA 94612**

MINUTES

1. CALL TO ORDER

a. The Board meeting was administered in-person by Nyila Webb from the Rent Adjustment Program (RAP), Housing and Community Development Department. Nyila Webb explained the procedure for conducting the meeting. The HRRRB meeting was called to order by Chair Cucullu Lim at 6:07 PM.

2. a. ROLL CALL

MEMBER	STATUS	PRESENT	ABSENT	EXCUSED
D. INGRAM	Tenant	X		
C. MUNOZ RAMOS	Tenant	X		
Vacant	Tenant Alt.			
M. GOOLSBY	Tenant Alt.			X
C. OSHINUGA	Undesignated	X		
M. CUCULLU LIM	Undesignated	X		
R. SAMATI	Undesignated	X		
K. BRODFUEHRER	Landlord			X
C. JACKSON	Landlord			X
Vacant	Landlord Alt.			

b. The Board met quorum, but voting couldn't take place since two landlord representatives weren't in attendance.

Staff Present

Oliver Luby
Susan Ma
Nyila Webb

Deputy City Attorney
Hearing Officer (RAP)
Administrative Assistant II

3. PUBLIC COMMENT

- a. One request submitted in-person.

4. CONSENT ITEMS

- a. Approval of Board Minutes, 09/25/2025

5. APPEALS*

- a. No Appeals scheduled for this Board meeting.

6. RESOLUTION RECOMMENDING AMENDMENT OF THE RENT ADJUSTMENT ORDINANCE TO ALLOW THE HOUSING, RESIDENTIAL RENT, AND RELOCATION BOARD TO ADOPT OR AMEND THE RENT ADJUSTMENT PROGRAM REGULATIONS WITHOUT CITY COUNCIL APPROVAL (pp.)

- a. This item will be moved to the October 23 meeting for discussion. No landlord representative was present at tonight's meeting, so a vote could not take place.
- b. Member Ingram reintroduced the resolution due to edits and modifications made to the language. These changes clarify the resolution but do not alter its original goal or intent. He requested that the revised language be reviewed and discussed, without changing the substance of the proposal.

7. 2025 ENCAMPMENT ABATEMENT POLICY

- a. This item was briefly discussed but will be tabled for a future meeting.

8. INFORMATION AND ANNOUNCEMENTS

- a. Board Training Session- Robert's Rules of Order
Training on how meetings are held and how the Board makes decisions together.
- b. Board Training Session- Quasi-judicial hearings: Due Process & Evidence
Training on handling hearings fairly, focusing on proper process and evidence.

9. NEW BOARD BUSINESS

10. SCHEDULING AND REPORTS

11. OPEN FORUM

- a. No speaker cards were submitted in person or online.

12. ADJOURNMENT

- a. Meeting adjourned at 7:36 pm.

CHRONOLOGICAL CASE REPORT

Case No.: T25-0119

Case Name: Chow v. 2B Living Property Management

Property Address: 5701 International Blvd Oakland, CA 94621

Parties: Owner/Manager- Alyc Hein
Assistant Manager- Josh Barrina
Tenant- Gerardo Chow

OWNER APPEAL:

<u>Activity</u>	<u>Date</u>
Tenant Petition filed	July 9, 2025
No Owner Response filed	
Email	August 12, 2025
Administrative Decision mailed	August 14, 2025
Owner Appeal filed	September 3, 2025
Owner Submittal	September 5, 2025
Tenant Response Submitted	October 3, 2025
Appeal Hearing Scheduled	October 23, 2025

T25-0119 EL/BJ

 CITY OF OAKLAND	CITY OF OAKLAND RENT ADJUSTMENT PROGRAM 250 Frank H. Ogawa Plaza, Suite 5313 Oakland, CA 94612-0243 (510) 238-3721 CA Relay Service 711 www.oaklandca.gov/RAP	For Rent Adjustment Program date stamp. RECEIVED JUL - 9 2025 OAKLAND RENT ADJUSTMENT PROGRAM
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TENANT PETITION

Please fill out this form as completely as you can. Use this form to contest a rent increase, seek a rent decrease, and/or contest an owner exemption from the Rent Adjustment Program. Failure to provide the required information may result in your petition being rejected or delayed. See the last pages of this petition packet ("Important Information Regarding Filing Your Petition") or the RAP website for more information. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR PETITION BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Rental Unit Information			
Street Number	Street Name	Unit Number	Oakland, CA Zip Code
5701	International Blvd.	#44	94621
Move-in Date: 3/30/2013		Initial Rent at Move-In: \$ 960.00	Current Rent: \$ 1,056.00
Is your rent subsidized or controlled by a government agency (such as HUD or Section 8), other than Oakland Rent Adjustment Program? (See page 5 "Jurisdiction" for more information)			☐ Yes ☒ No ☐ Not sure
Are you current on rent? ☒ Yes (*Note: You must be current on your rent or lawfully withholding rent in order to file a petition. Checking "No" without providing an adequate explanation may result in your petition being dismissed.) ☐ No*			
If not current on rent, explain why: _____			
When (if ever) did the property owner first provide you with the City form, NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM ("RAP Notice")? ☐ I first received the RAP Notice on: _____ ☒ I was never provided with the RAP Notice ☐ I do not remember if I ever received the RAP Notice			
Case number(s) of any relevant prior Rent Adjustment case(s): _____			
Tenant Information (List each tenant petitioner in unit. If you need more space, attach additional sheet.)			
First Name		Last Name	
Gerardo		Chow	
Mailing Address (if different from above): 5701 International Blvd. #44			
Primary Telephone: 510-593-4442		Other Telephone: _____ Email: gwchcs@gmail.com	
First Name		Last Name	
Mailing Address (if different from above): _____			
Primary Telephone: _____		Other Telephone: _____ Email: _____	
Tenant Representative (Check one): ☐ No Representative ☐ Attorney ☐ Non-Attorney			
First Name		Last Name	
Mailing Address: _____		Firm/Organization (if any) _____	
Phone Number: _____		Email: _____	

Property Owner Information		
Property Owner	<u>Seth</u> <u>Jacobson</u>	
First Name	Last Name	
Company/LLC/LP (if applicable): <u>Coliseum Enterprises</u>		
Mailing Address: _____		
Phone Number: _____ Email: _____		
Property Manager (if applicable)		
First Name	Last Name	Name of Management Company
<u>Alyc</u> <u>Hein</u> <u>2B Living Prop. Mngt.</u>		
Mailing Address: <u>626 E/ Camino Real San Carlos CA 94070</u>		
Phone Number: <u>510/882-9286</u> Email: <u>ahain@twobliving.com</u>		

GROUNDS FOR PETITION		
Select the grounds for this petition from the list below. Check all that apply. You must check at least one box. To contest a rent increase, select item(s) from Category A. If you have experienced a decrease in housing services and/or have issues with the condition of your unit, or are being charged for utilities in violation of the law, select item(s) from Category B. For more information on each of the grounds, see Oakland Municipal Code (O.M.C.) Sections 8.22.070 and 8.22.090 (Rent Adjustment Ordinance) and the corresponding Regulations. A copy of the Ordinance and Regulations are available here: www.oaklandca.gov/resources/read-the-oakland-rent-adjustment-program-ordinance.		
A.	Unlawful Rent Increase(s) (Complete section A on page 3)	☒ (A1) I received a rent increase above the allowable amount. ☒ (A2) I received a rent increase that I believe is unlawful because I was not given proper notice, was not properly served, and/or was not provided with the required RAP Notice ("Notice to Tenants of the Residential Rent Adjustment Program"). ☐ (A3) I received a rent increase and do not believe I should be required to pay it because a government agency has cited my unit for serious health, safety, fire, or building code violations. (You must attach a copy of the citation to your petition.)
B.	Decreased Housing Services (Complete section B on page 3)	☐ (B1) The property owner is providing me with fewer housing services than I previously received and/or I am being charged for services originally paid for by the owner. (Check this box for petitions based on bad conditions/failure to repair.) ☐ (B2) I am being unlawfully charged for utilities.
C.	Other	☐ (C1) My rent was not reduced after a prior rent increase period for capital improvements or after an additional tenant for whom the owner was allowed an increase, vacated from the premises. ☐ (C2) I wish to contest an exemption from the Rent Adjustment Ordinance because the exemption was based on fraud or mistake. ☐ (C3) The initial rent amount when I first moved in was unlawful because the property owner was not permitted to set the initial rent without limitation. O.M.C. § 8.22.080 (C).

A.	Unlawful Rent Increase(s)						
<i>(Complete this section if any of the grounds for petition fall under category A, above)</i>							
List all rent increases you wish to contest. Begin with the most recent increase and work backwards. If you never received the RAP Notice, you can contest all past increases. See the "Important Information" page at the end of this petition packet for more information on time limits for contesting rent increases. If you need additional space, attach a separate sheet or an additional copy of this form. For petitions contesting a rent increase on the grounds that the unit has been cited by a government agency for serious health, safety, fire, or building code violations, you must attach a copy of the citation to your petition. Failure to attach a copy of the citation may result in your petition being dismissed.							
Date received rent increase notice:		Date rent increase went into effect:		Amount of increase:		Received RAP Notice with notice of rent increase?	
(Month/Day/Year)		(Month/Day/Year)		FROM	TO	YES	NO
June - 2024		Aug. 1/2024		\$ 960.00	\$ 1,056	☐	☒
June 18-2025		Aug. 1/2025		\$ 1,256.00	\$ 1,161.60	☐	☒
				\$	\$	☐	☐
				\$	\$	☐	☐
				\$	\$	☐	☐

B.	Decreased Housing Services					
<i>(Complete this section if any of the grounds for petition fall under category B, above)</i>						
List all the conditions that you believe entitle you to a rent decrease. If your petition is based on problems related to your unit, or because the owner has taken away service(s) or is charging for services originally provided by the owner, you must complete this section. If you need more space, attach a separate sheet or an additional copy of this form. You are strongly encouraged to submit documentary evidence (photographs, inspection reports, correspondence with your landlord, etc.) together with your petition. Evidence may be submitted up to seven calendar days prior to your hearing. You may wish to have a City inspector come inspect your unit for possible code violations in advance of your hearing. Copies of any inspection report(s) may be submitted in support of your petition. To schedule an inspection, contact the City of Oakland Code Enforcement Unit at (510) 238-3381, or file a complaint online at https://www.oaklandca.gov/services/file-a-complaint-with-code-enforcement. <i>Note: if additional items are cited in an inspection report that were not included in your original petition (below), you must file an additional petition listing those items in order for RAP staff to consider them as a part of your claim.</i>						
	Description of problem or decreased housing service (list separately):	Date problem or decreased service started: (Month/Day/Year)	Date first notified owner or manager of problem: (Month/Day/Year)	Date problem or service was fixed, if ever: (Month/Day/Year)	What is the dollar value of your claimed loss?	
1.					\$	
2.					\$	
3.					\$	
4.					\$	

TENANT VERIFICATION

(Required)

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this Tenant Petition is true and that all of the documents attached to the Petition are true copies of the originals.

Tenant 1 Signature

Date

Tenant 2 Signature

Date

CONSENT TO ELECTRONIC SERVICE

(Highly Recommended)

Check the box below if you agree to have RAP staff and the OTHER PARTY/PARTIES send you documents related to your case electronically. If you agree to electronic service, the RAP may send certain documents only electronically and not by first class mail.

☒ I/We consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) provided in this response.

MEDIATION PROGRAM

Mediation is an optional process offered by RAP to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. A trained third party will work with the parties prior to the hearing to see if a mutual agreement can be reached. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you agree to mediation in your case.

I agree to have the case mediated by a Rent Adjustment Program staff mediator.

Tenant Signature

Date

INTERPRETATION SERVICES

If English is not your primary language, you have the right to an interpreter in your primary language/dialect at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

☐ I request an interpreter fluent in the following language at my Rent Adjustment proceeding:

- ☐ Spanish (Español)
- ☐ Cantonese (廣東話)
- ☐ Mandarin (普通话)
- ☐ Other: _____

-END OF PETITION-



CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
250 Frank H. Ogawa Plaza, Suite 5313 Oakland, CA
94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

NOTICE TO PROPERTY OWNER OF TENANT PETITION

ATTENTION: IMMEDIATE ACTION REQUIRED

If you are receiving this NOTICE together with a completed TENANT PETITION form, it means that a tenant has filed a case against you with the Oakland Rent Adjustment Program ("RAP") (commonly referred to as the "Rent Board").

- **YOU MUST FILE A RESPONSE WITHIN 35 CALENDAR DAYS AFTER THE PETITION WAS MAILED TO YOU (30 DAYS IF DELIVERED IN-PERSON).**

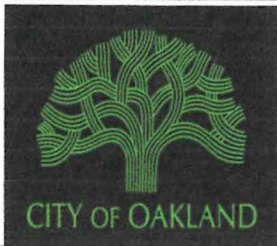
- **TO RESPOND:**

- 1) Complete a **PROPERTY OWNER RESPONSE** form found on the RAP website.
(<https://www.oaklandca.gov/services/respond-to-a-tenant-petition-for-the-rent-adjustment-program>)
- 2) Serve a copy of your **PROPERTY OWNER RESPONSE** form on the tenant (or the tenant's representative listed on the petition) by mail or personal delivery.
- 3) Complete a **PROOF OF SERVICE** form (which is attached to the Response form and also available on the website) and provide a copy to the tenant (or tenant's representative) together with your **PROPERTY OWNER RESPONSE** form.
- 4) Submit your **PROPERTY OWNER RESPONSE** form and completed **PROOF OF SERVICE*** form to RAP through RAP's online portal, via email, or by mail.

**Note: The Response will not be considered complete until a PROOF OF SERVICE is filed indicating that the tenant has been served with a copy.*

DOCUMENT REVIEW: The tenant is required to serve on you all documents the tenant filed in this case in addition to the petition. Additionally, all documents are available for review at RAP.

FOR ASSISTANCE: Contact a RAP Housing Counselor at (510) 238-3721 or by email at RAP@oaklandca.gov. Additional information is also available on the RAP website and on the PROPERTY OWNER RESPONSE form.



CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

RECEIVED

JUL - 9 2025

OAKLAND RENT
ADJUSTMENT PROGRAM

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR PETITION (PLUS ANY ATTACHMENTS) ON THE PROPERTY OWNER PRIOR TO FILING YOUR PETITION WITH RAP. You must include a copy of the RAP form "NOTICE TO PROPERTY OWNER OF TENANT PETITION" (the preceding page of this petition packet) and a completed PROOF OF SERVICE form together with your Petition.

- 1) Use this PROOF OF SERVICE form to indicate the date and manner of service and the person(s) served.
- 2) Note: Email is not a form of allowable service on a party of a petition or response pursuant to the Ordinance.
- 3) Provide a completed copy of this PROOF OF SERVICE form to the person(s) being served together with the documents being served.
- 4) File a completed copy of this PROOF OF SERVICE form with RAP together with your Petition. Your Petition will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 07.09.25 I served a copy of (check all that apply):

☒ **TENANT PETITION** plus 15 attached pages (number of pages attached to Petition not counting the Petition form, NOTICE TO PROPERTY OWNER OF TENANT PETITION, or PROOF OF SERVICE)

☒ **NOTICE TO PROPERTY OWNER OF TENANT PETITION**

☐ Other: _____

by the following means (check one):

☒ **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

///

///

///

PERSON(S) SERVED:

Name	Alyc Heim / 2B Living Property Management
Address	626 El Camino Real
City, State, Zip	San Carlos, CA. 94070

Name	
Address	
City, State, Zip	

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

Gerardo Chow
PRINTED NAME


SIGNATURE

07/07/2025
DATE SIGNED

To Whom it may concern:

07/07/2025

Last June 2024 I received an increase in rent via e-mail of 10% that raised my rent from \$960.00 to \$1,056.00 evidence #2.1-2.12 (email receipts rental payments) and this June 2025 I received the same e-mail with the same 10% increase and reason see evidence #1.1-1.2 attached stating that my rent will be increased from \$1,056.00 to \$1,161.80 with a reason for increase being, "pursuant to RAP and Costa Hawkins Rental Housing Act."

I have been paying the 10% \$96.00 see receipts evidence #2.1-2.12(attached email rent receipts) from Aug.2024-July2025

After speaking with counselor Jimmy Paik I believe the rental increase I got in June 2024 and this new one I got this June 2025 are both invalid because I was never given a proper Rent Adjustment Notice to Tenant (RAP Notice) when I moved in and Costa Hawkins Rental Housing Act should not apply to me since I am a primary tenant and not secondary tenant, proper documentation that should have been included for said "pursuant to RAP," (as stated on rental increase e-mail) does not count as valid reason and increase is above the allowable amount.

I believe I should be reimbursed for all increases from starting from Aug. 2025 to July 2025 equaling \$1,152.00 and for future rental increases that will start on Aug. 2025 of \$201.80 (\$96 + \$161.80) until hearing decision have been made.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gerardo Chow', with a stylized flourish at the end.

Gerardo Chow

000017

Evidence # 1.1

Gerardo Chow <gwohcs@gmail.com>

2B Living: August 2025 Rent Increase**2B Living, Inc.** <communications@twobliving.mailer.appfolio.us>

Wed, Jun 18, 2025 at 4:25 PM

Reply-To: "2B Living, Inc."

<2c300dcf720a424103727b4003e33ad7677cc3882cc455ed9a7950e7bf3c6478@twobliving.mailer.appfolio.us>

To: gwohcs@gmail.com

THIRTY DAY NOTICE OF CHANGE OF MONTHLY RENT

06/18/2025

Gerardo Chow
 5701 International Boulevard
 Unit 44
 Oakland, CA 94621

Dear Gerardo Chow:

YOU ARE HEREBY NOTIFIED, in accordance with California Civil Code Section 827, that the Owner of the dwelling unit in which you reside hereby raises the monthly rent by 10.00% for the Premises rented to you in the County of Alameda to the sum of 1,161.60, effective thirty days after the service of this notice upon you or on 08/01/2025, whichever is later. Please be advised this rental increase is allowed pursuant to the requirements of the Oakland Rent Adjustment Program and the Costa Hawkins Rental Housing Act (Calif. Civ. Code §1954.50, et. Seq.). Except as herein provided, all the other terms of your tenancy shall remain in full force and effect. If you fail to fulfill the terms of your credit obligations, a negative credit report may be submitted to a credit reporting agency.

Effective at least THIRTY (30) Days from the above date, or commencing with your 08/01/2025, rental installment, your rent will increase. This increase is itemized as follows:

Monthly Charges

Item	Current Charge	Percent Increase	Amount Increase	New Monthly Charge
Rental Income	\$1,056.00	10.00%	\$105.60	\$1,161.60
Parking 0006	\$0.00	--	--	\$0.00
Total New Monthly Charge				\$1,161.60

Except as herein provided, all the other terms of your tenancy shall remain in full force and effect. If you fail to fulfill the terms of your credit obligations, a negative credit report may be submitted to a credit reporting agency.

Information and advice concerning this notice is available from the Oakland Rent Adjustment Program, 250 Frank Ogawa Plaza, Suite 5313, Oakland, CA 94612; 501-238-3721.

Page 1 of 3

oakland_rent_increase_gerardo_chow_061825.pdf
 953K View as HTML Download

CITY OF OAKLAND**RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313, Oakland, CA 94612-0243

(510) 238-3721

CA Relay Service 711 www.oaklandca.gov/RAP**NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM**

- Oakland has a Rent Adjustment Program ("RAP") that limits rent increases (Chapter 8.22 of the Oakland Municipal Code) and covers most residential rental units built before 1983. For more information on which units are covered, contact the RAP office.
- **Tenancy Registration Required.** Starting in **2023**, the tenancy data for this unit must be **registered annually with RAP**. In 2024, the deadline to register is **July 1, 2024**. Starting in 2025, the annual deadline to register is **March 1**. Please note that if your tenancy began after March 1, the owner will not be required to register until the following year. Failure to register a tenancy with RAP by March 1 will disallow an owner from: 1) filing a rent increase petition, 2) serving a rent increase, and/or 3) answering a tenant petition. Failure to register is also an affirmative defense in most eviction actions even if the owner has "just cause" to evict.
- Starting on February 1, 2017, an owner must petition the RAP for any rent increase that is more than the annual general rent increase ("CPI increase") or allowed "banked" rent increases. These include, but are not limited to, capital improvements and operating expense increases. For these types of rent increases, the owner may raise your rent only after a hearing officer has approved the increase. No annual rent increase may exceed the maximum increase which changes annually with a 10% cap. You have a right to contest the proposed rent increase by responding to the owner's petition.
- **Contesting a Rent Increase:** You can file a petition with the RAP to contest unlawful rent increases or decreased housing services. To contest a rent increase, you must file a petition (1) within ninety (90) days of the notice of rent increase if the owner also provided this Notice to Tenants with the notice of rent increase; or (2) within 120 days of the notice of rent increase if this Notice to Tenants was not given with the notice of rent increase. If the owner did not give this Notice to Tenants at the beginning of your tenancy, you must file a petition within ninety (90) days of first receiving this Notice to Tenants. Information. The petition forms are available from the website at [Rent Adjustment Program Petition and Response Forms](#).
- If you contest a rent increase, you must pay your rent with the contested increase until you file a petition. If the increase is approved and you did not pay the increase, you will owe the amount of the increase retroactive to the effective date of increase.
- Oakland has eviction controls (the Just Cause for Eviction Ordinance and Regulations, O.M.C. 8.22) which limit the grounds for evictions in covered units. For more information contact the RAP office.
- Oakland charges owners a Rent Program Service Fee per unit per year. If the fee is timely paid before March 1st of each year, the owner is entitled to get half of the fee from you in the same year the fee is paid. Tenants in subsidized units are not required to pay the tenant portion of the fee.
- Oakland has a Tenant Protection Ordinance ("TPO") to deter harassing behaviors by landlords and to give tenants legal recourse in instances where they are subjected to harassing behavior by landlords (O.M.C. 8.22.600).
- The owner is not permitted to set the initial rent on this unit without limitations (such as pursuant to the Costa-Hawkins Act). If the owner is not permitted to set the initial rent without limitation, the rent in effect when the prior tenant vacated was

#2.1st



Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>
To: gwohcs@gmail.com

Sun, Aug 4, 2024 at 6:38 PM



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 08/04/2024. Your confirmation number is 65DF-CDB0.

To make future payments, [go to your online portal.](#)

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com



#2.2
Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>
To: gwohcs@gmail.com

Sun, Sep 1, 2024 at 10:57 PM



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 09/01/2024. Your confirmation number is 276C-7280.

To make future payments, [go to your online portal](#).

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com

2.3



Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>
To: gwohcs@gmail.com

Thu, Oct 3, 2024 at 4:21 PM



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 10/03/2024. Your confirmation number is 25D3-72F0.

To make future payments, [go to your online portal.](#)

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com

#2.9



Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>

Fri, Nov 1, 2024 at 10:08 AM

To: gwohcs@gmail.com



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 11/01/2024. Your confirmation number is C40B-4640.

To make future payments, go to [your online portal](#).

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com

#2.5



Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>

Mon, Dec 2, 2024 at 3:34 PM

To: gwohcs@gmail.com



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 12/02/2024. Your confirmation number is D479-A6F0.

To make future payments, [go to your online portal](#).

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

[twobliving.com](https://www.twobliving.com)



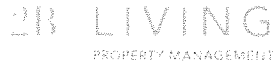
#2.6
Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>
To: gwohcs@gmail.com

Thu, Jan 2, 2025 at 11:34 AM



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 01/02/2025. Your confirmation number is 917A-6970.

To make future payments, go to your online portal.

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com

#2.7



Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>
To: gwohcs@gmail.com

Sun, Feb 2, 2025 at 12:26 PM



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 02/02/2025. Your confirmation number is E092-AA10.

To make future payments, [go to your online portal](#).

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com

2B



Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>
To: gwohcs@gmail.com

Sat, Mar 1, 2025 at 3:53 PM



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 03/01/2025. Your confirmation number is 45E4-3650.

To make future payments, [go to your online portal.](#)

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com

#2.9



Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>
To: gwohcs@gmail.com

Tue, Apr 1, 2025 at 2:15 PM



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 04/01/2025. Your confirmation number is 6905-DE60.

To make future payments, go to [your online portal](#).

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com

#2.10



Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>
To: gwohcs@gmail.com

Thu, May 1, 2025 at 4:05 PM



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 05/01/2025. Your confirmation number is B060-4900.

To make future payments, [go to your online portal](#).

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com

#2.11



Gerardo Chow <gwohcs@gmail.com>

2B Living, Inc. - Online Payment Confirmation

1 message

2B Living, Inc. <donotreply@appfolio.com>
To: gwohcs@gmail.com

Mon, Jun 2, 2025 at 10:47 AM



Hello Gerardo Chow,

Thank you for your payment of \$1,056.00 on 06/02/2025. Your confirmation number is 91DE-DD70.

To make future payments, [go to your online portal.](#)

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com



Gerardo Chow <gwohcs@gmail.com>

2.12.1

2B Living, Inc. - Online Payment Confirmation

2 messages

2B Living, Inc. <donotreply@appfolio.com>
To: gwohcs@gmail.com

Sat, Jul 5, 2025 at 9:12 AM



Hello Gerardo Chow,

Thank you for your payment of \$960.00 on 07/05/2025. Your confirmation number is B523-CC10.

To make future payments, or to edit or end this automatic payment, please visit [your online portal](#) at any time.

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com**2B Living, Inc.** <donotreply@appfolio.com>
To: gwohcs@gmail.com

Sat, Jul 5, 2025 at 12:07 PM



Hello Gerardo Chow,

Thank you for your payment of \$96.00 on 07/05/2025. Your confirmation number is 2CF6-8FA0.

To make future payments, or to edit or end this automatic payment, please
visit your online portal at any time.

2.12.2

Thank you for choosing 2B Living, Inc.

2B Living, Inc.

(650) 763-8552

twobliving.com

RE: T25-0119

From Pretto, Allison <APretto@oaklandca.gov>
Date Tue 8/12/2025 2:34 PM
To Lambert, Elan <ELambert@oaklandca.gov>
Cc Lamb, Juliana <JLamb@oaklandca.gov>; Jackson, Brittnei <BJackson@oaklandca.gov>

Good afternoon, Élan,

Yes, that is correct. To date, no registration submission has been received for this property.

Thanks,
Allison

From: Lambert, Elan <ELambert@oaklandca.gov>
Sent: Tuesday, August 12, 2025 12:53 PM
To: Pretto, Allison <APretto@oaklandca.gov>
Cc: Lamb, Juliana <JLamb@oaklandca.gov>; Jackson, Brittnei <BJackson@oaklandca.gov>
Subject: T25-0119

Can you confirm for me that the parcel in the picture has not submitted registration since the inception of the program in 2023?

Overview

Parcel Number : 041388002800

Site Address : 5701 International Boulevard Oakland CA 94621 US

Year Built : 1988

Assessor Total Unit Count : 77

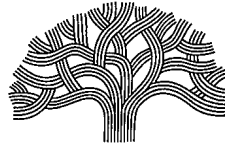
Total Units Added : 0

Property Status : Registration Open

That’s what it looks like to me, but I need to confirm.

--

Hon. Élan Consuella Lambert
Administrative Hearing Officer
City of Oakland
Housing & Community Development Department
Rent Adjustment Program
250 Frank Ogawa Plaza
Oakland, CA 94612
Voice: 510-238-3721
Fax: 510-238-6181

**ADMINISTRATIVE DECISION**

CASE NUMBER: T25-0119

CASE NAME: Chow v. 2B Living Property Management

PROPERTY ADDRESS: 5701 International Blvd, Unit 44
Oakland, CA

PARTIES: Gerardo Chow, Tenant

SUMMARY OF DECISION

The Tenant's petition is granted.

INTRODUCTION

Reason for Administrative Decision: An Administrative Decision is a decision issued without a hearing. The purpose of a hearing is to allow the parties to present testimony and other evidence to resolve disputes of material fact. However, in this case, sufficient uncontested facts have been presented to issue a decision without a hearing, and no material facts are disputed. Therefore, an administrative decision is being issued without a hearing.

BACKGROUND

On July 9, 2025, the tenant filed a petition alleging a rent increase from \$960.00 to \$1,056.00, effective August 1, 2024, and a rent increase from \$1,056.00 to \$1,161.60, effective August 1, 2025. The petition filed under penalty of perjury states that the Tenant was never provided with the RAP Notice, including the service of the 2024 and 2025 rent increases. The Petition alleges that the rent increases were above the allowance amount, and that the increases were unlawful because they were not given proper notice, were not properly served, and/or were

not provided with the required RAP Notice. The Tenant provided a copy of the Notice of Rent Increase, with an effective date of August 2025, which was emailed to the Tenant.

To date, no Owner Response form has been received.

RATIONALE FOR ADMINISTRATIVE DECISION

Rent Increases

The Rent Adjustment Ordinance requires an owner to serve a RAP Notice at the start of a tenancy¹ and together with any notice of rent increase or change in any term of the tenancy.² An owner may cure the failure to give notice at the start of the tenancy. However, a notice of rent increase is not valid if the effective date of the increase is less than six months after a tenant first receives the required RAP notice.³

The Ordinance⁴ also states that notices for rent increases based on the CPI⁵ rent adjustment or banking, “an Owner must include: (a) The amount of the CPI Rent Adjustment; and (b) The amount of any Banking increase.” The Rent Board held that this requires the Notice of Rent Increase to include the amount of the CPI rent adjustment in both the dollar amount **and** the percentage.⁶

Rent Adjustment proceedings are governed by State law as well as the Rent Adjustment Ordinance. Under State law,⁷ a written notice of rent increase must be served either by delivering a copy to the tenant personally or by serving a copy by mail under the procedures prescribed in Code of Civil Procedure Section 1013. This Code section requires that the document be deposited in a mailbox, post office, or other facility maintained by the U. S. Postal Service.

Emailing notices of rent increase is neither personal service nor service by mail. Therefore, the 2025 notice of rent increase is invalid.

¹ O.M.C. Section 8.22.060(A)

² O.M.C. Section 8.22.070(H)(1)(A)

³ O.M.C. Section 8.22.060(C)

⁵ O.M.C. Section 8.22.070

⁴ O.M.C. Section 8.22.070.

⁵ Consumer Price Index.

⁶ T18-0226, Baragano v. Discovery Investments.

⁷ Civil Code Section 827(b)(1)

Rent Registry

Effective March 1, 2023, rental property owners of units subject to this requirement are required to annually report certain information about their units to the City, as outlined in Section 8.22.530.⁸ In 2025, rental property owners were required to complete and submit the registration form to the City on or before March 3, 2025. Likewise, property owners of covered units who fail to comply with the registration requirement substantially will forfeit six (6) months of the rent increase sought unless the owner cures the failure to register.

A rental property owner may cure the failure to register required by this Section and not be subject to a forfeiture of a rent increase if the rental property owner substantially complies with the registration requirement six (6) months prior to serving the rent increase notice on the tenant or, in the case of an owner petition, at least six (6) months prior to filing the petition.

There is no evidence that the rent registration for the subject property was completed in 2023, 2024, or 2025. Accordingly, it is undisputed that the Owner is not entitled to any rent increase after July 1, 2023, and continuing until the Owner complies for more than six months. Therefore, any rent increases with an effective date after July 1, 2023, to the present are invalid on that basis as well.

Accordingly, the 2024 and 2025 rent increases are invalid, and the legal rent for the subject unit remains \$960.00.

ORDER

1. Petition T25-0119 is granted.
2. The total base rent for the subject units remains \$960.00.
3. If the tenant paid the increased amount, the parties are instructed to calculate the amount of restitution to rent overpayments and deduct the credit amount in six monthly installments from the tenant's monthly rent over the next six months.
4. The Remote Settlement Conference and Hearing, scheduled for September 15, 2025, is canceled.

⁸ O.M.C. Section 8.22.510.

Right to Appeal: **This decision is the final decision of the Rent Adjustment Program Staff.** Either party may appeal this decision by filing a properly completed appeal using the form provided by the Rent Adjustment Program. The appeal must be received within seventeen (17) calendar days of electronic service or twenty (20) days if served by first-class mail. If the last day to file is a weekend or holiday, the appeal may be filed on the next business day. The date and service method are shown on the attached Proof of Service.



Dated: August 14, 2025

Élan Consuella Lambert
Hearing Officer
Rent Adjustment Program

PROOF OF SERVICE

Case Number: T25-0119

Case Name: Chow v. 2B Living Property Management

I am a resident of the State of California at least eighteen years of age. I am not a party to the Residential Rent Adjustment Program case listed above. I am employed in Alameda County, California. My business address is 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California 94612.

Today, I served the attached documents listed below by placing a true copy in a City of Oakland mail collection receptacle for mailing on the below date at 250 Frank H. Ogawa Plaza, Oakland, California, addressed to:

Documents Included

Administrative Decision

Manager

Alyc Hein
2B Living
626 El Camino Real
San Carlos, CA 94070

Tenant

Gerardo Chow
5701 International Blvd. Unit 44
Oakland, CA 94621

I am readily familiar with the City of Oakland's practice of collection and processing correspondence for mailing. Under that practice an envelope placed in the mail collection receptacle described above would be deposited in the United States mail with the U.S. Postal Service on that same day with first class postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **August 14, 2025** in Oakland, California.



Brittni Jackson
Oakland Rent Adjustment Program



CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

APPEAL

Appellant's Name Coliseum Enterprise, LLC	☒ Owner ☐ Tenant
Property Address (Include Unit Number) 5701 International Blvd. Oakland, CA 94621	
Appellant's Mailing Address (For receipt of notices) 626 El Camino Real San Carlos, CA 94070	Case Number T25-0119 Date of Decision appealed 09.03.2025
Name of Representative (if any) Alyc Hein 2B Living Property Management	Representative's Mailing Address (For notices) 626 El Camino Real San Carlos, CA 94070

Please select your ground(s) for appeal from the list below. As part of the appeal, an explanation must be provided responding to each ground for which you are appealing. Each ground for appeal listed below includes directions as to what should be included in the explanation.

- 1) There are math/clerical errors that require the Hearing Decision to be updated. *(Please clearly explain the math/clerical errors.)*
- 2) Appealing the decision for one of the grounds below (required):
 - a) ☒ The decision is inconsistent with OMC Chapter 8.22, Rent Board Regulations, or prior decisions of the Board. *(In your explanation, you must identify the Ordinance section, Regulation or prior Board decision(s) and describe how the description is inconsistent.)*
 - b) ☐ The decision is inconsistent with decisions issued by other Hearing Officers. *(In your explanation, you must identify the prior inconsistent decision and explain how the decision is inconsistent.)*
 - c) ☐ The decision raises a new policy issue that has not been decided by the Board. *(In your explanation, you must provide a detailed statement of the issue and why the issue should be decided in your favor.)*
 - d) ☒ The decision violates federal, state, or local law. *(In your explanation, you must provide a detailed statement as to what law is violated.)*
 - e) ☒ The decision is not supported by substantial evidence. *(In your explanation, you must explain why the decision is not supported by substantial evidence found in the case record.)*

- f) ☒ **I was denied a sufficient opportunity to present my claim or respond to the petitioner's claim.** *(In your explanation, you must describe how you were denied the chance to defend your claims and what evidence you would have presented. Note that a hearing is not required in every case. Staff may issue a decision without a hearing if sufficient facts to make the decision are not in dispute.)*
- g) ☐ **The decision denies the Owner a fair return on the Owner's investment.** *(You may appeal on this ground only when your underlying petition was based on a fair return claim. You must specifically state why you have been denied a fair return and attach the calculations supporting your claim.)*
- h) ☒ **Other.** *(In your explanation, you must attach a detailed explanation of your grounds for appeal.)*

Supporting documents (in addition to this form) must *not* exceed 25 pages, and must be received by the Rent Adjustment Program, along with a proof of service on the opposing party, within 15 days of the filing of this document. Only the first 25 pages of submissions from each party will be considered by the Board, subject to Regulations 8.22.010(A)(4). *Please number attached pages consecutively.*

• **You must serve a copy of your appeal on the opposing parties, or your appeal may be dismissed.** •

I served a copy of: Appeal (insert name of document served)

☒ And Additional Documents

and (write number of attached pages) 2 attached pages (not counting the Appeal Form or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- ☒ a. First-Class Mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.
- ☐ c. Electronic Service. I electronically sent the document(s) to the person(s) at the address(es) listed below who have previously given written consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) they provided.

<u>Name</u>	Gerardo Chow
<u>Address</u>	5701 International Blvd. #44
<u>City, State Zip</u>	Oakland, CA 94621
<u>Email Address</u>	gwohcs@gmail.com
<u>Name</u>	
<u>Address</u>	
<u>City, State Zip</u>	

Email Address	
----------------------	--

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 09.03.25 (insert date served).

Alyc Hein
PRINT YOUR NAME


SIGNATURE

09.03.25
DATE

IMPORTANT INFORMATION:

This Appeal must be received by the Rent Adjustment Program, 250 Frank Ogawa Plaza, Suite 5313, Oakland, California 94612, not later than 5:00 P.M. on the 20th calendar day after the date the decision was mailed to you as shown on the proof of service attached to the decision. If the last day to file is a weekend or holiday, the time to file the document is extended to the next business day.

- Appeals filed late without good cause will be dismissed.
- You must provide all the information required, or your appeal cannot be processed and may be dismissed.
- **Any response to the appeal by the responding party must be received by the Rent Adjustment Program, along with a proof of service on appealing party, within 30 days of service of the service of the appeal if the party was personally served. If the responding party was served the appeal by mail, the party must file the response within 35 days of the date the appeal was mailed to them.**
- There is no form for the response, but the entire response is limited to 25 pages or less.
- The Board will not consider new claims. All claims, except jurisdictional issues, must have been made in the petition, response, or at the hearing.
- The Board will not consider new evidence at the appeal hearing without specific approval.
- You must sign and date this form or your appeal will not be processed.
- The case record is available to the Board, but sections of audio recordings that you want the Board to review must be pre-designated to Rent Adjustment Staff.



CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA · 2ND FLOOR · OAKLAND, CA 94612

Planning and Building Department
www.oaklandca.gov

PH: 510-238-3891
FAX: 510-238-2263
TDD: 510-238-3254

CERTIFICATE OF OCCUPANCY

Finalled on 8/30/2021

Permit Number: B1606143

Job Site Address: 5701 INTERNATIONAL BLVD BLDG A, Oakland, CA 94621

Parcel Number: 041 384800401

Project Description: Legalize 21 live-work units and add 38 new live-work units within the footprint by building 2,739 sq.ft. of new mezzanines. To abate. #1402711 per PLN17431

Related Permits: AMR1700128, AMR1800161, E1702051, M1701147, P1701668

Owner Name and Address: COLISEUM ENTERPRISE LLC
665 3RD ST, SAN FRANCISCO, CA 94107-1968

Building Use: Live/Work Per JLWQ

Type of Construction 1: IIIB - Combustible Construction; 2 Hour Exterior

Type of Construction 2: _____

Occupancy 1: R-7 Live / Work JLWQ

Occupancy 2: S-2 Storage / Low Hazard

Number of Stories: 0 Number of Dwelling Units: 0

Fire Sprinklers Provided: Yes: X No: _____ Reason for Fire Sprinklers: Building Code Requirement (Chapter 9)

Total Number of Parking Spaces _____ Design Occupant Load: N/A

CBC Edition: 2013 Ordinance: 13252

Building code Variances: Combustible exterior wall Zone: CN-3; IG/S-19

SEE ATTACHED FLOOR PLAN

BUILDING OFFICIAL: Deborah Sandercock

THIS BUILDING HAS BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE REFERENCED CODES AND ORDINANCES FOR THE OCCUPANCIES AND THE USES DESCRIBED ABOVE, AND OCCUPANCY OF THE PREMISES ONLY FOR SAID PURPOSES IS HEREBY AUTHORIZED.

THIS CERTIFICATE SHALL NOT BE CONSTRUED AS AUTHORITY TO VIOLATE, CANCEL, ALTER, OR SET ASIDE ANY OF THE PROVISIONS OR REQUIREMENTS OF ANY LAWS OR CITY OF OAKLAND ORDINANCES NOR SHALL SUCH ISSUANCE THEREAFTER PREVENT REQUIRING CORRECTIONS OF ERRORS OR OF VIOLATIONS OF SAID REGULATIONS, THIS CERTIFICATE IS NOT A LICENSE.

A re-issued certificate of occupancy is not a new certificate of occupancy for the purposes of exemption from any state or local law that provides protections to residential tenants such as rent control or eviction control

By: Tim Low Date Issued: 3/13/2023
INSPECTION SERVICES MANAGER

Copies: ☐ Owner ☐ Assessor ☐ Microfilm ☐ *Business License

Supporting Documents

Appeal to T25-0119

As noted herein, Respondents appeal the decision reached in the above referenced case as it is inconsistent with the requirements of the Rent Board Regulations and denied Respondents the opportunity to present their claims.

Specifically, Petitioner's apartment, which is the subject of this appeal, is exempt from the jurisdiction of the Oakland Rent Adjustment Ordinance due to the date it was built. Attached is a certificate of occupancy confirming that 38 new live-work units were added to the 5701 International Blvd property in August 2021. Petitioner resides in one of these recently constructed apartments.

Because these apartments were built after January 1, 1983, and constitute new construction that received a certificate of occupancy within the past 10 years, the petitioner's apartment is exempt from limitations on rent increases imposed by Oakland Municipal Code (O.M.C) Section 8.22.070 and 8.22.090.

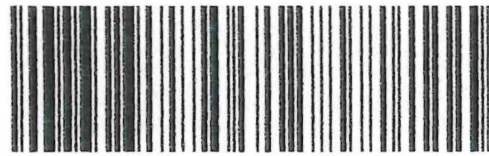
This apartment is exempt from the Oakland Rent Adjustment Ordinance and should not be subject to the present petition. Due to this exemption, Respondents were not required to register with the Oakland Rent Board pursuant to O.M.C. Section 8.22.530. Further, there is no rent cap for this unit, and no requirement to serve RAP notice with a rent increase.

Consequently, the decision by the Rent Board dated August 14, 2025, should be vacated and dismissed in its entirety as the unit is exempt from these requirements. A petition for exemption from the Rent Adjustment Program is being filed concurrently with this appeal.

ALYC HEIN
4435 PIEDMONT AVE
UNIT 201
OAKLAND, CA, 94611

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®



7589 0710 5270 3211 3704 33

Retail



RDC 99



94612

U.S. POSTAGE PAID
FCM LG ENV
MILPITAS, CA 95035
SEP 03, 2025

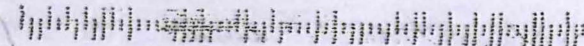
\$7.47

S2323A502136-09

RENT ADJUSTMENT PROCLAIM.

250 FRANK H. OGAWA PLAZA
5313
OAKLAND, CA, 94612

0024



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CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA · 2ND FLOOR · OAKLAND, CA 94612

Planning and Building Department

www.oaklandca.gov

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SEP - 5 2025

OAKLAND RENT
ADJUSTMENT PROGRAM

PH: 510-238-3891

FAX: 510-238-2263

TDD: 510-238-3254

CERTIFICATE OF OCCUPANCY

Finalled on 8/30/2021

Permit Number: B1606143

Job Site Address: 5701 INTERNATIONAL BLVD BLDG A, Oakland, CA 94621

Parcel Number: 041 384800401

Project Description: Legalize 21 live-work units and add 38 new live-work units within the footprint by building 2,739 sq.ft. of new mezzanines. To abate. #1402711 per PLN17431

Related Permits: AMR1700128, AMR1800161, E1702051, M1701147, P1701668

Owner Name and Address: COLISEUM ENTERPRISE LLC
665 3RD ST, SAN FRANCISCO, CA 94107-1968

Building Use: Live/Work Per JLWQ

Type of Construction 1: IIIB - Combustible Construction; 2 Hour Exterior

Type of Construction 2: _____

Occupancy 1: R-7 Live / Work JLWQ

Occupancy 2: S-2 Storage / Low Hazard

Number of Stories: 0 Number of Dwelling Units: 0

Fire Sprinklers Provided: Yes: X No: _____ Reason for Fire Sprinklers: Building Code Requirement (Chapter 9)

Total Number of Parking Spaces: _____ Design Occupant Load: N/A

CBC Edition: 2013 Ordinance: 13252

Building code Variances: Combustible exterior wall Zone: CN-3; IG/S-19

SEE ATTACHED FLOOR PLAN

BUILDING OFFICIAL: Deborah Sandercock

THIS BUILDING HAS BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE REFERENCED CODES AND ORDINANCES FOR THE OCCUPANCIES AND THE USES DESCRIBED ABOVE, AND OCCUPANCY OF THE PREMISES ONLY FOR SAID PURPOSES IS HEREBY AUTHORIZED.

THIS CERTIFICATE SHALL NOT BE CONSTRUED AS AUTHORITY TO VIOLATE, CANCEL, ALTER, OR SET ASIDE ANY OF THE PROVISIONS OR REQUIREMENTS OF ANY LAWS OR CITY OF OAKLAND ORDINANCES NOR SHALL SUCH ISSUANCE THEREAFTER PREVENT REQUIRING CORRECTIONS OF ERRORS OR OF VIOLATIONS OF SAID REGULATIONS, THIS CERTIFICATE IS NOT A LICENSE.

A re-issued certificate of occupancy is not a new certificate of occupancy for the purposes of exemption from any state or local law that provides protections to residential tenants such as rent control or eviction control

By: Tim Low Date Issued: 3/13/2023

INSPECTION SERVICES MANAGER

Copies: ☐ Owner ☐ Assessor ☐ Microfilm ☐ *Business License

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THIRTY DAY NOTICE OF CHANGE OF MONTHLY RENT

06/18/2025

Gerardo Chow
5701 International Boulevard
Unit 44
Oakland, CA 94621

Dear Gerardo Chow:

YOU ARE HEREBY NOTIFIED, in accordance with California Civil Code Section 827, that the Owner of the dwelling unit in which you reside hereby raises the monthly rent by 10.00% for the Premises rented to you in the County of Alameda to the sum of 1,161.60, effective thirty days after the service of this notice upon you or on 08/01/2025, whichever is later. Please be advised this rental increase is allowed pursuant to the requirements of the Oakland Rent Adjustment Program and the Costa Hawkins Rental Housing Act (Calif. Civ. Code §1954.50, et. Seq.). Except as herein provided, all the other terms of your tenancy shall remain in full force and effect. If you fail to fulfill the terms of your credit obligations, a negative credit report may be submitted to a credit reporting agency.

Effective at least THIRTY (30) Days from the above date, or commencing with your 08/01/2025, rental installment, your rent will increase. This increase is itemized as follows:

Monthly Charges

Item	Current Charge	Percent Increase	Amount Increase	New Monthly Charge
Rental Income	\$1,056.00	10.00%	\$105.60	\$1,161.60
Parking 0006	\$0.00	—	—	\$0.00
Total New Monthly Charge				\$1,161.60

Except as herein provided, all the other terms of your tenancy shall remain in full force and effect. If you fail to fulfill the terms of your credit obligations, a negative credit report may be submitted to a credit reporting agency.

Information and advice concerning this notice is available from the Oakland Rent Adjustment Program, 250 Frank Ogawa Plaza, Suite 5313, Oakland, CA 94612; 501-238-3721.

Page 1 of 3

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NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland has a Rent Adjustment Program (“RAP”) that limits rent increases (Chapter 8.22 of the Oakland Municipal Code) and covers most residential rental units built before 1983. For more information on which units are covered, contact the RAP office.
- **Tenancy Registration Required.** Starting in 2023, the tenancy data for this unit must be **registered annually with RAP**. In 2024, the deadline to register is **July 1, 2024**. Starting in 2025, the annual deadline to register is **March 1**. Please note that if your tenancy began after March 1, the owner will not be required to register until the following year. Failure to register a tenancy with RAP by March 1 will disallow an owner from: 1) filing a rent increase petition, 2) serving a rent increase, and/or 3) answering a tenant petition. Failure to register is also an affirmative defense in most eviction actions even if the owner has “just cause” to evict.
- Starting on February 1, 2017, an owner must petition the RAP for any rent increase that is more than the annual general rent increase (“CPI increase”) or allowed “banked” rent increases. These include, but are not limited to, capital improvements and operating expense increases. For these types of rent increases, the owner may raise your rent only after a hearing officer has approved the increase. No annual rent increase may exceed the maximum increase which changes annually with a 10% cap. You have a right to contest the proposed rent increase by responding to the owner’s petition.
- **Contesting a Rent Increase:** You can file a petition with the RAP to contest unlawful rent increases or decreased housing services. To contest a rent increase, you must file a petition (1) within ninety (90) days of the notice of rent increase if the owner also provided this Notice to Tenants with the notice of rent increase; or (2) within 120 days of the notice of rent increase if this Notice to Tenants was not given with the notice of rent increase. If the owner did not give this Notice to Tenants at the beginning of your tenancy, you must file a petition within ninety (90) days of first receiving this Notice to Tenants. Information. The petition forms are available from the website at [Rent Adjustment Program Petition and Response Forms](#).
- If you contest a rent increase, you must pay your rent with the contested increase until you file a petition. If the increase is approved and you did not pay the increase, you will owe the amount of the increase retroactive to the effective date of increase.
- Oakland has eviction controls (the Just Cause for Eviction Ordinance and Regulations, O.M.C. 8.22) which limit the grounds for evictions in covered units. For more information contact the RAP office.
- Oakland charges owners a Rent Program Service Fee per unit per year. If the fee is timely paid before March 1st of each year, the owner is entitled to get half of the fee from you in the same year the fee is paid. Tenants in subsidized units are not required to pay the tenant portion of the fee.
- Oakland has a Tenant Protection Ordinance (“TPO”) to deter harassing behaviors by landlords and to give tenants legal recourse in instances where they are subjected to harassing behavior by landlords (O.M.C. 8.22.600).
- The owner ____ is ____ is not permitted to set the initial rent on this unit without limitations (such as pursuant to the Costa-Hawkins Act). If the owner is not permitted to set the initial rent without limitation, the rent in effect when the prior tenant vacated was _____.

TENANTS’ SMOKING POLICY DISCLOSURE

- Smoking (circle one) IS or IS NOT permitted in Unit _____, the unit you intend to rent.
- Smoking (circle one) IS or IS NOT permitted in other units of your building. (If both smoking and non-smoking units exist in tenant’s building, attach a list of units in which smoking is permitted.)
- There (circle one) IS or IS NOT a designated outdoor smoking area. It is located at _____.

I received a copy of this notice on _____ (Date) _____ (Tenant’s signature)

此份屋崙(奧克蘭)市租客權利通知書附有中文版本。請致電(510) 238-3721 索取副本。

La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.

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住宅租金調整分部的租客通知書

- 屋崙(奧克蘭)市的租金調整分部(RAP)旨在限制租金調漲(屋崙(奧克蘭)市政法規 8.22 章),且主要是針對建於 1983 年以前大多數的出租住宅單位。若要了解哪些單位在本分部限制範圍內,請聯絡 RAP 辦事處。
- 租賃資料登記要求。**從 2023 年開始,業主必須為該單位的租賃資料每年向 RAP 登記。在 2024 年,登記截止日期為 2024 年 7 月 1 日。從 2025 年開始,每年的登記截止日期為 3 月 1 日。請注意,如果您的租約是在 3 月 1 日之後生效的,業主將可以延至到下一年才需要登記。如果業主沒有在 3 月 1 日之前向 RAP 按時登記租賃資料,業主無法:1) 提出租金調漲呈請,2) 實行租金調漲,和/或 3) 回應租戶的呈請書。即使業主有“正當迫遷理由”驅逐房客,若業主沒有登記租賃資料,在大多數的驅逐行動中,將會成為租戶訴訟中抗辯的理由。
- 從 2017 年 2 月 1 日起,如果租金調漲幅度超出一般租金年度漲幅(「CPI 漲幅」)或允許的「租金調整存放」漲幅,業主就必須向 RAP 請呈加租。調漲原因可包括但不限於固定資產整修和營運支出增加。對於這些類型的租金調漲方案,業主必須在聽證官同意調漲後才能提高您的租金。任何租金年漲幅不得超過每年最變動且最多 10% 的漲幅。如果不同意建議的租金調幅,您有權對業主的請呈提出抗辯。
- 對租金調漲提出抗辯:**您可以租金調漲違法或者住房服務縮為由,向 RAP 請呈抗辯。如果您要對租金調漲提出抗辯,(1) 且業主隨同這份「租客通知書」一併提供租金調漲通知,則您必須在收到租金調漲通知後九十(90)天內提出請呈;(2) 但業主未隨這份「租客通知書」提供租金調漲通知,則您必須在收到租金調整通知書後的 120 天內提出請呈。如果業主在租期一開始時沒有提供這份租客通知,您就必須在第一次收到這份租客通知後的九十(90)天內提出請願。若需要請願書表格,可上網站 [Rent Adjustment Program Petition and Response Forms](#) (租金調整分部請呈書和回應表格) 取得。
- 如果您對租金調漲有異議,在提出請呈之前,您仍必須支付所要抗辯的調漲租金。若調漲金額獲准但您並未支付,您將積欠從調漲生效日期算起的調漲金額。
- 屋崙(奧克蘭)市的驅逐管制規則(屋崙(奧克蘭)市政法規 8.22 中的「迫遷需要有正當理由和發規」)對所管制單位的驅逐理由設有限制。若要瞭解更多資訊,請聯絡 RAP 辦公室。
- 屋崙(奧克蘭)市政府每年會向業主收取每個出租單位的「租金分部服務費」(Rent Program Service Fee)。若業主在每年3月1日之前準時繳納這費用,就有權在繳納費用的同一日曆年向您收取費用的一半。受補助單位的租客無需繳納該費用的租客部分。
- 屋崙(奧克蘭)市的租客保護條例(Tenant Protection Ordinance, TPO)旨在遏阻業主的騷擾行為,並且在租客受業主騷擾的情況下賦予租客法律追索權(屋崙(奧克蘭)市政法規 8.22.600)。
- 業主 ___ 得以 ___ 不得對本單位設下毫無限制的起租租金(例如根據 Costa-Hawkins 法理規定)。如果業主不得設下毫無限制的起租租金,則前任房客遷出後生效的租金是 _____。

針對租客的吸煙政策聲明

- 住房單位 _____ (您有意承租的單位)「允許」或「不允許」吸煙(圈選一項)。
- 您所住建築物中的其他單位「允許」或「不允許」吸煙(圈選一項)。(若租客所住的建築物中同時包含可吸煙和不可吸煙的單位,應附上一張可吸煙單位列表。
- 本建築物「有」或「沒有」指定的戶外吸煙區(圈選一項)。該吸煙區位於 _____。

我於 _____ 收到本通知書 _____
(日期) (租客簽名)

AVISO A LOS INQUILINOS DEL RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland tiene un Programa de Ajustes en el Alquiler (“RAP”) que limita los aumentos en el alquiler (Capítulo 8.22 del Código Municipal de Oakland) y cubre a la mayoría de las unidades residenciales en alquiler construidas antes de 1983. Para obtener más información sobre las viviendas cubiertas, contacte a la oficina del RAP.
- **Es obligatorio registrar alquileres.** A partir del 2023, los datos del alquiler de esta vivienda deben **registrarse anualmente con RAP**. En el 2024, la fecha límite para el registro es el **1 de julio de 2024**. A partir del 2025, la fecha límite anual para el registro es el **1° de marzo**. Por favor tenga presente que si su alquiler comenzó después del 1° de marzo, el propietario no tendrá la obligación de registrarlo hasta el año siguiente. En caso de no registrar un alquiler con RAP a más tardar el 1° de marzo, el propietario quedará descalificado para: 1) presentar una petición de aumento del alquiler, 2) notificar un aumento del alquiler y/o 3) responder a una petición del inquilino. La falta de tal registro también es una defensa afirmativa en la mayoría de las acciones de desalojo incluso si el propietario tiene una “causa justa” de desalojo.
- A partir del 1.º de febrero de 2017, un propietario debe presentar una petición ante el RAP para todo aumento en el alquiler que sea mayor que el aumento general anual en el alquiler (“aumento CPI”) o para todo aumento del alquiler “guardado” que esté permitido. Estos incluyen, entre otros, mejoras de capital y aumentos en los gastos operativos. En lo que respecta a este tipo de aumentos, el propietario puede aumentar su alquiler sólo después de que un funcionario de audiencia haya autorizado el incremento. Ningún aumento anual en el alquiler podrá exceder el aumento máximo que cambia de manera anual con un 10 % de capitalización. Usted tiene derecho a disputar el aumento en el alquiler propuesto respondiendo a la petición del propietario.
- **Cómo disputar un aumento en el alquiler:** Puede presentar una petición ante el RAP para disputar aumentos ilícitos en el alquiler o la disminución de servicios en la vivienda. Para disputar el aumento en el alquiler, debe presentar una petición (1) en un plazo de (90) días a partir de la fecha del aviso de aumento en el alquiler si el propietario también proporcionó este Aviso a los Inquilinos con la notificación del aumento en el alquiler; o (2) en un plazo de 120 días a partir de la fecha de recepción del aviso de aumento en el alquiler si este Aviso a los Inquilinos no fue entregado con la notificación de aumento en el alquiler. Si el propietario no entregó este Aviso a los Inquilinos al inicio del periodo de arrendamiento, usted deberá presentar una solicitud en un plazo de (90) días a partir de la fecha en que recibió por primera vez este Aviso a los Inquilinos. Información. Encontrará los formularios de petición disponibles en el sitio web, donde dice Rent Adjustment Program Petition and Response Forms “Formularios de Petición y Respuesta del Programa de Ajustes en el Alquiler”.
- Si usted disputa un aumento en el alquiler, debe pagar su alquiler con el aumento disputado hasta que presente la petición. Si el aumento es aprobado y usted no lo pagó, adeudará la suma del incremento retroactivo a la fecha de inicio de vigencia del aumento.
- Oakland tiene controles de desalojo (Ordenanza y Reglamentos de Desalojo por Causa Justa, O.M.C. 8.22) que limitan los motivos de desalojo en las viviendas cubiertas. Para obtener más información contacte a la oficina RAP.
- Oakland cobra a los propietarios una Tarifa de Servicio del Programa de Ajustes en el Alquiler por vivienda al año. Si la tarifa se paga a tiempo antes o el 1ro de marzo, el propietario tiene derecho a cobrar la mitad del costo de esta tarifa al inquilino en el mismo año en el cual la tarifa es pagada. No se requiere que los inquilinos de viviendas subsidiadas paguen la parte de la tarifa que correspondería al inquilino.
- Oakland posee una Ordenanza de Protección al Inquilino (Tenant Protection Ordinance, “TPO”) para impedir el comportamiento abusivo por parte de los propietarios y para ofrecer a los inquilinos recursos legales en instancias donde hayan sido víctimas de comportamiento abusivo por parte de los propietarios (O.M.C. 8.22.600).
- El propietario tiene no tiene permitido establecer el alquiler inicial de esta unidad sin limitaciones (por ejemplo, de conformidad con la Ley Costa-Hawkins). Si el propietario no tiene permitido establecer el alquiler inicial sin limitaciones, el alquiler vigente cuando el inquilino anterior desalojó la vivienda era de .

INFORMACIÓN PARA LOS INQUILINOS SOBRE LAS POLÍTICAS PARA FUMADORES

- Fumar (encierre en un círculo) ESTÁ o NO ESTÁ permitido en la Unidad , la unidad que usted pretende alquilar.
- Fumar (encierre en un círculo) ESTÁ o NO ESTÁ permitido en otras unidades de su edificio. (Si hay disponibilidad de ambas unidades, para fumadores y no fumadores, en el edificio del inquilino, adjunte una lista de las unidades en donde se permite fumar).
- (Encierre en un círculo) HAY o NO HAY un área designada al aire libre para fumar. Se encuentra en _____.

Recibí una copia de este aviso el _____
(Fecha)

(Firma del inquilino)

PROOF OF SERVICE

The undersigned certifies and declares as follows:

I am over the age of 18 years and am not party to the within action. I am employed in the County of San Mateo, California, with 2B Living, Inc. My business address is 626 El Camino Real, San Carlos, CA 94070. On the date shown below, I served the following document(s):

- NOTICE TO TENANTS OF THE RENT ADJUSTMENT PROGRAM
- 30 Day Notice of Rent Increase

Aforementioned date atop rent increase notice, I served the above mentioned document(s) in the manner described below to the interested parties herein and addressee(s):

 x **MAIL:** I placed a true and correct copy thereof in a sealed envelope and caused such envelope to be deposited in the mail at my business address, with postage thereon fully prepaid, addressed to the addressee(s) designated. I am readily familiar with the business' practice of collecting and processing correspondence to be deposited with the United States Postal Service on that same day in the ordinary course of business.

 HAND DELIVERY: I placed a true and correct copy thereof in a sealed envelope and caused such envelope(s) to be delivered by a Plaintiff's agent to the addressee(s) designated. If the addressee(s) are not present to receive hand delivery, the process server will post/affix the documents on addressee(s) door or leave at doorstep.

 OVERNIGHT COURIER SERVICE: I placed a true and correct copy of the documents in a package for delivery by an express mail or overnight courier service.

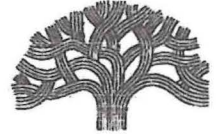
 FACSIMILE: I caused such document to be served via facsimile on the interested parties at the facsimile numbers listed above. The facsimile numbers used complied with California Rules of Court (CRC) Rule 2.306 (h)(1) through (5), and no error was reported by the machine.

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

Executed on aforementioned date atop rent increase notice, at San Carlos, CA.

 Addy C. Rios (Signature)
 Addy C. Rios (Name)

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 5313 • OAKLAND, CALIFORNIA 94612-2034

Housing and Community Development Department
Rent Adjustment Program

TEL (510) 238-3721
FAX (510) 238-6181
CA Relay Service 711

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SEP - 5 2025

OAKLAND RENT
ADJUSTMENT PROGRAM

ADMINISTRATIVE DECISION

CASE NUMBER: T25-0119

CASE NAME: Chow v. 2B Living Property Management

PROPERTY ADDRESS: 5701 International Blvd, Unit 44
Oakland, CA

PARTIES: Gerardo Chow, Tenant

SUMMARY OF DECISION

The Tenant's petition is granted.

INTRODUCTION

Reason for Administrative Decision: An Administrative Decision is a decision issued without a hearing. The purpose of a hearing is to allow the parties to present testimony and other evidence to resolve disputes of material fact. However, in this case, sufficient uncontested facts have been presented to issue a decision without a hearing, and no material facts are disputed. Therefore, an administrative decision is being issued without a hearing.

BACKGROUND

On July 9, 2025, the tenant filed a petition alleging a rent increase from \$960.00 to \$1,056.00, effective August 1, 2024, and a rent increase from \$1,056.00 to \$1,161.60, effective August 1, 2025. The petition filed under penalty of perjury states that the Tenant was never provided with the RAP Notice, including the service of the 2024 and 2025 rent increases. The Petition alleges that the rent increases were above the allowance amount, and that the increases were unlawful because they were not given proper notice, were not properly served, and/or were

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not provided with the required RAP Notice. The Tenant provided a copy of the Notice of Rent Increase, with an effective date of August 2025, which was emailed to the Tenant.

To date, no Owner Response form has been received.

RATIONALE FOR ADMINISTRATIVE DECISION

Rent Increases

The Rent Adjustment Ordinance requires an owner to serve a RAP Notice at the start of a tenancy¹ and together with any notice of rent increase or change in any term of the tenancy.² An owner may cure the failure to give notice at the start of the tenancy. However, a notice of rent increase is not valid if the effective date of the increase is less than six months after a tenant first receives the required RAP notice.³

The Ordinance⁴ also states that notices for rent increases based on the CPI⁵ rent adjustment or banking, “an Owner must include: (a) The amount of the CPI Rent Adjustment; and (b) The amount of any Banking increase.” The Rent Board held that this requires the Notice of Rent Increase to include the amount of the CPI rent adjustment in both the dollar amount **and** the percentage.⁶

Rent Adjustment proceedings are governed by State law as well as the Rent Adjustment Ordinance. Under State law,⁷ a written notice of rent increase must be served either by delivering a copy to the tenant personally or by serving a copy by mail under the procedures prescribed in Code of Civil Procedure Section 1013. This Code section requires that the document be deposited in a mailbox, post office, or other facility maintained by the U. S. Postal Service.

Emailing notices of rent increase is neither personal service nor service by mail. Therefore, the 2025 notice of rent increase is invalid.

¹ O.M.C. Section 8.22.060(A)

² O.M.C. Section 8.22.070(H)(1)(A)

³ O.M.C. Section 8.22.060(C)

⁵ O.M.C. Section 8.22.070

⁴ O.M.C. Section 8.22.070.

⁵ Consumer Price Index.

⁶ T18-0226, Baragano v. Discovery Investments.

⁷ Civil Code Section 827(b)(1)

Rent Registry

Effective March 1, 2023, rental property owners of units subject to this requirement are required to annually report certain information about their units to the City, as outlined in Section 8.22.530.⁸ In 2025, rental property owners were required to complete and submit the registration form to the City on or before March 3, 2025. Likewise, property owners of covered units who fail to comply with the registration requirement substantially will forfeit six (6) months of the rent increase sought unless the owner cures the failure to register.

A rental property owner may cure the failure to register required by this Section and not be subject to a forfeiture of a rent increase if the rental property owner substantially complies with the registration requirement six (6) months prior to serving the rent increase notice on the tenant or, in the case of an owner petition, at least six (6) months prior to filing the petition.

There is no evidence that the rent registration for the subject property was completed in 2023, 2024, or 2025. Accordingly, it is undisputed that the Owner is not entitled to any rent increase after July 1, 2023, and continuing until the Owner complies for more than six months. Therefore, any rent increases with an effective date after July 1, 2023, to the present are invalid on that basis as well.

Accordingly, the 2024 and 2025 rent increases are invalid, and the legal rent for the subject unit remains \$960.00.

ORDER

1. Petition T25-0119 is granted.
2. The total base rent for the subject units remains \$960.00.
3. If the tenant paid the increased amount, the parties are instructed to calculate the amount of restitution to rent overpayments and deduct the credit amount in six monthly installments from the tenant's monthly rent over the next six months.
4. The Remote Settlement Conference and Hearing, scheduled for September 15, 2025, is canceled.

⁸ O.M.C. Section 8.22.510.

Right to Appeal: This decision is the final decision of the Rent Adjustment Program Staff. Either party may appeal this decision by filing a properly completed appeal using the form provided by the Rent Adjustment Program. The appeal must be received within seventeen (17) calendar days of electronic service or twenty (20) days if served by first-class mail. If the last day to file is a weekend or holiday, the appeal may be filed on the next business day. The date and service method are shown on the attached Proof of Service.



Dated: August 14, 2025

Élan Consuella Lambert
Hearing Officer
Rent Adjustment Program

PROOF OF SERVICE

Case Number: T25-0119

Case Name: Chow v. 2B Living Property Management

I am a resident of the State of California at least eighteen years of age. I am not a party to the Residential Rent Adjustment Program case listed above. I am employed in Alameda County, California. My business address is 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California 94612.

Today, I served the attached documents listed below by placing a true copy in a City of Oakland mail collection receptacle for mailing on the below date at 250 Frank H. Ogawa Plaza, Oakland, California, addressed to:

Documents Included
Administrative Decision

Manager
Alyc Hein
2B Living
626 El Camino Real
San Carlos, CA 94070

Tenant
Gerardo Chow
5701 International Blvd. Unit 44
Oakland, CA 94621

I am readily familiar with the City of Oakland's practice of collection and processing correspondence for mailing. Under that practice an envelope placed in the mail collection receptacle described above would be deposited in the United States mail with the U.S. Postal Service on that same day with first class postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on August 14, 2025 in Oakland, California.

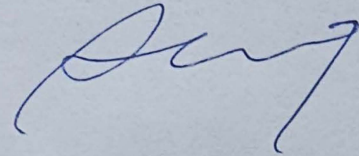


Brittnei Jackson
Oakland Rent Adjustment Program

To whom it may
concern:

10/7/2025

The following is an addendum to reason (5) and additional evidence to response to appeal for case T25-0119. I received the only 60 days temporary Certificate of Occupancy dated 9/25/19 on record from the Planning and Building department on 10/06/25 evidence #5.1a-5.1b

A handwritten signature in blue ink, appearing to be "Aug", is located on the right side of the page.

000057

Evidence # 51a



PLANNING & BUILDING DEPARTMENT
250 FRANK H. OGAWA PLAZA, SECOND FLOOR, OAKLAND, CA. 94612

Non-Refundable * 694.24 Application fee

JOB SITE ADDRESS	5701 International Blvd.						
PERMIT NUMBERS	B1666143, M1701147, E1702051, P1701668						
USE OF PREMISES	Residential						
ADDRESS	401 Roland Way	CITY	Oakland	STATE	CA	ZIP	94621
TELEPHONE	415-495-4739	EMAIL					
PROPERTY OWNER	Coliseum Enterprises LLC						
REQUESTOR	M. Pernudi	DURATION REQUESTED	60	DAYS	VACATE DATE	Nov. 6, 2019	

We request temporary approval to occupy the premises before final approval.
We understand that Final inspection approvals must be obtained before expiration of a temporary occupancy certificate ("vacate date") Otherwise, the premises must be vacated immediately, or the occupants and owner will be subject to citation and fines and the utilities may be disconnected without further notice.

Describe area if partial occupancy is requested

Units 1-10, 34 and common areas along those units.
Units 11-33, 51-57 and common areas along those units

PERMITEE	Coliseum Ent. LLC	DATE	9.25.19	OWNER/TENANT	Coliseum Ent. LLC	DATE	9.25.19
----------	-------------------	------	---------	--------------	-------------------	------	---------

For Official Use Only

DEPARTMENT	APPROVAL	SIGNATURE	DATE	CONDITIONS FOR TEMPORARY OCCUPANCY
Transportation				
Public Works				
Fire Prevention	16-30-2019	CL J. CL	16-30-2019	Units 1-10 and 34
Planning				
Plumbing	ok	[Signature]	9/25/19	
Mechanical	ok	[Signature]	9/25/19	
Electrical	ok	[Signature]	9/25/19	
Engineering Services	APPROVED	[Signature]	9/25/19	
Building	ok	[Signature]	9/25/19	

* fees include 9.5% Records and Management Fee and 5.25% Technology Enhancement Fee

000058

#516

Dates

Due

September 29, 2025

Received

September 17, 2025 via web

Request

I would like all Certificates of Occupancy for these two addresses:

5725 International Blvd. Oakland, CA. 94621

5701 International Blvd. Oakland, CA. 94621

Please and thank you.

Staff assigned

Departments

Planning & Building

Point of contact

Planning & Building Records

Timeline

Documents

☒ Request closed ^

Anyone with access to this request

We released all of the requested documents.

October 6, 2025, 2:18pm by Staff

☒ Document(s) released

Anyone with access to this request

5701-5725 E. 14th St.- Primary Record.pdf

5701 International Blvd.- Temporary Certificate of Occupancy.pdf

October 6, 2025, 2:18pm by Staff

☒ Department assignment

Anyone with access to this request

Planning & Building

September 17, 2025, 3:14pm by the requester

☒ Request opened

Anyone with access to this request



CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp:

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR PETITION (PLUS ANY ATTACHMENTS) ON THE PROPERTY OWNER PRIOR TO FILING YOUR PETITION WITH RAP. You must include a copy of the RAP form "NOTICE TO PROPERTY OWNER OF TENANT PETITION" (the preceding page of this petition packet) and a completed PROOF OF SERVICE form together with your Petition.

- 1) Use this PROOF OF SERVICE form to indicate the date and manner of service and the person(s) served.
- 2) Note: Email is not a form of allowable service on a party of a petition or response pursuant to the Ordinance.
- 3) Provide a completed copy of this PROOF OF SERVICE form to the person(s) being served together with the documents being served.
- 4) File a completed copy of this PROOF OF SERVICE form with RAP together with your Petition. Your Petition will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 10/07/25 I served a copy of (check all that apply):

☐ **TENANT PETITION** plus attached pages (number of pages attached to Petition not counting the Petition form. NOTICE TO PROPERTY OWNER OF TENANT PETITION, or PROOF OF SERVICE)

☐ **NOTICE TO PROPERTY OWNER OF TENANT PETITION**

☒ Other: Addendum and 2 pages

by the following means (check one):

☒ **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

///

///

///

PERSON(S) SERVED:

Name	Alyc Helia
Address	616 El Camino Real
City, State, Zip	San Carlos, CA 94070

Name	
Address	
City, State, Zip	

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

Gerardo Chow
PRINTED NAME

[Signature]
SIGNATURE

10/07/21
DATE SIGNED

OCT - 3 2025

To whom it may concern:

OAKLAND RENT
ADJUSTMENT PROGRAM

10/1/2025

The following is my response and evidence to appeal for case T25-0119. I don't believe that a "New Construction Rental Increase," should apply as stated on definition of RAP's New Construction for the following reasons:

1) The building's "New Construction," was done on an existing blueprint and it says legalize 21 live-work units (one of which is mine) and add 38 new live-work units. My unit is on the 2nd floor see evidence #1.1-1.6 (my unit is on pict # 1.2 you can see that the windows are not the original windows of building construction). Past and present pictures from google maps show that the shell of the building remains the same since 2015 - 2025 so it is not a ground up construction since the building was not demolished.

2) I moved in in 2013 in unit 15 as shown on the first page of lease and pictures of the unit at open house in 2013 it was rented as commercial, it had a complete bathroom and the resident manager knew tenants were living in units. Also I was not given a RAP notice when I moved in. I am also including signed page of lease and addendum of live work lease see evidence #2.1-2.3 and evidence # 2.4-2.9 (pics of unit during open house). After several complaints and hearings I left my unit in 2017 as part of an eviction to bring the building up to code. I had a right of return and took possession of unit on 2020 and my unit was the same as I left it only with minor alterations as shown on evidence # 2.11-2.14 and also as stated in Planning and Building department records evidence #2.15. Evidence #2.16a and 2.16b also states that on 09/16/2018 Seth Jacobson (SJ) my landlord legalized 21 live work units one of which was mine #15 and applied to add 38 units "within the footprint." Evidence # 2.15-2.16a-b alone state that my unit #15 back then only had minor interior improvements and not a new construction. My unit is on the top floor of the building. The new units were all done on the first floor all within the footprint. The work that was done on my unit and can be seen on past google map pictures evidence # 1.1-1.6 2013/2017 and 2020 evidence #2.4-2.14 are a transfer of door to my water heater from wall next to door into the bathroom, the replacement of two windows, a protrusion on three sections of the wall facing the street going inwards towards the unit of 5 inches thick different feet lengths so I returned to a smaller unit in square footage, added shelves in kitchen, a vent that is smaller than stove top evidence #2.17 I also have a witness Kyung Lee who was with me when I left in 2015 and took possession of the unit that can attest that the unit was the same as when I had to leave in 2017 and when I returned in 2020 with minor alterations.

3) After the units on the bottom floor were done, the units on top floor were re-numbered. Number 15 my unit in 2013 now became #44 on top floor see attached evidence #3.1 An email between Tony Collins the previous property manager and myself of Mr. Collins stating that my unit was #44 now and not #15 anymore due to renumbering. Number #15 is on the bottom a newer unit.

000062

4) The building used to be a Homeless shelter see evidence #4.1 from Planning and Building department and #4.2 article from East Bay Times Bay Area News Group
<https://www.eastbaytimes.com/2008/01/24/green-homeless-shelter-opens-in-oakland/>

5) I would also like to officially ask you to verify the validity of Certificate of Occupancy presented in appeal because up to date the Planning and Building department has not responded to my request asking if any Certificate of Occupancy has been granted to either 5725 or 5701 International Blvd. see evidence #5.1 also the unit has not been registered with RAP so this and past rental increases should not be valid as stated in past hearing decision and email response I got from RAP see evidence #5.2. Also after being served what looks nothing like the real RAP Notice see evidence #5.3 I can't help but question the Certificate of Occupancy on appeal.

6) The building does not get cleaned regularly only on the day before there is an open house. There is dog feces in the common area that has been on the floor since Sept. 18-date and the landlord refuses to clean it up saying that the dog owner has to pick it up. Landlord rents tenants with dogs and now is refusing to keep common areas clean for other tenants that have nothing to do with the situation see evidence # 6.1- 6.4.

7) The building lacks security. Packages and mail have been stolen since last year and no help or solutions have been made. Tenants have to leave notes for thieves asking for their mail and packages back see evidence #7.1 - 7.2

8) In the past I've filed petitions as you can see on HRRRB packet yet I have made every effort to have a fair tenant and landlord relationship and just try to live and let live unless I have to complain about something serious, as you can see in evidence # 8.1 emails I let Mr.Hein the property manager know that I have no problem with paying the CPI rental increase but a yearly increase of 10% is just too much. My landlord wants top notch rent and yet provides subpar services. Since he can't seem to produce the proper documentation to do a CPI or Banked increase he wants to claim that my unit is a "New Construction."

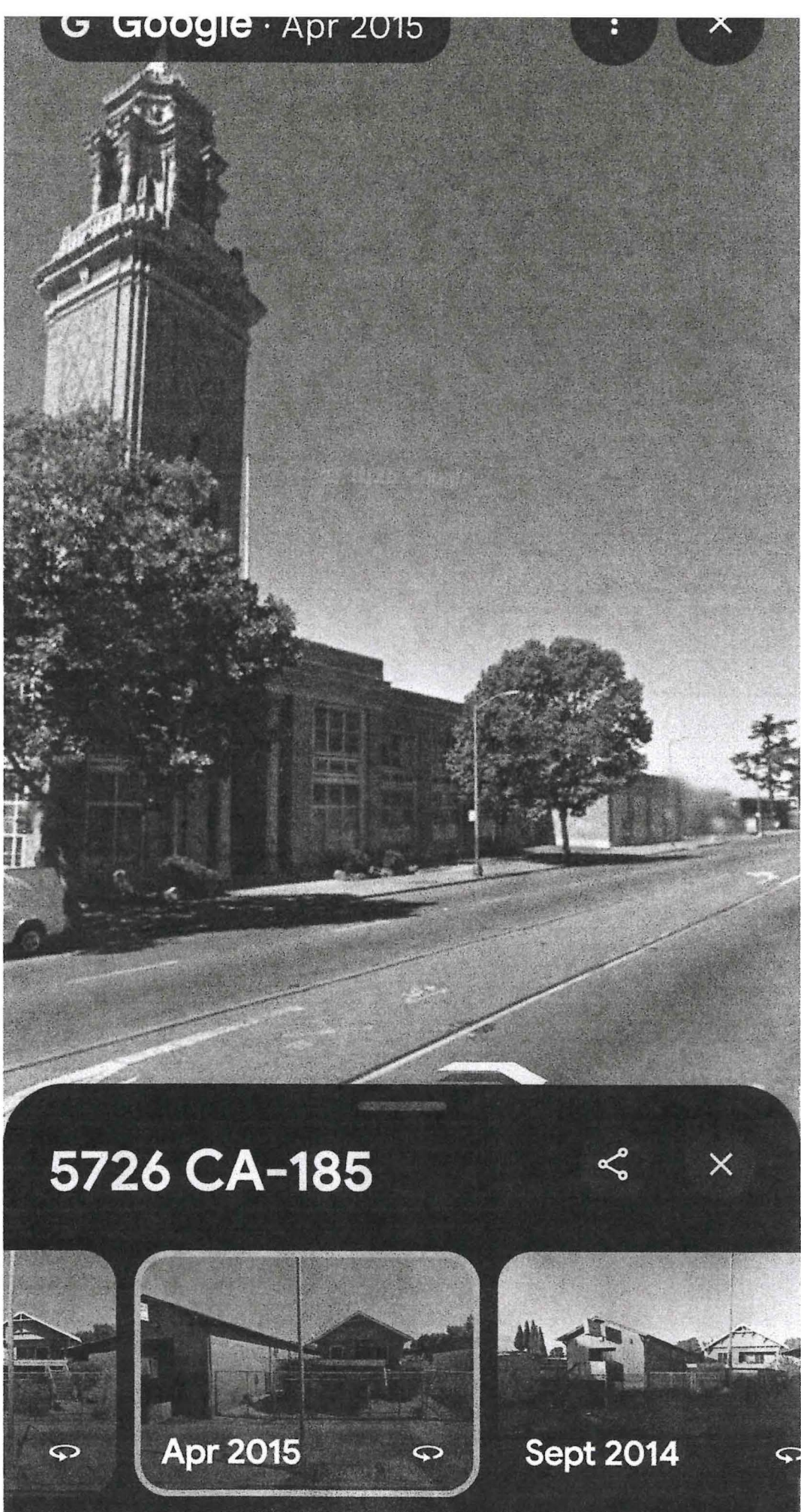
A yearly increase of 10% is just too much. I don't get yearly raises at work and can't afford such a high yearly increase.

Sincerely,



Gerardo Chow

000063



Evidence
#1.1

000064

#1.2



5726 CA-185



Apr 2015



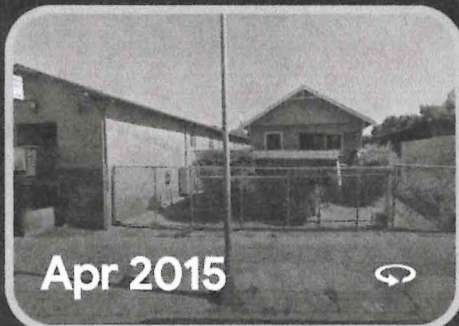
Sept 2014

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#1.3



5726 CA-185



Apr 2015

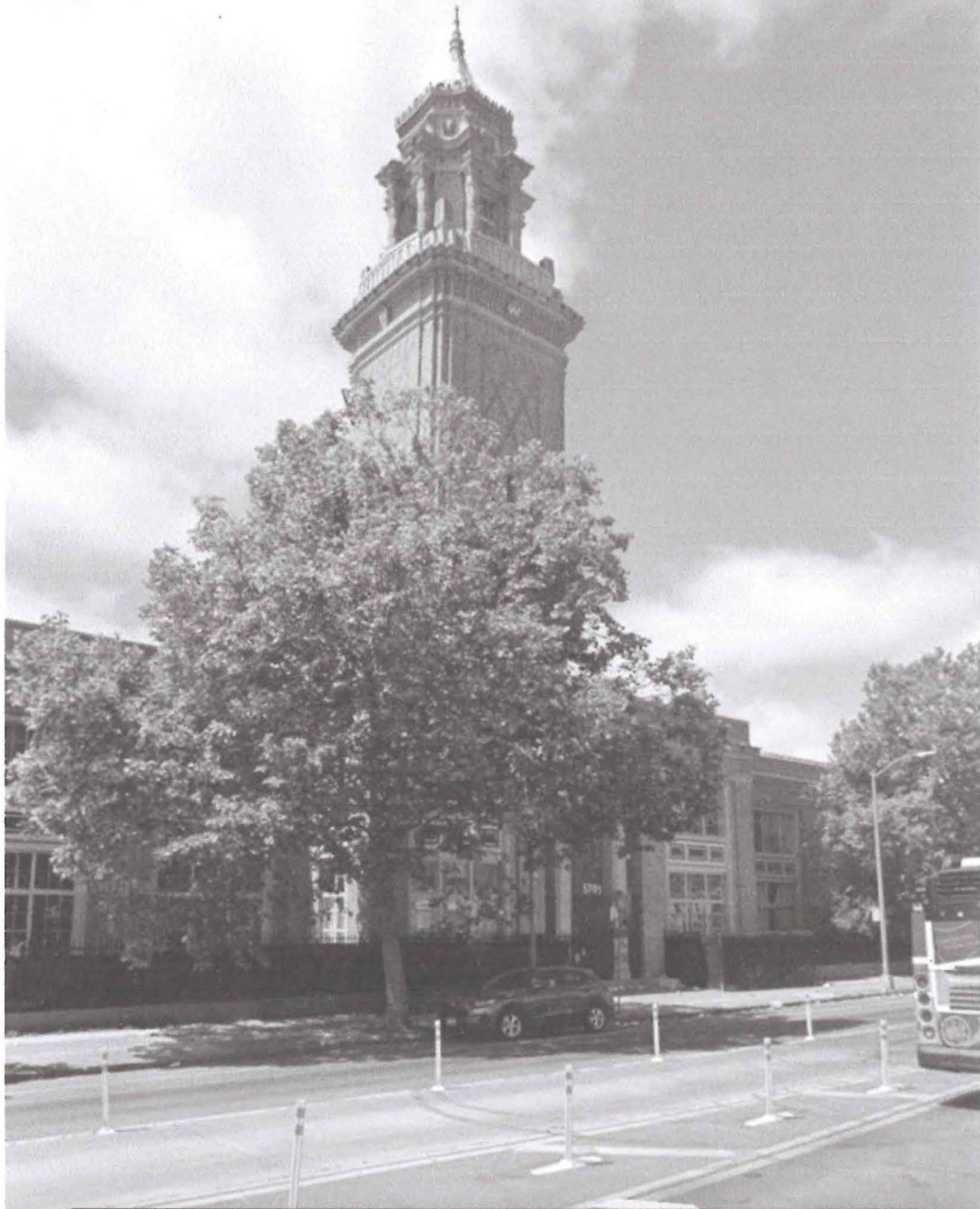


Sept 2014



000066

*Evidence
14*



5726 CA-185



May 2025



July 2024



000067

#1.5



5726 CA-185



May 2025



July 2024



000069

#1.6



5726 CA-185



May 2025



July 2024



000070

Evidence # 2a)

COMMERCIAL LEASE AGREEMENT
5725 International Blvd.

This lease, dated March 15, 2013, is between COLISEUM ENTERPRISES, LLC ("Landlord") and
Gerardo L. L. & L. L. (Hew) ("Tenant")

1. PREMISES

(a) Landlord hereby leases to Tenant, and Tenant hereby hires from Landlord those certain premises (the "Premises") are identified as # 15b on the 2nd floor of building known as 58th Ave. Studios (the "Building"), which is located at 5725 International Blvd., Oakland, ca 94621

(b) The net rentable area of the Premises has been and shall continue to be determined in the accordance with the standards applied to full floor users as of the date of this Lease by the Building Owners and Managers Association International.

(c) This Lease is subject to and conditioned upon all of the terms, covenants and conditions set forth herein, and Tenant covenants as a material part of the consideration for this Lease and as a condition hereof to keep and perform each and all of said terms, covenants and conditions.

2. USE OF PREMISES

Lessee shall use and occupy the Premises only for office, storage, and other commercial uses. Lessee shall not use or permit the use of the Premises in a manner that creates waste or nuisance, or that disturbs owners and/or occupants of, or causes damage to, neighboring premises or properties. The uses must conform to permissible uses consistent with the zoning classification of the building. The Lessee shall not use any hazardous substances in the operation of their business or studio in violation of any applicable law. Lessee is specifically prohibited from hosting art "openings" or "exhibits" of any kind whatsoever at the premises without written permission of the Lessor.

3. TERM

The term of this Lease shall be a six month lease commencing on April 1, 2013
And will be for a term length of six months concluding on October 31, 2013

4. POSSESSION

If the Landlord, for any reason whatsoever, cannot deliver possession of the Premises to Tenant at the commencement of the term hereof, this Lease shall not be void or voidable, nor shall Landlord be liable to Tenant for any loss or damage resulting there from, but in that event all rent shall be abated during the period between commencement of the term and the time when Landlord delivers possession. In the event that Landlord shall permit Tenant to occupy the Premises prior to the commencement date of the term, such occupancy shall be subject to all provisions of this Lease.

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Tenant agrees to indemnify Landlord and hold Landlord harmless from and against any and all claims, demands, losses, liabilities, lawsuits, judgments, and costs and expenses (including without limitation reasonable attorneys' fees) with respect to any leasing commission or equivalent compensation alleged to be owing on account of Tenant's dealings with any real estate broker or agent other than that specified herein.

(n) Exhibits: Exhibit A (Plan Outlining the Premises) and Exhibit C (Rules and Regulations), are attached to this Lease and by this reference and made a part hereof.

IN WITNESS HEREOF, this Lease has been executed as of the date set forth at the beginning hereof.

LANDLORD:

TENANT(S):

COLISEUM ENTERPRISES
A California LLC

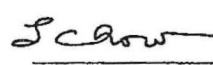
Signature	Date	Signature	Date
	3-20-2013		3/30/2013
		Signature	Date
			3/30/2013

EXHIBIT A

RULES AND REGULATIONS

Tenant agrees to the establishment of, and shall abide by, the following Rules and Regulations

000072

#2.3

Live/Work Lease Addendum

Coliseum Enterprises, LLC ("Landlord/Lessor") and Gerardo Chow ("Tenant/Lessee") are parties to a commercial lease agreement ("the Lease") for 5725 International Blvd, Unit 15B, Oakland, California, 94621 ("the Premises"). The parties agree and acknowledge that the legal use for the Premises has been changed from commercial to live/work. Accordingly, the parties agree that paragraph 2 of the Lease is deleted and replaced with the following:

Paragraph 2

USE OF THE PREMISES. The Premises are zoned and licensed for use as Residential-Oriented Joint Living Work Quarters ("JLWQ"). RESIDENTIALLY-ORIENTED JLWQ is a single-tenant space combining working and living uses with or without interior walls where the residential use is the same as a use that by itself would be classified as a Group R, Division 1 Occupancy (excluding hotels, motels, and care facilities), and where the work use, by itself, is no more hazardous than that which is normally permitted in residential facilities, and the work use is the same as one that by itself would be classified as a Group B Occupancy (excluding drinking and dining establishments and food handling activities with on-site food sales and excluding certain business occupancies similar to animal hospitals, kennels, pounds; automobile and other motor vehicle showrooms; banks; car washes; civic administration; outpatient clinic and medical offices; dry cleaning or laundry pick-up and delivery stations and self-service; work classified as Group F, Division 2 Occupancies, when the scale and intensity of the activity is limited may be permitted if a request in approved form and content for alternate materials, design and methods of construction is submitted to and approved by the Building Official. A Residentially-Oriented JLWQ consists of a Designated Residential Area and a Designated Work Area. Tenant agrees to abide by all statutes, ordinances, governmental rules and governmental regulations regarding Residential-Oriented JLWQ use.


1/13/2019

Evidence
2.4

2013



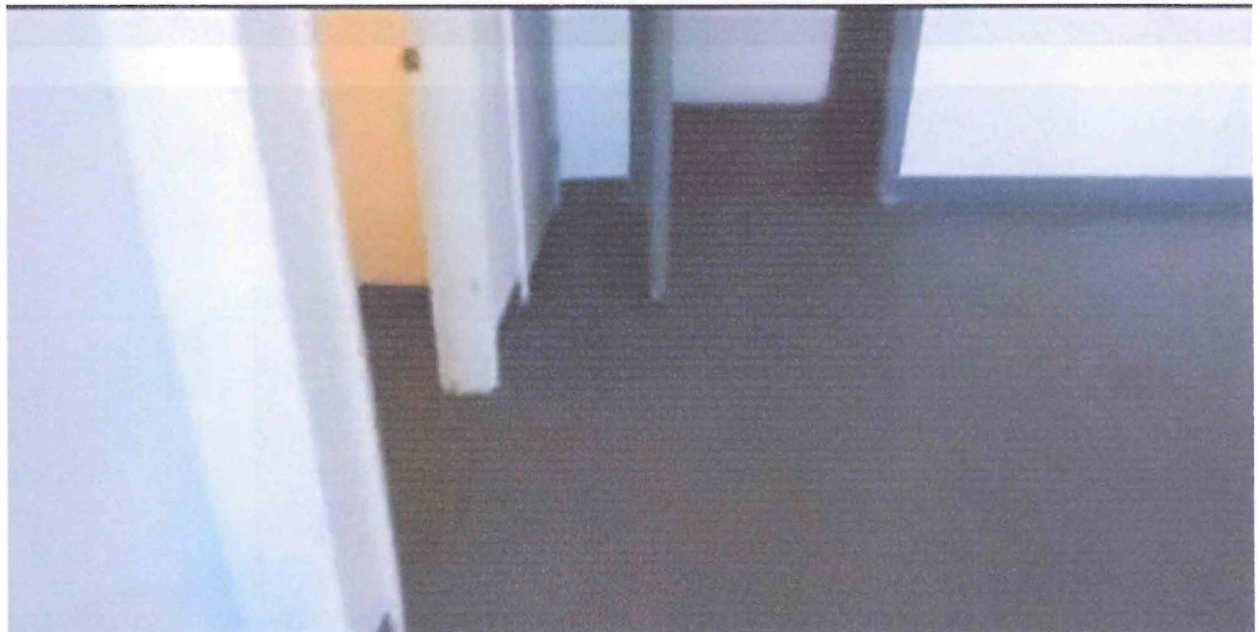
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2013



2013

#Pill



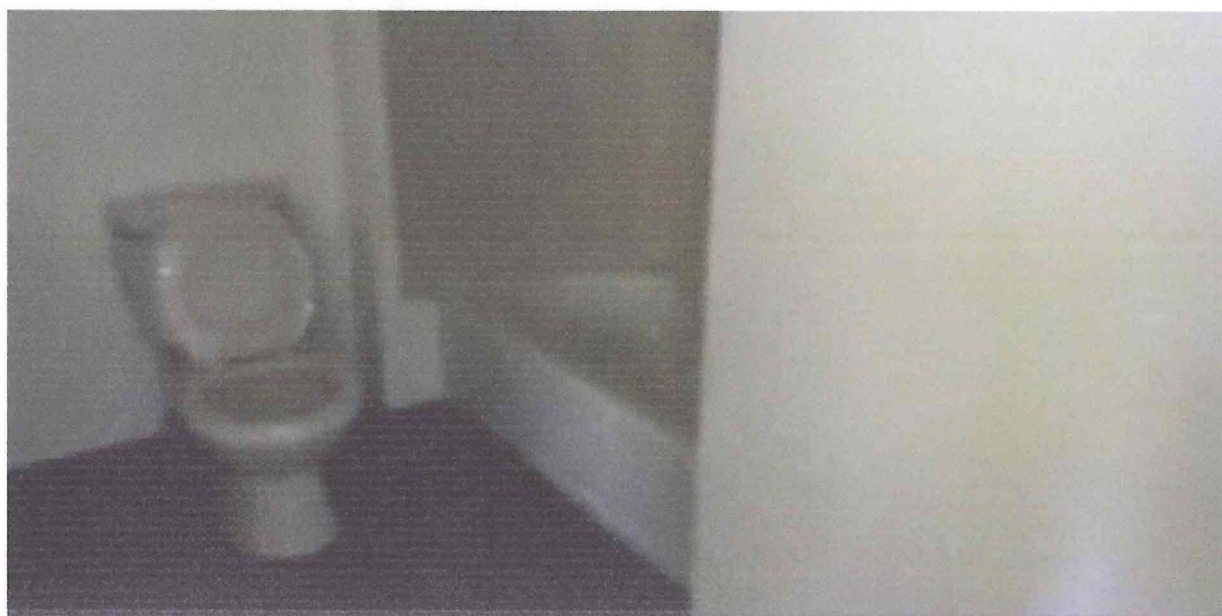
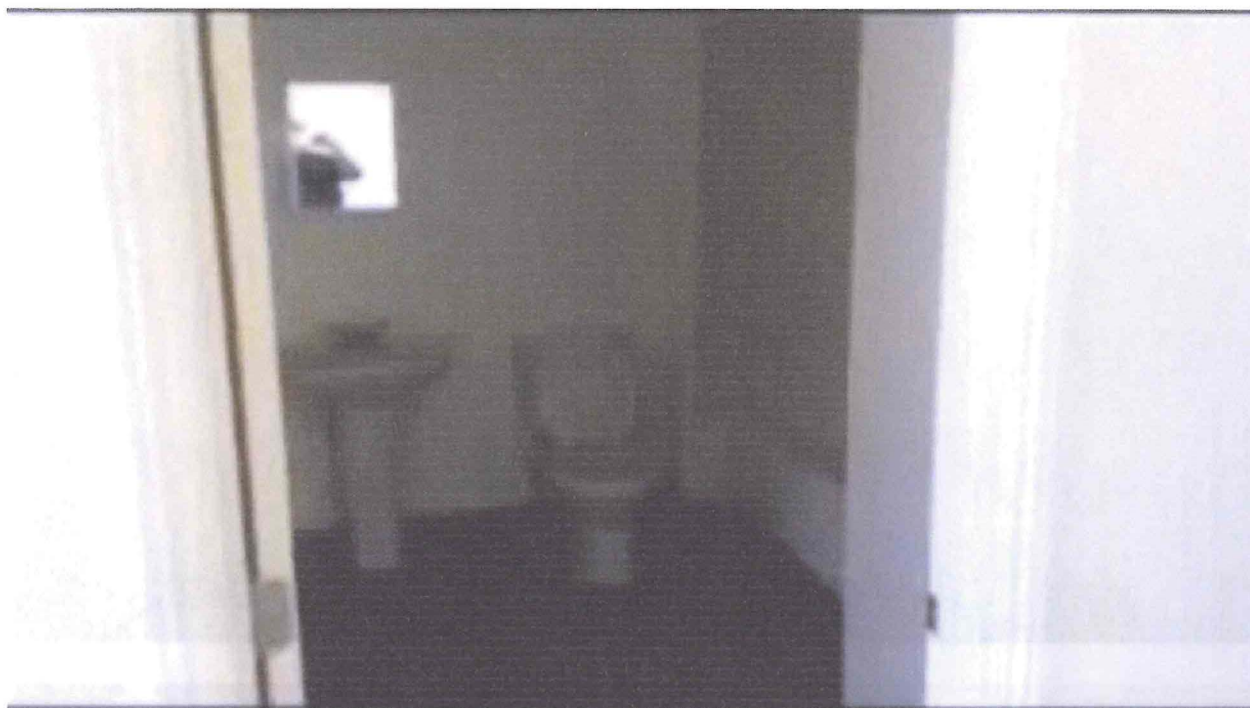
2020

#27



2013

A2.8

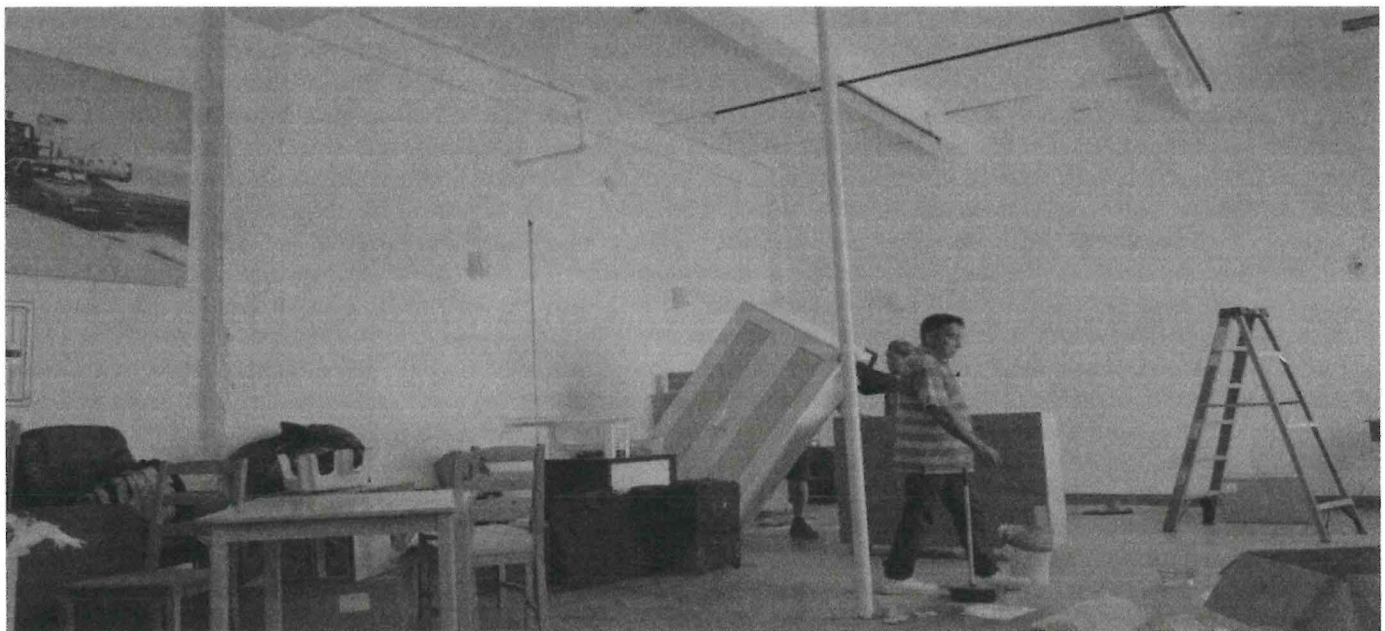


#2.9

2013



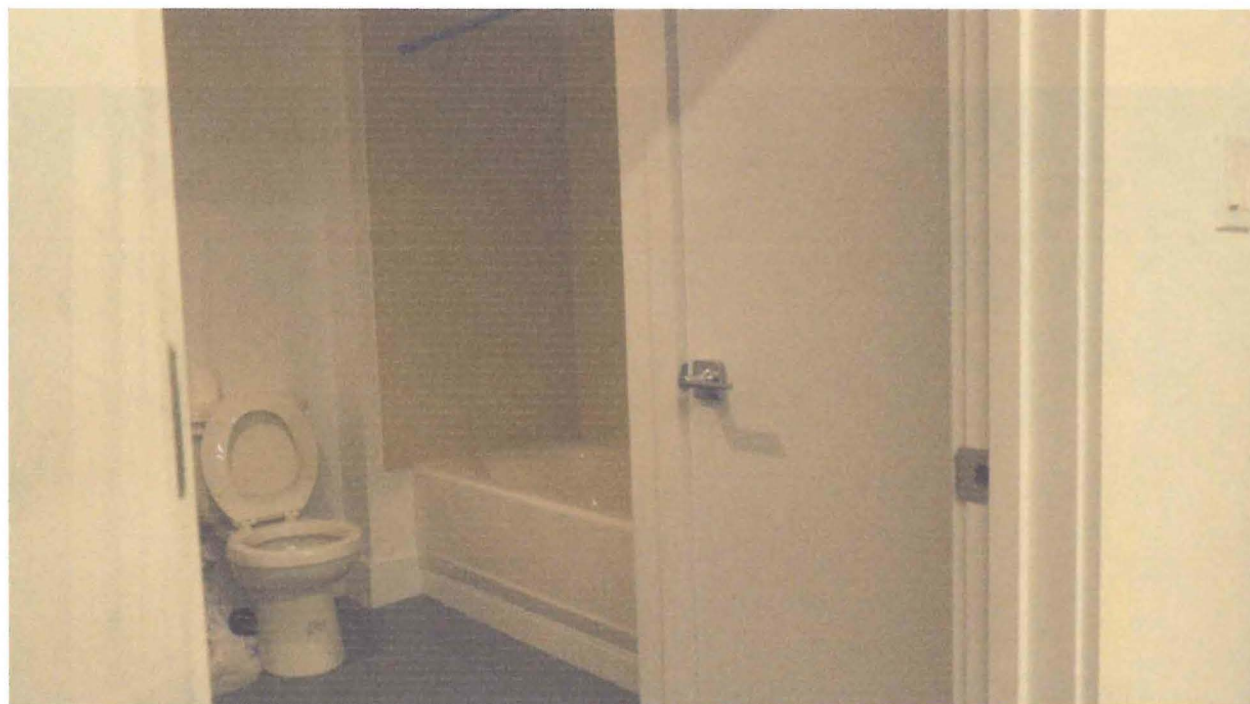
012 # 6102



000080

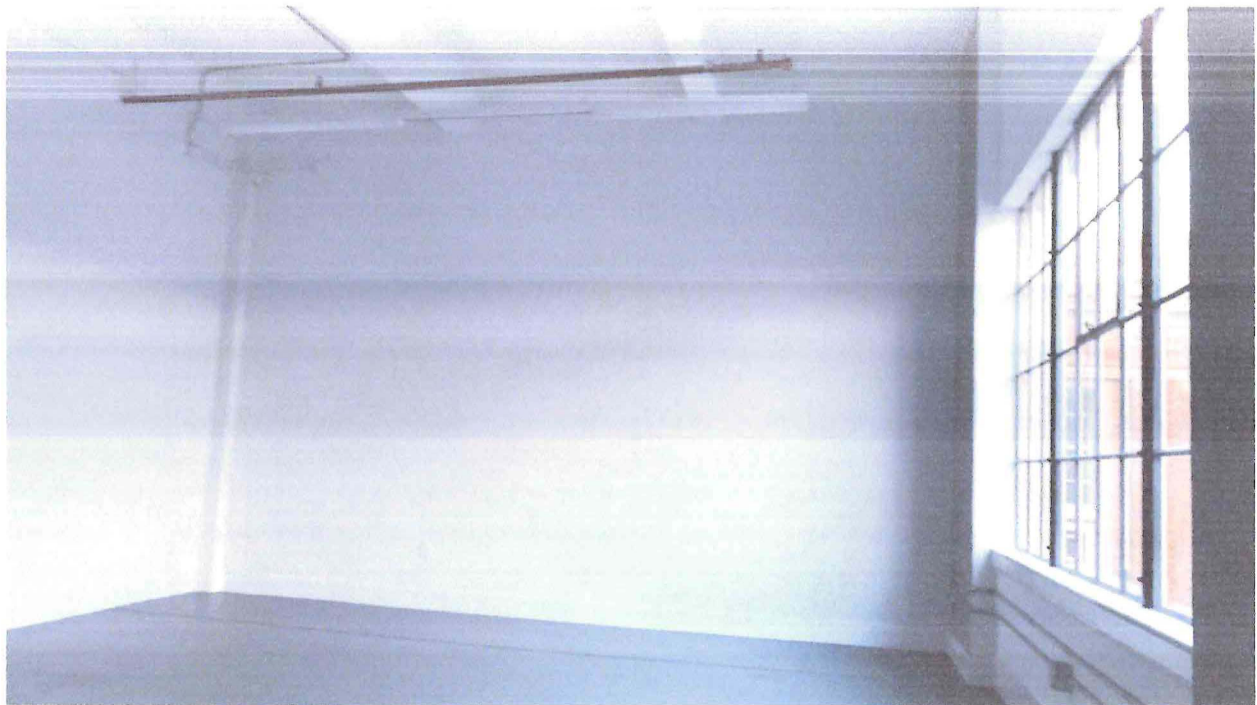
#2.11

2020



2020

#212



2020

#2.13



2020

#2.14



Evidence #2.15

26 Record results matching your search results.

Click any of the results below to view more details.

Showing 1-20 of 26 | Download results

☐	File Date	Status	Record Number	Record Type	Address	Description	Action	Short Notes
☐	07/23/2024	Issued	B2402596	(B) - Building Alteration - 3+ Residential Units or Commercial (Building)	5701 INTERNATIONAL BLVD, Oakland CA 94621	Minor Interior Improvements to 7 (of 18 Existing Legal/Live/Work Units (on the 2nd Floor of an existing two-story building. Work shall be performed within Units 4, 6, 7, 9, 11, & 15. Scope of work includes (1) Removal of interior non-bearing walls, (2) Relocation of existing water heater units, (3) Installation of a new window in Unit #11, (4) installation of new Interior Doors, added on 7/8/25 per scope of approved set (5) Repair/Replace existing non-serviceable/broken skylights with new ones.		
☐	07/17/2024	Complete	BW24002428	(BW) - Building Worksheet (Building)	5701 INTERNATIONAL BLVD, Oakland CA 94621	Minor Interior Improvements to 7 (of 18 Existing Legal/Live/Work Units (on the 2nd Floor of an existing two-story building. Work shall be performed within Units 4, 6, 7, 9, 11, & 15. Scope of work includes (1) Removal of interior non-bearing walls, (2) Relocation of existing water heater units, (3) Installation of a new window in Unit #11, (4) installation of new Interior Doors.		

Evidence # 2.16a

aca-prod.accela.com/OAKLAND/Cap/CapHome.aspx?module=Building&TabName=Building&TabList=Home%7C0%7CBuilding%7C1%7CPlanning%7C2%7CE...					
☐	09/16/2018	AMP Approved	AMR1800161	Residential A ternate Method Request	5701 INTERNATIONAL BLVD, Oakland CA 94621 Legalize 21 live-work units and add 38 new live-work units within the footprint by building 2,739 sq.ft. of new mezzanines. To abate. #1402711, AMMR for Type 3A non-load bearing exterior wall with regular wood construction.

000086

Evidence #2.166

CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA · 2ND FLOOR · OAKLAND, CA 94612

Planning and Building Department

www.oaklandca.gov

PH: 510-238-3891

FAX: 510-238-2263

TDD: 510-238-3254

CERTIFICATE OF OCCUPANCY

Finalled on 8/30/2021

Permit Number: B1606143

Job Site Address: 5701 INTERNATIONAL BLVD BLDG A, Oakland, CA 94621

Parcel Number: 041 384800401

Project Description: Legalize 21 live-work units and add 38 new live-work units within the footprint by building 2,739 sq.ft. of new mezzanines. To abate. #1402711 per PLN17431

Related Permits: AMR1700128, AMR1800161, E1702051, M1701147, P1701668

Owner Name and Address: COLISEUM ENTERPRISE LLC
665 3RD ST, SAN FRANCISCO, CA 94107-1968

Building Use: Live/Work Per JLWQ

Type of Construction 1: IIIB - Combustible Construction; 2 Hour Exterior

Type of Construction 2: _____

Occupancy 1: R-7 Live / Work JLWQ

Occupancy 2: S-2 Storage / Low Hazard

Number of Stories: 0 Number of Dwelling Units: 0

Fire Sprinklers Provided: Yes: X No: _____ Reason for Fire Sprinklers: Building Code Requirement (Chapter 9)

Total Number of Parking Spaces _____ Design Occupant Load: N/A

CBC Edition: 2013 Ordinance: 13252

Building code Variances: Combustible exterior wall Zone: CN-3; IG/S-19

SEE ATTACHED FLOOR PLAN

BUILDING OFFICIAL: Deborah Sandercock

THIS BUILDING HAS BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE REFERENCED CODES AND ORDINANCES FOR THE OCCUPANCIES AND THE USES DESCRIBED ABOVE, AND OCCUPANCY OF THE PREMISES ONLY FOR SAID PURPOSES IS HEREBY AUTHORIZED.

THIS CERTIFICATE SHALL NOT BE CONSTRUED AS AUTHORITY TO VIOLATE, CANCEL, ALTER, OR SET ASIDE ANY OF THE PROVISIONS OR REQUIREMENTS OF ANY LAWS OR CITY OF OAKLAND ORDINANCES NOR SHALL SUCH ISSUANCE THEREAFTER PREVENT REQUIRING CORRECTIONS OF ERRORS OR OF VIOLATIONS OF SAID REGULATIONS, THIS CERTIFICATE IS NOT A LICENSE.

A re-issued certificate of occupancy is not a new certificate of occupancy for the purposes of exemption from any state or local law that provides protections to residential tenants such as rent control or eviction control

By: Tim Low Date Issued: 3/13/2023

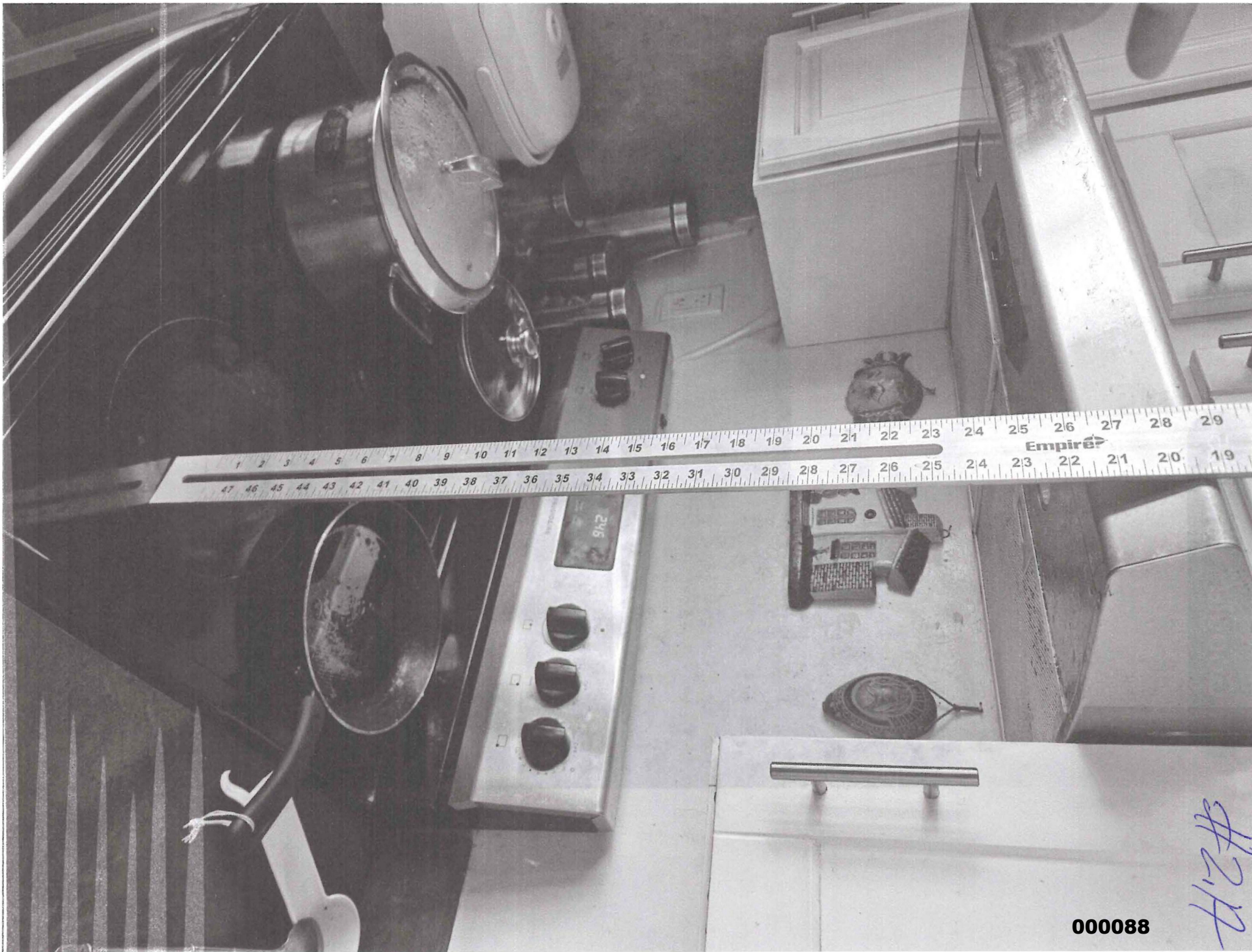
INSPECTION SERVICES MANAGER

Copies: ☐ Owner ☐ Assessor ☐ Microfilm ☐ *Business License

3/13/2023

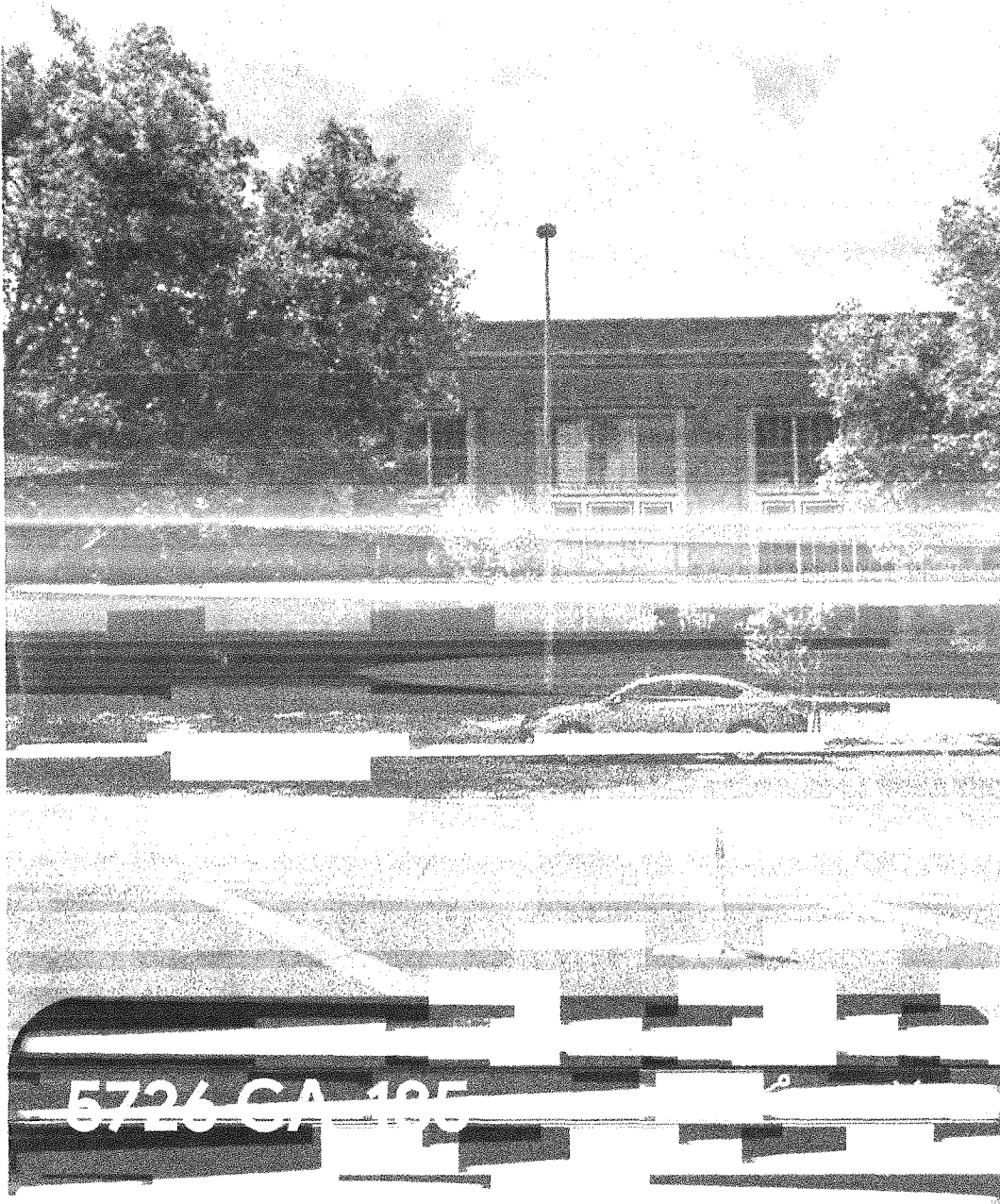
000341

000087



000088

42.17





Evidence # 3.1
Gerardo Chow <gwohcs@gmail.com>

Unit 15 @ 5725 International Blvd

Tony Collins <tony@laphamcompany.com>
To: Gerry Chow <gwohcs@gmail.com>

Mon, Feb 3, 2020 at 10:47 AM

Hi Gerry-

Actually, the new unit # is 44 not 15. I was not aware that the layout and numbering had substantially changed.

4:30 on the 13th is fine.

Thanks!

Tony Collins
Lapham Company, Inc.
01962008
4844 Telegraph Ave
Oakland, CA 94609
510.594.7600 ext 108

On Jan 31, 2020, at 6:04 AM, Gerry Chow <gwohcs@gmail.com> wrote:

[Quoted text hidden]

000090

Evidence # 4.1

Showing 11-18 of 18 | Download results

☐	Filed Date	Record Number	Record Type	Address	Description	Project Name	Status	Short Notes
☐	08/18/2009	0905205	Enforcement/Private Property/Facility Complaint/Blight	5725 INTERNATIONAL BLVD, OAKLAND CA	VACANT PROPERTY WITH OVERGROWN VEGETATION	Enforcement Record	No Violation Found	VACANT PROPERTY WITH OVERGROWN VEGETATION
☐	07/27/2007	0705957	Enforcement/Private Property/Facility Complaint/Blight	5725 INTERNATIONAL BLVD, 3, OAKLAND CA	TENANT COMPLAINT: NO SITE MGR. TRASH & DEBRIS PIGEON DROPPING COMPLAINT ON UNIT 1341 58TH AVE.	Enforcement Record	Abated	TENANT COMPLAINT: NO SITE MGR. TRASH & DEBRIS PIGEON DROPPING COMPLAINT ON UNIT 1341 58TH AVE.
☐	08/15/2006	0605718	Enforcement/Private Property/Facility Complaint/Blight	5725 INTERNATIONAL BLVD, OAKLAND CA	CERTIFICATE OF OCCUPANCY INSPECTION	Enforcement Record	Violation Verified	CERTIFICATE OF OCCUPANCY INSPECTION
☐	04/12/2006	0602394	Enforcement/Private Property/Facility Complaint/Housing	5725 INTERNATIONAL BLVD, OAKLAND CA	BROKEN/MISSING WINDOW, TRASH/DEBRIS/GARBAGE/RECYCLABLES	Enforcement Record	Open	BROKEN/MISSING WINDOW, TRASH/DEBRIS/GARBAGE/RECYCLABLES
☐	10/11/2002	0208580	Enforcement/Private Property/Facility Complaint/Housing	5725 INTERNATIONAL BLVD, OAKLAND CA	BACK STAIR WELL IS UNSAFE	Enforcement Record	Abated	BACK STAIR WELL IS UNSAFE
☐	12/03/2001	0109917	Enforcement/Private Property/Facility Complaint/Housing	5725 INTERNATIONAL BLVD, OAKLAND CA	NO HEAT/RESIDENTS ARE HOMELESS SHELTER AND STAFF	Enforcement Record	Abated	NO HEAT/RESIDENTS ARE HOMELESS SHELTER AND STAFF
☐	05/19/1999	9904953	Enforcement/Private Property/Facility Complaint/Housing	5725 INTERNATIONAL BLVD, OAKLAND CA	HOMELESS SHELTER, NO SMOKE DETECTORS, RECENT FIRES; 3. INADEQUATE RESTROOMS.	Enforcement Record	Non-Actionable	HOMELESS SHELTER, NO SMOKE DETECTORS, RECENT FIRES; 3. INADEQUATE RESTROOMS.
☐	06/18/1998	9804920	Enforcement/Private Property/Facility Complaint/Blight	5725 INTERNATIONAL BLVD, OAKLAND CA	HOMELESS SHELTER - BATHROOMS DIRTY AND UNSANITARY CONDITIONS. WANTS SOMEONE TO INVESTIGATE	Enforcement Record	Closed	HOMELESS SHELTER - BATHROOMS DIRTY AND UNSANITARY CONDITIONS. WANTS SOMEONE TO INVESTIGATE

#4.2

NEWS

First 'green' homeless shelter opens



Wendy Jackson, Executive Director of the East Oakland Emergency Project, stands on top of the organization's new homeless shelter on International Boulevard in Oakland.



By **BARBARA GRADY** | Bay Area News Group

UPDATED: August 17, 2016 at 4:09 AM PDT

OAKLAND — After eight years of fundraising, pleading, planning and building, Alameda County's largest homeless shelter will reopen today in a newly built ecologically "green" shelter on International Boulevard.

000092

With solar panels supplying electricity and water-based hydronic heaters warming rooms in the 125-bed shelter, the Crossroads building of the East Oakland Community Project is said to be the first "green" homeless shelter in the nation. It replaces a cold, damp and leaky building up the road on International that has been housing homeless for the past 17 years.

"You'll wake up here and feel good because it's an environment that is healthy. We are asking our people to deal with some heavy issues, so it is best that we support their health," said Wendy Jackson, executive director of the East Oakland Community Project.

"Many of the clients are ill, about 60 percent are ill, often with chronic diseases of asthma, diabetes, so we wanted to do whatever we can to make this as healthy an environment as possible," she said. The building, with high windows for natural light and walls painted with a green paint that does not emit toxins, has an airy, good feel to it.

Over at EOCP's 17-year-old shelter at 5725 International Blvd., resident Bobby Ross said he's excited about moving to the new place.

"It's going to be beautiful there, and we need to get out of here. It's freezing in here and the roof leaks," he said.

Chester Featherson is one client who is sick with the flu and a chronic cough. He carries a briefcase full of cold medicines, tissues and hand cleaners which he said he gives to others at the shelter who are sick, too. Bundled up in a jacket, sweatshirt and shirt, he said "I'll be glad to not wear so many layers," at the new building which should be warmer.

The new Crossroads shelter has other firsts besides being the nation's first green shelter.

It'll be the first in Alameda County with a respite wing for people who have been released from the hospital but with nowhere to go. Now, homeless people who are hospitalized and return back to the streets have a good chance of succumbing to further illness.

It also has a family wing with bathtubs in each of five units.

"Our little guys don't like to take showers," much less take showers with strange adults next to them, as they must do at the homeless shelter up the street. "The idea is to keep families intact, and let people preserve their dignity."

On any given night, about 6,200 people go homeless in Alameda County — and about 16,000 experience homelessness sometime in a year in the area.

Families make up 43 percent of the county's homeless population and children about 28 percent, Jackson said.

In some of those families the breadwinner lost his or her job and then fell behind on rent and was evicted. In other cases, families are running from abusive situations at home.

The new shelter cost \$11 million to build and was funded by the U.S. Department of Housing and Urban Development and Housing Opportunities for Persons with AIDS program; the Alameda County Health Care Services Agency; the City of Oakland Community Development Block Grant program; the California Emergency Housing Assistance Program, and some private foundations, including StopWaste.org, the Evelyn and Walter Haas Jr. Fund and Y & H Soda Foundation. The grand opening is today from 4 to 6 p.m. at its 7515 International Boulevard location.

Originally Published: January 24, 2008 at 4:30 PM PST

 The Trust Project 

2008 > January > 24

[Skip to main content](#)

Oakland, CA

 NextRequest*Evidence #5.1*

Request 25-9535 Open

Dates

Due

September 29,
2025

Received

September 17,
2025 via web

Request

I would like all Certificates of Occupancy for these two addresses:

5725 International Blvd. Oakland, CA. 94621

5701 International Blvd. Oakland, CA. 94621

Please and thank you.

Timeline

Documents

All documents



1-0 / 0

Folders

Filter by folder name

filter by folder name

All Documents

Documents not in folders



0 / 0 results in 'All Documents'

Filter by document name

filter by document name

☐ Select all

No more documents on this request

Staff assigned

Departments

Planning &
Building

Point of contact

Planning &
Building Records

#5.2

Rent Registry

Effective March 1, 2023, rental property owners of units subject to this requirement are required to annually report certain information about their units to the City, as outlined in Section 8.22.530.⁸ In 2025, rental property owners were required to complete and submit the registration form to the City on or before March 3, 2025. Likewise, property owners of covered units who fail to comply with the registration requirement substantially will forfeit six (6) months of the rent increase sought unless the owner cures the failure to register.

A rental property owner may cure the failure to register required by this Section and not be subject to a forfeiture of a rent increase if the rental property owner substantially complies with the registration requirement six (6) months prior to serving the rent increase notice on the tenant or, in the case of an owner petition, at least six (6) months prior to filing the petition.

There is no evidence that the rent registration for the subject property was completed in 2023, 2024, or 2025. Accordingly, it is undisputed that the Owner is not entitled to any rent increase after July 1, 2023, and continuing until the Owner complies for more than six months. Therefore, any rent increases with an effective date after July 1, 2023, to the present are invalid on that basis as well.

Accordingly, the 2024 and 2025 rent increases are invalid, and the legal rent for the subject unit remains \$960.00.

ORDER

1. Petition T25-0119 is granted.
2. The total base rent for the subject units remains \$960.00.
3. If the tenant paid the increased amount, the parties are instructed to calculate the amount of restitution to rent overpayments and deduct the credit amount in six monthly installments from the tenant's monthly rent over the next six months.
4. The Remote Settlement Conference and Hearing, scheduled for September 15, 2025, is canceled.

⁸ O.M.C. Section 8.22.510.

#53

NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland has a Rent Adjustment Program (“RAP”) that limits rent increases (Chapter 8.22 of the Oakland Municipal Code) and covers most residential rental units built before 1983. For more information on which units are covered, contact the RAP office.
- **Tenancy Registration Required.** Starting in 2023, the tenancy data for this unit must be **registered annually with RAP**. In 2024, the deadline to register is **July 1, 2024**. Starting in 2025, the annual deadline to register is **March 1**. Please note that if your tenancy began after March 1, the owner will not be required to register until the following year. Failure to register a tenancy with RAP by March 1 will disallow an owner from: 1) filing a rent increase petition, 2) serving a rent increase, and/or 3) answering a tenant petition. Failure to register is also an affirmative defense in most eviction actions even if the owner has “just cause” to evict.
- Starting on February 1, 2017, an owner must petition the RAP for any rent increase that is more than the annual general rent increase (“CPI increase”) or allowed “banked” rent increases. These include, but are not limited to, capital improvements and operating expense increases. For these types of rent increases, the owner may raise your rent only after a hearing officer has approved the increase. No annual rent increase may exceed the maximum increase which changes annually with a 10% cap. You have a right to contest the proposed rent increase by responding to the owner’s petition.
- **Contesting a Rent Increase:** You can file a petition with the RAP to contest unlawful rent increases or decreased housing services. To contest a rent increase, you must file a petition (1) within ninety (90) days of the notice of rent increase if the owner also provided this Notice to Tenants with the notice of rent increase; or (2) within 120 days of the notice of rent increase if this Notice to Tenants was not given with the notice of rent increase. If the owner did not give this Notice to Tenants at the beginning of your tenancy, you must file a petition within ninety (90) days of first receiving this Notice to Tenants. Information. The petition forms are available from the website at [Rent Adjustment Program Petition and Response Forms](#).
- If you contest a rent increase, you must pay your rent with the contested increase until you file a petition. If the increase is approved and you did not pay the increase, you will owe the amount of the increase retroactive to the effective date of increase.
- Oakland has eviction controls (the Just Cause for Eviction Ordinance and Regulations, O.M.C. 8.22) which limit the grounds for evictions in covered units. For more information contact the RAP office.
- Oakland charges owners a Rent Program Service Fee per unit per year. If the fee is timely paid before March 1st of each year, the owner is entitled to get half of the fee from you in the same year the fee is paid. Tenants in subsidized units are not required to pay the tenant portion of the fee.
- Oakland has a Tenant Protection Ordinance (“TPO”) to deter harassing behaviors by landlords and to give tenants legal recourse in instances where they are subjected to harassing behavior by landlords (O.M.C. 8.22.600).
- The owner ___ is ___ is not permitted to set the initial rent on this unit without limitations (such as pursuant to the Costa-Hawkins Act). If the owner is not permitted to set the initial rent without limitation, the rent in effect when the prior tenant vacated was _____.

TENANTS’ SMOKING POLICY DISCLOSURE

- Smoking (circle one) IS or IS NOT permitted in Unit _____, the unit you intend to rent.
- Smoking (circle one) IS or IS NOT permitted in other units of your building. (If both smoking and non-smoking units exist in tenant’s building, attach a list of units in which smoking is permitted.)
- There (circle one) IS or IS NOT a designated outdoor smoking area. It is located at _____.

I received a copy of this notice on _____ (Date) _____ (Tenant’s signature)

此份屋崙(奧克蘭)市租客權利通知書附有中文版本。請致電(510) 238-3721 索取副本。

La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.

#6.1



000099

#6.2

000100

#6.3



000101

#6.9

Gerardo Chow <gwohcs@gmail.com>



Neighborly Reminder - Pet Waste & Handicap Parking

1 message

Alyc Hein <communications@twobliving.mailer.appfolio.us>

Fri, Sep 19, 2025 at 8:59 AM

Reply-To: Alyc Hein <633867b9b5e23a87ebdc74ef78873f94be0b5171296ba72b9fe45699fe88f2f2@twobliving.mailer.appfolio.us>

To: gwohcs@gmail.com

Good morning all,

After several complaints I need to send a building-wide message about 2 particular issues.

1 - Pet Waste: PICK UP AFTER YOUR PET. It is no one else's responsibility - not your neighbor, not the cleaners, and not our staff. If you cannot pick up after your own pet then you should not have it on the property.

2 - Handicap Parking: The handicap parking space is for HANDICAP citizens only. If you do not have a placard / license plate you can and will be towed WITHOUT NOTICE. We do not have to provide any notice what-so-ever to tow from a handicap parking space so I would suggest that everyone keeps that in mind!

Having said that, I hope that you all have a great day and a great weekend!!!

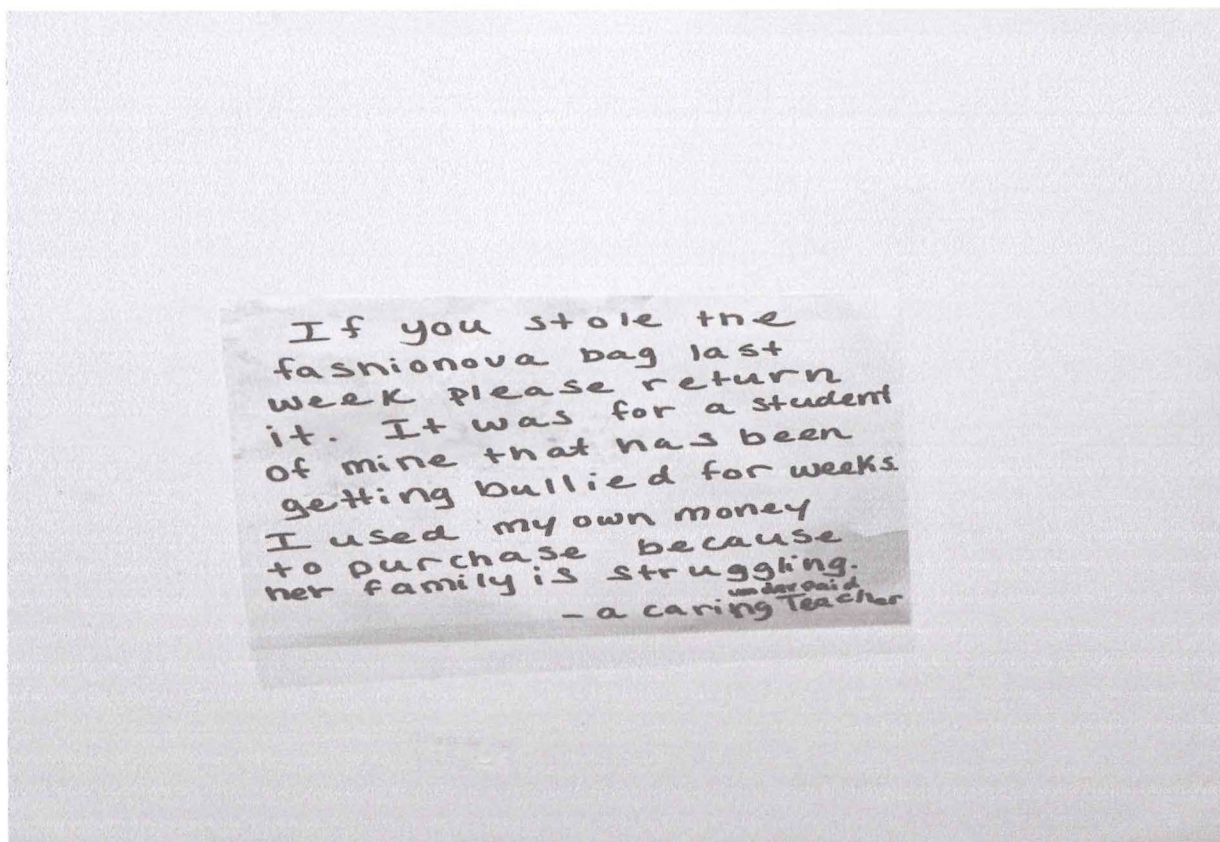
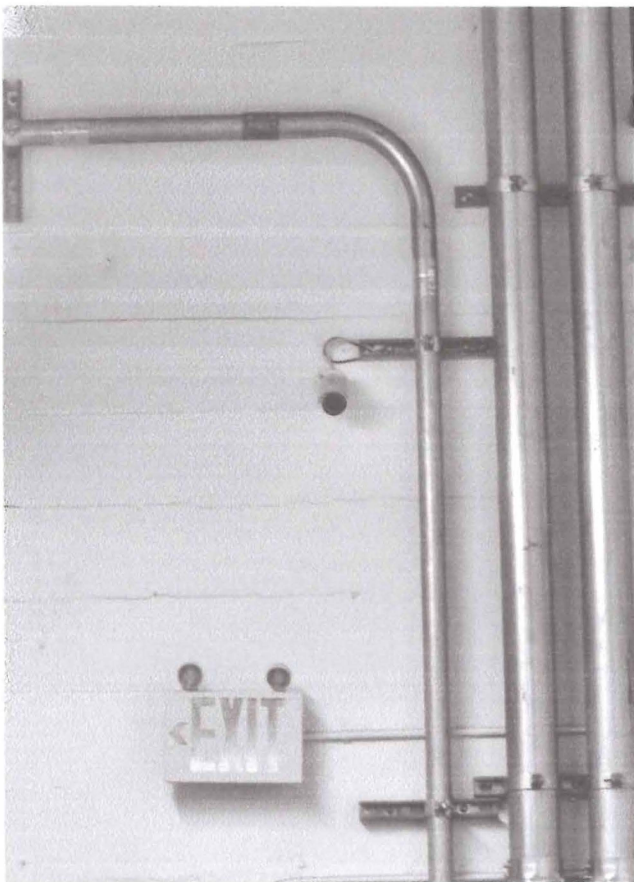
Alyc Hein

2B Living Property Management | Portfolio Manager

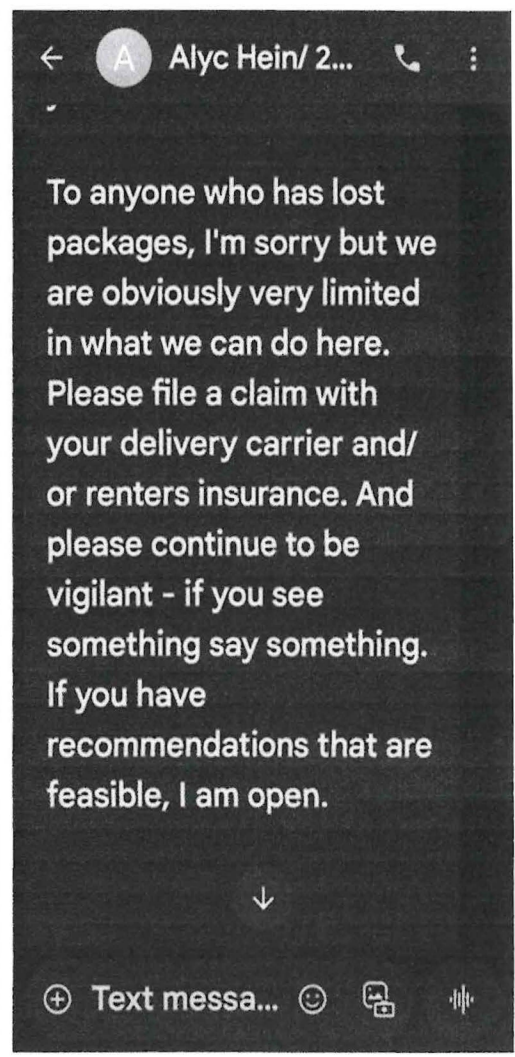
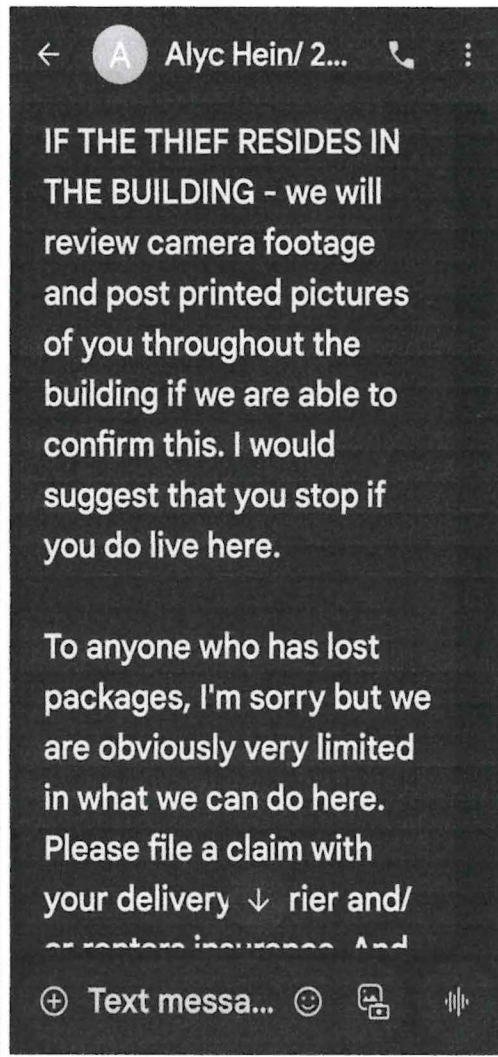
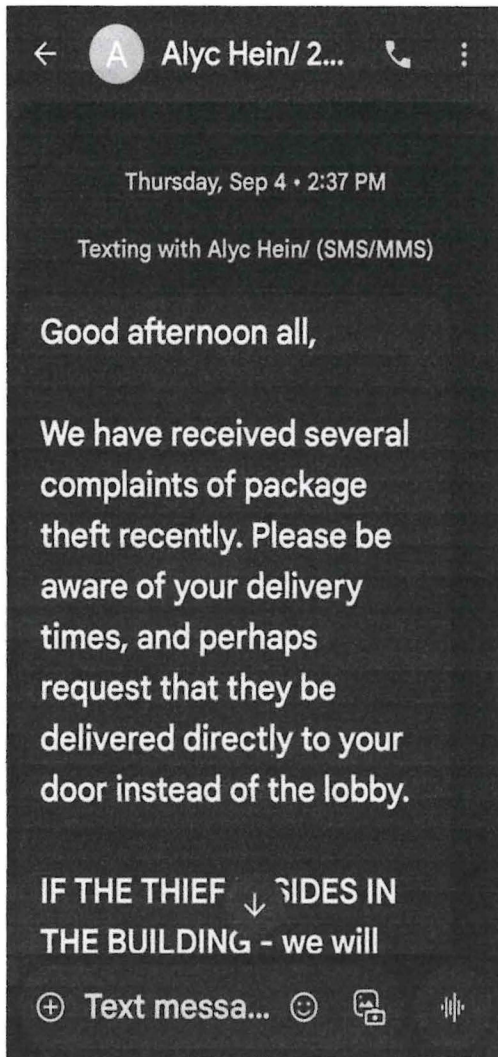
ahein@twobliving.com | 510-882-9286 (direct) | 650-641-2979 (after-hours emergency maintenance)

000102

Evidence #7.1



7.2



#8.1

≡ Gmail

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8 of 12 < > 📄 ▾



Gerardo Chow <gwohcs@gmail.com>
to Inc. ▾

Jun 30, 2025, 9:36 PM ☆ 😊 ↶ ⋮

Dear Alyc:

I spoke with a counselor at RAP (Rent Adjustment Program) and found out that this and past rent increase is not valid because it lacks proper documentation and the Costa Hawkins Rental Housing Act does not apply because I am the primary tenant still living in the unit.

The current calculated CPI rate increase is 2.3% and it requires documentation both from RAP(a waiting period of 6 months) and the landlord to the tenant with rent increase. I am willing to pay 2.3% from the 10% I have been charged and not file a petition. My rent with the 2.3% increase should be \$982.08, after paying \$1056 for the last 11 months that leaves me with \$813.12 credit for July and \$168.96 for August when the new calculated CPI will be 0.8% making my new rent \$989.88. So $989.88 - 168.96 = 820.92$ should be my rent due on Aug. after that \$989.88 Sept. on.

The whole building has to deal with living in one of the most dangerous neighborhoods in Oakland, my unit has been shot at, packages get stolen, intercoms don't work and also I have to deal with neighbors who think the common areas are the inside of their lofts with their dogs unleashed and nobody is doing anything to stop it.

I can file for a petition with RAP and wait for their hearing decision or we can come to a fair agreement. I don't mind a rent increase but 10% is too much, especially since now that I have to shoulder the whole amount of rent. I will wait for your reply until the 5th, hopefully we can come to an agreement by then. I don't want to be late on my rent, that only happened once when I was away and I thought I had taken care of it. Thank you for your understanding. I look forward to your reply.

✍️ Compose

- 📁 Inbox
- ☆ Starred
- 🕒 Snoozed
- 📌 Important
- ▶️ Sent
- 📄 **Drafts** 2
- 📁 Purchases
- 👤 **Social** 12
- 🕒 Updates
- 🗣️ Forums
- 📄 **Promotions** 164
- ▾ More

① Upgrade →

000105



CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp:

RECEIVED

OCT - 3 2025

OAKLAND RENT
ADJUSTMENT PROGRAM

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR PETITION (PLUS ANY ATTACHMENTS) ON THE PROPERTY OWNER PRIOR TO FILING YOUR PETITION WITH RAP. You must include a copy of the RAP form "NOTICE TO PROPERTY OWNER OF TENANT PETITION" (the preceding page of this petition packet) and a completed PROOF OF SERVICE form together with your Petition.

- 1) Use this PROOF OF SERVICE form to indicate the date and manner of service and the person(s) served.
- 2) Note: Email is not a form of allowable service on a party of a petition or response pursuant to the Ordinance.
- 3) Provide a completed copy of this PROOF OF SERVICE form to the person(s) being served together with the documents being served.
- 4) File a completed copy of this PROOF OF SERVICE form with RAP together with your Petition. Your Petition will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 10.02.2025 served a copy of (check all that apply):

☐ **TENANT PETITION** plus _____ attached pages (number of pages attached to Petition not counting the Petition form, NOTICE TO PROPERTY OWNER OF TENANT PETITION, or PROOF OF SERVICE)

☐ **NOTICE TO PROPERTY OWNER OF TENANT PETITION**

☒ Other: Response to Appeal and 39 pages

by the following means (check one):

☒ **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

///

///

///

PERSON(S) SERVED:

Name	Alyc Hein
Address	1626 El Camino Real
City, State, Zip	San Carlos CA, 94070

Name	
Address	
City, State, Zip	

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

Gerardo Chirre

PRINTED NAME

[Signature]

SIGNATURE

10/02/2025

DATE SIGNED

CHRONOLOGICAL CASE REPORT

Case No.: L25-0029

Case Name: CCC Property Management v. Tenants

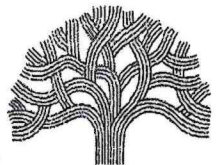
Property Address: 3751 Ardley Ave. Oakland, CA 94602

Parties: Owner - CCC Property Management
Owner Representative - John Tse
Tenant Representative - Sae Harshberger
Tenant - Nikone Rattanamongkitoun
Tenant - Somphane Mingsisouphan

OWNER APPEAL:

<u>Activity</u>	<u>Date</u>
Owner Petition filed	April 14, 2025
Owner Exhibits	April 29, 2025
Tenant Response filed	May 20, 2025
Administrative Decision mailed	August 14, 2025
Owner Appeal filed	September 2, 2025
Appeal Hearing Scheduled	October 23, 2025

L25-0029 EH/BJ



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

RECEIVED

APR 28 2025

**RENT ADJUSTMENT PROGRAM
OAKLAND**

**PROPERTY OWNER PETITION
FOR APPROVAL OF RENT INCREASE**

Please fill out this form as completely as you can. Rent increases based on anything other than the annual allowable CPI rate or banking must first be approved by the Rent Adjustment Program ("RAP") after a hearing. Failure to provide the required information may result in your petition being rejected or delayed. See the last pages of this petition packet ("Important Information Regarding Filing Your Petition") or the RAP website for more information. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR PETITION BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Rental Unit Information

3751	Ardley		Oakland, CA 94563
Street Number	Street Name	Unit Number	Zip Code
Is there more than one street address on the parcel? ☒ Yes ☐ No		If yes, list all addresses: 1583 E38th street	
Type of unit(s) (check one): ☐ Single family home ☐ Condominium ☒ Apartment, room, or live-work		Number of units on property: 3 Date acquired property: April 18, 2023	
Case number(s) of any relevant prior Rent Adjustment case(s):			

Property Owner Information

CCC Property Management	
First Name	Last Name
Company/LLC/LP (if applicable):	
Mailing address: 29 Orinda way #184, Orinda, CA 94563	
Primary Telephone: 9252593035	Other Telephone: Email: jtse.cnc@gmail.com

Property Owner Representative (Check one): ☐ No Representative ☐ Attorney ☐ Non-attorney

John	Tse	
First Name	Last Name	Firm/Organization (if any)
Mailing Address: 29 Orinda Way, #184 Orinda, CA 94563		
Phone Number: 925-818-4923	Email: jtse.cnc@gmail.com	

GENERAL FILING REQUIREMENTS

To file a petition, the property owner must be current on the following requirements and submit supporting documentation of compliance. Owner petitions that are submitted without proof of compliance with the below requirements will be considered incomplete.

Requirement	Documentation
X Current Oakland business license	Attach proof of payment of your most recent Oakland business license. Attach 1
X service fee ("RAP Fee") or evidence of exemption from the RAP Fee	Attach proof of payment of the current year's RAP Fee for the subject property or evidence of exemption from the RAP Fee (e.g., Certificate of Occupancy). Attach 2
X "NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM" ("RAP Notice") on all tenants	Attach a signed and dated copy of the <u>first</u> RAP Notice provided to the tenant(s) subject to this petition or check the appropriate box below*. X I first provided tenant(s) with the RAP Notice on (date): <u>May 2023</u> ☐ I have never provided a RAP Notice. Attach 3 ☐ I do not know if a RAP Notice was ever provided. *If RAP Notice was first provided on or after September 21, 2016, RAP Notice must be provided in English, Spanish, and Chinese. If petition applies to multiple tenants, please provide this information on a separate sheet for each tenant.
Evidence of registration for all affected cover units (check one of the following boxes) ☒ On <u>9/30/21</u>, I/we used all reasonable diligence in preparing my annual registration statement, reviewed it and submitted it to the Rent Adjustment Program, and, to the best of my knowledge, the information contained in the statement was true and complete. To the extent I was unable, despite the use of reasonable diligence, to ascertain the exact information to be reported, I provided the most accurate approximation possible based on information and belief where possible or, where such approximation was not feasible, I stated that the information was unknown. ☐ The subject property is exempt from the registration requirement	To support this declaration, I am providing: Attach 4 ☐ If property not registered online: Copy of the Property Registration and Residential Unit Registration forms submitted to RAP for the affected covered unit in the building. ☐ If property registered online: Copy of a document containing the registration data related to property registration and residential unit registration of the affected covered unit since the registration was done online. OR Declaration of Exemption: ☐ The residential property involved in this petition matter is not covered by either the city's Rent Adjustment Ordinance or the Just Cause Ordinance. Thus, the subject unit(s) are not subject to the registration requirements under the Oakland Municipal Code, Section 8.22.090.B.1.c.ii.

GROUNDS FOR PETITION

Select the grounds for this petition from the list below. Check all that apply. See column on the right for filing requirements and documentation to be submitted together with the petition. Petitions that lack adequate supporting documentation may be dismissed without a hearing. For a full description of each justification, see the Rent Adjustment Program Regulations at: <https://cao-94612.s3.amazonaws.com/documents/oak062857.pdf>.

Grounds	Description	Requirements
---------	-------------	--------------

☒ Capital Improvements	<i>Allows pass-through to tenant(s) of a portion of costs spent on qualifying capital improvements. Improvements must primarily benefit the tenant(s), and do not include repairs made as a result of deferred maintenance or serious code violations. Pass-through costs are limited to 70% of actual costs (plus interest), divided equally among all affected units, and amortized over a defined period of time based on the expected useful life of the improvement (see amortization schedule found in the Regulations).</i>	✓ Improvements meet the description of capital improvements set forth in the Regulations. ✓ Improvements completed and paid for within 24 months prior to petition filing date. ✓ Complete Worksheet A on page 4 of this petition. ✓ Attach documentation demonstrating the specific work done, date(s) of completion, full costs and proof of payment (such as invoices, receipts, estimates, cancelled checks, etc.), copies of any permits (indicating date(s) issued and finalized), and evidence of any reimbursement (such as insurance or subsidies). Documentation should be organized by type of improvement. Work limited to specific unit(s) should be distinguished from building-wide improvements.
☐ Uninsured Repair Costs	<i>Allows pass-through of costs for work done to secure compliance with state or local law as to repair damage resulting from fire, earthquake, or other casualty or natural disaster, to the extent not reimbursed by insurance proceeds. Calculated and applied like capital improvements.</i>	✓ Repairs completed and paid for within 24 months prior to petition. ✓ Insurance proceeds insufficient to cover full amount of required repair costs. ✓ Complete Worksheet A on page 4 of this petition. ✓ Attach documentation required for petitions based on capital improvements (see above), plus evidence of all insurance claims, estimates, and proceeds.
☐ Increased Housing Service Costs	<i>Allows a rent increase above the CPI where there has been an increase in the total of net operating costs related to the use or occupancy of the property. Calculated by comparing 2 most recent years of all net costs, averaged monthly and divided by the number of units and average gross monthly income. Replaces CPI increase for current year; applies to all units. Property tax is NOT considered a housing service cost.</i>	✓ Complete Worksheet B on page 5 of this petition. ✓ Attach documentation of ALL income and expenses* related to the subject property for the two most recent consecutive years (including all information requested by Worksheet B). Documentation of all expenses is required, not solely for expenses that have increased. Documentation should be organized by category and year. *Note: Expenses do not include mortgage payments or property taxes.
☐ Fair Return	<i>Allows a rent increase where owner is being denied a fair return on investment in the property, as measured by the net operating income (NOI). Cannot be combined with any other grounds for increase. Replaces CPI increase for all years; applies to all units.</i>	✓ Complete Worksheet C on page 6 of this petition. ✓ Attach organized documentation of gross income (including total of gross rents lawfully collectable from property at 100% occupancy, plus any other consideration received or receivable) and gross costs* (e.g., property taxes, housing service costs, and amortized cost of capital improvements) for the subject property for the current and base year (2014). If information about 2014 is not available the Hearing Officer may authorize use of a different year if good cause is shown. *Note: Costs do not include mortgage expenses.
☐ Banking	<i>Refers to deferred allowable annual rent increases. Annual CPI increases that were not fully applied may be carried over ("banked") for up to 10 years. Increases based solely on banking do not require prior approval, but such increases may be sought in</i>	✓ Increase would not exceed 3x the current CPI or the amount permitted by Oakland law (whichever is lower), or constitute an overall increase of >30% over the past 5 years. ✓ Complete Worksheet D on page 7 of this petition.

	conjunction with petitions based on other grounds/justifications.	✓ Attach documentation of tenant's rental history including proof of current rent amount and all other information requested by Worksheet D.
☐ Additional Occupant(s)	Allows a rent increase in an amount up to 5% for additional occupants above the base occupancy level. Does not apply to certain additional occupants who are covered family members, legal guardians, and/or caretakers/attendants of existing tenants/occupants. See O.M.C. § 8.22.020 for more details.	✓ Total number of occupants has increased above the base occupancy level as defined by O.M.C. § 8.22.020. ✓ Additional occupant(s) not exempted from increase due to relationship with existing tenant/occupant. ✓ Attach documentation demonstrating base occupancy level and the addition of non-exempt occupant(s).
☐ Tenant Not Residing in Unit as Principal Residence	If the tenant(s) no longer reside in the unit as their principal residence, an owner may increase the rent by any amount. See O.M.C. § 8.22.070.C.1.f and the implementing regulations of the Rent Adjustment Ordinance, § 8.22.020 ("Principal Residence").	✓ Attach evidence showing that the Tenant does not reside in the unit as their principal residence as of the date the petition is filed.

WORKSHEET A CAPITAL IMPROVEMENTS AND UNINSURED REPAIR COSTS						
Owners who file petitions based on Capital Improvements or Uninsured Repair Costs must complete the chart below, in addition to attaching all required supporting documentation. Petitions that do not include organized documentation and detailed calculations clearly demonstrating the claimed justification will be considered incomplete and may be dismissed without a hearing. Attach separate sheets if needed.						
Total number of residential units in building*: <u>3</u> <i>*Including any vacant and owner/manager-occupied units.</i>		For mixed-use buildings, provide:		Residential sq. ft.: _____ Other use sq. ft.: _____ % residential use: _____		
BUILDING-WIDE CAPITAL IMPROVEMENTS						
CATEGORY OF IMPROVEMENT	Date permit obtained or work began	Date completed	Date paid for	Full costs	Amount of Reimbursement or Tax Credit Received	
Sewer lateral	8/1/23	8/3/23	9/11/23	15,000		
Sidewalk improvements	8/1/23	9/5/23	9/11/23	Included above		
Exterior Painting	7/1/23	8/18/23	8/21/23	20000		
SUBTOTAL						
UNIT-SPECIFIC CAPITAL IMPROVEMENTS						
CATEGORY OF IMPROVEMENT	Unit #	Date permit obtained or work began	Date completed	Date paid for	Full costs	Amount of Reimbursement or Tax Credit Received
SUBTOTAL						

Owners who submit petitions based on Increased Housing Service Costs must complete the chart below. In addition to attaching all required supporting documentation, Petitions that do not include organized documentation and detailed calculations clearly demonstrating the claimed justification will be considered incomplete and may be dismissed without a hearing. Calculations should be based on the entire subject premises.		
	YEAR 1 (two years ago) From: _____ to: _____ (mm/dd/yy) (mm/dd/yy)	YEAR 2 (last year) From: _____ to: _____ (mm/dd/yy) (mm/dd/yy)
INCOME		
Rents	\$ _____	\$ _____
Parking	\$ _____	\$ _____
Laundry Income	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Total:	\$ _____	\$ _____
EXPENSES		
Garbage	\$ _____	\$ _____
Water/Sewer	\$ _____	\$ _____
Electricity/Gas	\$ _____	\$ _____
Insurance	\$ _____	\$ _____
Repairs and Maintenance	\$ _____	\$ _____
Pest Control	\$ _____	\$ _____
Laundry Expenses	\$ _____	\$ _____
Parking	\$ _____	\$ _____
Elevator Service	\$ _____	\$ _____
Security	\$ _____	\$ _____
Furnishings	\$ _____	\$ _____
Business License	\$ _____	\$ _____
Management Expenses	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Total:	\$ _____	\$ _____

WORKSHEET C FAIR RETURN

Owners who submit petitions based on Fair Return must complete the chart below. In addition to attaching all required supporting documentation, Petitions that do not include organized documentation and detailed calculations clearly demonstrating the claimed justification will be considered incomplete and may be dismissed without a hearing. Calculations should be based on the entire subject premises. Note that the first column (base year) should be completed based on the year 2014.

	BASE YEAR (2014)	LAST YEAR
	From: _____ to: _____ (mm/dd/yy) (mm/dd/yy)	From: _____ to: _____ (mm/dd/yy) (mm/dd/yy)
INCOME		
Rents	\$ _____	\$ _____
Parking	\$ _____	\$ _____
Laundry	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Imputed rent if any unit owner/manager-occupied	\$ _____	\$ _____
Imputed rent if any unit not rented to capacity	\$ _____	\$ _____
Total:	\$ _____	\$ _____
EXPENSES		
Electricity/Gas	\$ _____	\$ _____
Garbage	\$ _____	\$ _____
Water/Sewer	\$ _____	\$ _____
Insurance	\$ _____	\$ _____
Maintenance/Repairs	\$ _____	\$ _____
Pest Control	\$ _____	\$ _____
Laundry Expenses	\$ _____	\$ _____
Parking	\$ _____	\$ _____
Elevator Service	\$ _____	\$ _____
Security	\$ _____	\$ _____
Property Taxes	\$ _____	\$ _____
Business License	\$ _____	\$ _____
Management Expenses	\$ _____	\$ _____
Furnishings	\$ _____	\$ _____
Capital Improvements (Amortized cost)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Total:	\$ _____	\$ _____

WORKSHEET D: BANKING

Petitions based on Banking must include the below information. List each tenant for whom you are seeking an increase. Attach all documents which support the dates and amounts shown in the chart. "Current Pass-Through Amount" refers to any capital improvement pass-through currently being paid by the tenant.

TENANT NAME	UNIT #	MOVE-IN DATE (mm/dd/yy)	RENT AT MOVE-IN	RENT 11 YEARS AGO (If tenant has lived in unit > 11 years)	CURRENT RENT	CURRENT PASS- THROUGH AMOUNT (If any)

(Required for all petitions)

[illegible]

OWNER VERIFICATION

(Required)

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this Property Owner Petition is true and that all of the documents attached to the Petition are true copies of the originals.

Property Owner's Signature

4/10/25

Date

Property Owner's Signature

Date

DOCUMENTATION IN EXCESS OF 25 PAGES

- ☐ The documentation submitted in support of the Property Owner Petition exceeds 25 pages and the owner is opting, as allowed by O.M.C. § 8.22.090 (B)(1)(f), to not serve the attachments on the affected tenant(s) unless requested. The owner understands and agrees that tenant(s) may request paper copies of all documents in the Tenant Response, and the owner must provide tenant(s) with the attachments within 10 days of any such request. The documents will also be available for review at the Rent Adjustment Program.

CONSENT TO ELECTRONIC SERVICE

(Highly Recommended)

Check the box below if you agree to have RAP staff and the OTHER PARTY/IES send you documents related to your case electronically. If you agree to electronic service, the RAP and other parties may send certain documents (except a response to a petition) only electronically and not by first class mail.

- ☒ I/We consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) provided in this petition.

MEDIATION PROGRAM

Mediation is an optional process offered by RAP to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. A trained third party will work with the parties prior to the hearing to see if a mutual agreement can be reached. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you agree to mediation in your case.

I agree to have the case mediated by a Rent Adjustment Program staff mediator.

Property Owner's Signature

Date

INTERPRETATION SERVICES

If English is not your primary language, you have the right to an interpreter in your primary language/dialect at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

- ☐ I request an interpreter fluent in the following language at my Rent Adjustment proceeding:

- ☐ Spanish (Español)
☐ Cantonese (廣東話)
☐ Mandarin (普通话)
☐ Other: _____

-END OF PETITION-



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR PETITION (PLUS ANY ATTACHMENTS*) ON THE AFFECTED TENANT(S) PRIOR TO FILING YOUR PETITION WITH RAP. You must include a copy of the RAP form "NOTICE TO TENANTS OF OWNER PETITION" (the preceding page of this petition packet) and a completed PROOF OF SERVICE form together with your Petition.

**Exception for attachments exceeding 25 pages. See "Important Information Regarding Filing Your Petition."*

- 1) Use this **PROOF OF SERVICE** form to indicate the date and manner of service and the person(s) served.
- 2) **NOTE:** Email is not a form of allowable service on a party of a petition or response pursuant to the Ordinance.
- 3) Provide a completed and unsigned copy of this **PROOF OF SERVICE** form to the person(s) being served together with the documents being served.
- 4) File a completed and signed copy of this **PROOF OF SERVICE** form with RAP together with your signed petition. Your petition will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 4/12/25 I served a copy of (check all that apply):

- ☒ **PROPERTY OWNER PETITION FOR APPROVAL OF RENT INCREASE** plus 13 attached pages (number of pages attached to Petition not counting the Petition form, NOTICE TO TENANTS OF PROPERTY OWNER PETITION, or PROOF OF SERVICE)
- ☐ **NOTICE TO TENANTS OF PROPERTY OWNER PETITION**
- ☐ Other: _____

by the following means (check one):

- ☐ **First-Class Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☒ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

PERSON(S) SERVED:

Name	NIKONÉ RATTANANONGKUDOWN
Address	1583 E 38TH ST
City, State, Zip	OAKLAND, CA 94602

Name	Sampson Mung (Soup)
Address	1583 E 38 TH ST
City, State, Zip	OAKLAND, CA 94602

Name	
Address	
City, State, Zip	

Name	
Address	
City, State, Zip	

Name	
Address	
City, State, Zip	

Name	
Address	
City, State, Zip	

Name	
Address	
City, State, Zip	

NOTE: If you need more space to list tenants you may attach additional copies of this page.

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

John Tsu
 PRINTED NAME

[Signature]
 SIGNATURE

4/11/25
 DATE SIGNED



CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
250 Frank H. Ogawa Plaza, Suite 5313 Oakland, CA
94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

NOTICE TO TENANTS OF PROPERTY OWNER PETITION

ATTENTION: IMMEDIATE ACTION REQUIRED

If you are receiving this NOTICE together with a completed PROPERTY OWNER PETITION form, it means that the owner of your unit has filed a case against you with the Oakland Rent Adjustment Program ("RAP") (commonly referred to as the "Rent Board").

- **YOU MUST FILE A RESPONSE WITHIN 35 CALENDAR DAYS AFTER THE PETITION WAS MAILED TO YOU (30 DAYS IF DELIVERED IN-PERSON).**

- **TO RESPOND:**

- 1) Complete and sign a **TENANT RESPONSE** form found on the RAP website.
(<https://www.oaklandca.gov/services/respond-to-an-owner-petition-for-the-rent-adjustment-program>)
- 2) Complete a **PROOF OF SERVICE (POS)** form (which is attached to the Response form and also available as a stand-alone document) and provide an unsigned copy of the **POS** to the owner (or owner's representative) together with a copy of your signed **TENANT RESPONSE** form.sig
- 3) Submit your signed **TENANT RESPONSE** form and a completed and signed **PROOF OF SERVICE*** form to RAP through RAP's online portal, via email, or by mail.

***Note: The Response will not be considered complete until a PROOF OF SERVICE is filed indicating that the owner has been served with a copy.**

DOCUMENT REVIEW: There may be additional documents that were submitted in support of the owner petition that were not provided to you (see "DOCUMENTATION IN EXCESS OF 25 PAGES" on page 9 of the petition). All documents are available for review at RAP. You may also request paper copies from the owner in your **TENANT RESPONSE**. The owner must then provide them to you within 10 days.

FOR ASSISTANCE: Contact a RAP Housing Counselor at (510) 238-3721 or by email at RAP@oaklandca.gov. Additional information is also available on the RAP website and on the **TENANT RESPONSE** form.

**CITY OF OAKLAND
BUSINESS TAX CERTIFICATE**

**ACCOUNT
NUMBER**
00258193

DBA

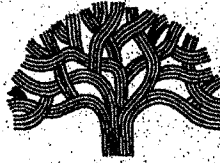
CCC PROPERTY MANAGEMENT LLC
CCC PROPERTY MANAGEMENT LLC

BUSINESS LOCATION 3751 ARDLEY AVE
OAKLAND, CA 94602-1641

BUSINESS TYPE O2 Rental - Apartment



CCC PROPERTY MANAGEMENT LLC
PO BOX 184
ORINDA, CA 94563-0237



EXPIRATION DATE
12/31/2024

Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to:
<https://www.dca.ca.gov/publications>

A BUSINESS TAX CERTIFICATE
IS REQUIRED FOR EACH
BUSINESS LOCATION AND IS
NOT VALID FOR ANY OTHER
ADDRESS.

ALL OAKLAND BUSINESSES
MUST OBTAIN A VALID
ZONING CLEARANCE TO
OPERATE YOUR BUSINESS
LEGALLY. RENTAL OF REAL
PROPERTY IS EXCLUDED
FROM ZONING.

PUBLIC INFORMATION ABOVE
THIS LINE TO BE
CONSPICUOUSLY POSTED

1



NEWS SERVICES DEPARTMENTS EVENTS OFFICIALS

ATTACH 2

Guest

Find Account → Submit Payment → Receipt

[Home](#) [Report a Problem](#)

Paying 00258193
CCC PROPERTY MANAGEMENT LLC

Business License Online Payment

PRINT THIS PAGE FOR YOUR RECORD

Thank you for your payment

Payment Date: 3/11/2024

Confirmation #: 598462

Account Information

Account # 00258193
 Expire Date 12/31/2023
 Name CCC PROPERTY MANAGEMENT LLC
 Address 3751 ARDLEY AVE
 City OAKLAND
 Phone (925) 818-4923

Summary

Input Balance Due

Tax Calculation

Current Year Business Tax – Residential/Non-Residential Rental (Based on Estimate)	4099.00	\$57.18
BT Registration Fee	1.00	\$99.00
BT SB1186 (AB1379)	1.00	\$4.00
BT Recordation and Tech	1.00	\$5.00
Penalty		\$77.85

Rent Adjustment Program (RAP) Calculation - only use whole numbers below

RAP Rent Adjustment Program (O)	3.00	\$303.00
Penalty		\$192.41

Total Balance Due \$738.44

Payment Information

Payment Amount \$738.44

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Elected Officials
 Departments
 Boards and Commissions
 Staff Directory

Services
 News & Updates
 Events
 Documents

AK Oakland LiveLife
 Oakland Library
 Visit Oakland
 Oakland Museum

For Assistance

Email: btwebsupport@oakland.net
 Phone: (510) 238-3704

City of Oakland

250 Frank H Ogawa Plaza, Suite
 Oakland, CA 94612

Hours:

2



john tse <jtse.cnc@gmail.com>

3

Rap Notice 2nd Submittal

1 message

john tse <jtse.cnc@gmail.com>

Mon, Dec 18, 2023 at 5:02 PM

To: Nikone Rattana <NikoneRattana@gmail.com>, Somphane Mingsisouphan <SomphaneMingsisouphan@gmail.com>

Cc: connie louie <clouie.ccc@gmail.com>

Nikone and Somphane,

The Rap Board requested that I resend a copy of the rap notifications to you for your records. It was given to you earlier this year but we have not received a copy.

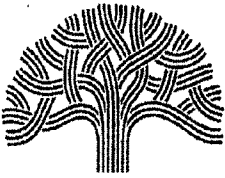
Thanks, John

**101- OAKLAND Rental Agreement__Nikone and Somphane.pdf**

1458K

NOTE: TENANT WILL NOT SIGN

3



City of Oakland
Rent Adjustment Program
250 Frank Ogawa Plaza, Suite 5313
Oakland, CA 94612
Tel: (510) 238-3721, Option 2
Email: rentregistry@oaklandca.gov

4

RENT ADJUSTMENT PROGRAM (RAP) TENANCY REGISTRATION FORM

REGISTER ONLINE: www.rentregistry.oaklandca.gov

All tenancies in residential rental units subject to the Rent Adjustment Program (RAP) Fee must be registered with RAP by July 1, 2024, and annually thereafter by March 1st (O.M.C. § 8.22.510). To register a covered property/unit fully, owners must complete 1) one Property Registration Form for each property, and 2) one Tenancy Registration Form for EACH tenant-occupied, covered unit on that property.	
1. Which Units Need To Be Registered With a Tenancy Registration Form?	Use this form to register a tenancy in a covered unit for the first time or to update/confirm information for an existing tenancy. Do not complete this form for units that are exempt. Exempt units include: 1) Fully owner-occupied units, 2) Units that are ground-up new construction and not created from existing space AND have received a Certificate of Occupancy within the past 10 years, or 3) Units rented for less than 30 days. For more information on which units are covered by the registration requirement and which units are exempt, please refer to the Property Registration Form.
2. Unit Information	Unit Street Address: <u>1583 - 38th Street</u> Unit Number (#A, #1/2, etc): _____ Number of bedrooms: <u>1</u> Number of bathrooms: <u>1</u> Total Number of Units on Property: <u>3</u>
3. Initial Registration or Amended Registration?	Use this form to register a tenancy for the first time, OR to update/confirm information for an existing tenancy, as is required annually. I am (check one): ☐ Registering a tenancy for the first time ☐ Updating a previously registered tenancy in the unit ☒ Updating ONLY the rent information for a previously registered tenancy; all other previously registered information remains the same. (Fill out Part 4 - Rent/Occupancy Information, and then skip to Part 10 - Declaration and Signature.) ☐ Confirming that ALL previously submitted tenancy registration information remains unchanged. (Skip to Part 10 - Declaration and Signature.)
4. Rent and Occupancy Information	Tenancy Start Date: ____/____/____ Number of Occupants: <u>2</u> Initial Rent: \$ <u>unknown</u> Current Rent: \$ <u>564</u> Date of Last Rent Increase: <u>9</u>/<u>15</u>/<u>24</u> Amount of Last Rent Increase: \$ <u>36</u> Is unit subsidized or otherwise assisted? ☒ No ☐ Yes Was RAP Notice provided? ☐ No ☒ Yes
5. Security Deposit Information	Total amount of security deposit collected at start of tenancy: \$ <u>unknown</u>

4

Unit Address 1583 - 38th Street

6. Housing Services Information	Check the box next to all housing services paid for by property owner that are included with the rent:		
	☒ Water	☒ Refuse/Recycle	☐ Gas
	☐ Electricity	☐ Parking	☐ Laundry Access
	☐ Storage	☐ Internet	☒ Sewer
	☐ Appliances	☐ Other _____	☐ NO SERVICES
7. Utilities Metering			
Please Indicate below whether utilities are individually metered, submetered or master metered:			
	Water (check one):	☐ Individually Metered	☒ Submetered ☐ Master metered
	Gas (check one):	☒ Individually Metered	☐ Submetered ☐ Master metered
	Electricity (check one):	☒ Individually Metered	☐ Submetered ☐ Master metered
8. Tenant Information			
PLEASE NOTE: Civil Code 1947.7(g) ensures the confidentiality of tenant names and other tenant information in accordance with the Information Practices Act of 1977. All tenant information supplied on this form will be treated as confidential information in accordance with the Information Practices Act of 1977. To comply with O.M.C. § 8.22.510, tenant names must be provided.			
	Tenant Name:	Tenant Email Address:	Tenant Telephone (Optional):
	1. <u>Somphane Mingsisouphan</u>	Email: <u>noemail@noemail.co</u>	Tel.: _____
	2. _____	Email: _____	Tel.: _____
	3. _____	Email: _____	Tel.: _____
	4. _____	Email: _____	Tel.: _____
9. Prior Tenancy Information			
	Ending Date of Prior Tenancy: ____/____/____		
	Reason That Prior Tenant Vacated:		
	☐ Tenant moved out voluntarily		
	☐ Tenant evicted due to nonpayment of rent, breach of lease, nuisance, etc.		
	☐ Tenant evicted due to owner move-in, withdrawal from rental market, or substantial repairs		
	☒ Other (please describe): <u>unknown</u>		
10. Declaration and Signature			
I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein is true and complete. To the extent I was unable, despite the use of reasonable diligence, to ascertain the exact information to be reported, I have provided the most accurate approximation that I can based on information and belief where possible or, where such approximation is not feasible, I have stated that the information is unknown.			
I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.			
	I am the (check one): ☒ Owner ☐ Manager		
	<u>Connie Louie Tse</u>	<u>Connie Louie Tse</u>	
	Signature	Print Name	
	Date: <u>9</u> / <u>30</u> / <u>2024</u>	Telephone: <u>510-388-3208</u>	
		Email: <u>cdlouie@gmail.com</u>	

ATTACH 5

WORKSHEET A: CAPITAL IMPROVEMENTS AND UNINSURED REPAIR COSTS						
Owners who file petitions based on Capital Improvements or Uninsured Repair Costs must complete the chart below, in addition to attaching all required supporting documentation. Petitions that do not include organized documentation and detailed calculations clearly demonstrating the claimed justification will be considered incomplete and may be dismissed without a hearing. Attach separate sheets if needed.						
Total number of residential units in building*: <u>3</u> *Including any vacant and owner/manager-occupied units		For mixed-use buildings, provide:	Residential sq. ft.: _____ Other use sq. ft.: _____ % residential use: _____			
BUILDING-WIDE CAPITAL IMPROVEMENTS						
CATEGORY OF IMPROVEMENT	Date permit obtained or work began	Date completed	Date paid for	Full costs	Amount of Reimbursement or Tax Credit Received	
Sewer lateral	8/1/23	8/3/23	9/11/23	15,000		
Sidewalk Improvements	8/1/23	9/5/23	9/11/23	Included above		
Exterior Paint	8/1/23	8/15/23	8/21/23	20000		
SUBTOTAL:						
UNIT-SPECIFIC CAPITAL IMPROVEMENTS						
CATEGORY OF IMPROVEMENT	Unit #	Date permit obtained or work began	Date completed	Date paid for	Full costs	Amount of Reimbursement or Tax Credit Received
SUBTOTAL:						

6

CC N Company, INC

Lic A & B 100403292

ATTACHMENT 6

Owner Information

Name CCC Property Management

Address 29 Orinda Way #184

City, State ZIP Orinda, CA 94563

Phone (925) 259-3035

Email N/A

Project name 3751
Ardley Sewer and cleanup

Contractor Information

Company CC N Company, INC

Name John Tse

Address 40 Los Altos Rd

City, State ZIP Orinda, CA 94563

Phone 925-818-4923

Email jtse.cnc@gmail.com

Completion date _____

Scope of Work

Sewer Lateral, Concrete sidewalk upgrade, Exterior Painting, Interior Painting, Millwork, Cleanup backyard and around property.

1) Sewer lateral	1 LS	\$20,000
2) Concrete Sidewalk	1 LS	\$0
3) Exterior painting	1 LS	\$20,000
4) Interior Painting	1 LS	\$15,000
5) Millwork and Trim	1 LS	\$20,000
6) Cleanup and restoration yard	1 LS	\$15,000
7) Supervision	1 LS	\$10,000
		\$90,000
Options	1 LS	
1)	1 LS	

Not Included

Hardscaping, permits, water and electrical

7

000129

Capital Improvement Calculator
City of Oakland Rent Adjustment Program

Attachment 7

8

IMPROVEMENTS BENEFITING ALL UNITS BUILDING WIDE

Petition Date

9/2/24

Number of Residential Units

3

IMPROVEMENT OR REPAIR	DATE PERMIT OBTAINED (or date started if permit not required)	DATE COMPLETED	FULL COST	ALLOWABLE PASS THROUGH (70%)	ALLOWABLE PASS THROUGH PER UNIT	Imputed Interest	Amortization Period (years)	Allowable Monthly Amortized Cost For Building (70%)	Allowable Amortized Cost per Unit	Date Validation (2 years ago max)
Sewer lateral		08/04/23	\$7,500.00	\$5,250.00	\$1,750.00		10	#VALUE!	#VALUE!	OK
Sidewalk improvement		08/04/23	\$7,500.00	\$5,250.00	\$1,750.00		10	#VALUE!	#VALUE!	OK
Exterior Paint		09/01/23	\$20,000.00	\$14,000.00	\$4,666.67		5	#VALUE!	#VALUE!	OK
Subtotal (with weighted averages)				\$24,500.00	\$8,166.67	0.000%	7	\$291.67	\$97.22	
Place X in cell B19 if property is mixed use.										
Residential square footage										
Other use square footage										
Percent residential use										
Total Cost Per Unit Allocated to Residential Units					\$8,166.67	0.000%	7		\$97.22	

CC N Company

21C ORINDA WAY
CA 94563

ATTACHED

Invoice

Date	Invoice #
7/3/2023	1075

Bill To
Ardley Sewer. sidewalk, paint, Millwork. Cleanup

PAID

P.O. No.	Terms	Project

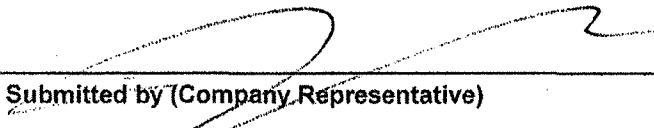
Quantity	Description	Rate	Amount
	Sewer Lateral	20,000.00	20,000.00
	Concrete Sidewalk	0.00	0.00
	Painting	20,000.00	20,000.00
	Painting Interior	15,000.00	15,000.00
	Millwork & Trim	20,000.00	20,000.00
	Supervision	10,000.00	10,000.00
	Cleanup & Restoration	15,000.00	15,000.00
		Total	\$100,000.00

Company Proposal

We, CC N Company, INC propose the above scope of work, to be completed by september31 , 2023 for the amount of
Total Amount. = \$ 100000

Option 2 Add-

Option 3 Add -

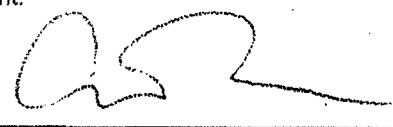

Submitted by (Company Representative)

8/15/23
Date

Owner Acceptance

Owner acceptance goes here. Type in the Owner's name in a confirmation statement that includes the completion date and total amount stated in the company proposal.

I, CCC Property management, do accept the above scope of work, proposed to be completed by Completion Date for the amount of Total Amount.


Submitted by (home owner or authorized representative)

8/17/23
Date

AT Unit 9

4:11 PM

← IMAGE DETAILS

Front Back

CCC PROPERTY MANAGEMENT, LLC
P.O. BOX 184
Orinda, CA 94563

1.000K FORT
3D hologram for across top
tear-mark to circle in upper-right corner

2370
11-2286/1218

8/21/23

8/21/2023

Pay to the
Order of

CCNCO

\$100,000.00

One Hundred Thousand only

Dollars



Wells Fargo Bank, N.A.
California
wellsfargo.com

For

Ordley REF. & R. UNIT UNIT 9

12104288

2370

Rooter Solutions of California
6114 La Salle Ave #712 Oakland, CA 94611
(800) 943-3605
Rootersolutions.ca@gmail.com
LICENSED BONDED AND INSURED
LICENSED # 1045663 C-42

ATTACH 10
9/11/23
Pm7

THIS DOCUMENT IS CONSIDERED CONFIDENTIAL AND IS TO BE SEEN BY PARTIES ADDRESSED TO AND MAY CONTAIN TRADE SECRETS

PROPOSAL SUBMITTED John tse	DATE 08/04/23	P.O.#
STREET ADDRESS 3751 Ardley Ave	PHONE 925-818-4923	FAX
CITY, STATE, ZIP Oakland, Ca.	EMAIL jtse.cnc@gmail.com	
APPROX. START/FINISH DATE: TBD	JOB TYPE: Sewer	USA#
WE PROPOSE THE FOLLOWING WORK: *Existing sewer line will be replaced via trenchless method using 4" High Density Polyethylene piping (HDPE) *Replace approximately 60ft long 4" of sewer lateral From the house all the way to the city main 8ft deep located in the middle of the street plus 3 connections at the house. *We will excavate around all private and public utilities. *EBMUD company will inspect the project. *Asphalt/concrete/driveways/sidewalks cement repair if applies. We can't guarantee to match existing color or texture. *20-year certificate of compliance. *Job site will be cleaned and all debris will be removed from the property. * We will need to cut and remove old cracked broken concrete. We will repair and pour approximately 360 square feet of concrete sidewalk. We will provide sidewalk certificate. This estimate includes parts, material, labor, equipment, dump fees, permit fees, inspection time, and EBMUD certificate and sidewalk Certificate CONTRACT PRICE: \$15,000 (For Both Sewer and the Sidewalk) NOTE: If there is an existing illegal storm drains will not be connected to the sewer lateral and a separate estimate will be submitted to connect the storm drain properly. PLEASE MAKE ALL CHECKS PAYABLE TO : Rooter Solutions of California 6114 La Salle Ave. #712 Oakland, CA 94611		
WE PROPOSE HEREBY TO FURNISH MATERIAL AND LABOR, COMPLETE IN ACCORDANCE WITH ABOVE SPECIFICATIONS, FOR THE SUM OF: FIFTEEN THOUSAND DOLLARS AND NO CENTS		
PAYMENT TO BE MADE AS FOLLOWS: Pay in full when client receives the EBMUD certificate		
All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. NOTICE "Under the Mechanics' Lien Law (California Code of Civil Procedure, Section 1181 et seq.), any contractor, subcontractor, laborer, supplier or other person who helps to improve your property but is not paid for his work or supplies, has a right to enforce a claim against your property. This means that after a court hearing, your property could be sold by a court officer and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your own contractor in full, if the subcontractor, laborer, or supplier remains unpaid." Authorized Signature: <u>Atvario Online</u> <u>Economy Rooter & Plumbing Inc.</u> <u>License # 1039625</u> Note: This proposal may be withdrawn by us if not accepted within 15 days. CC payments 3.5% will be add convenience fee. 1.5 % penalty per month will be charged on past due accounts. RSC will work around existing vegetation but will not be responsible for loss or damaged trees, bushes, flowers, etc, including buried irrigation piping and tubing. We will start this job immediately due to the emergency nature of the job. Pursuant to Section 1689.13 of the California civil code, acknowledge and hereby waive all rights to cancel this transaction within three business days. I understand that regardless of whether work has started or not, after I waive all rights to cancel this transaction, I may not subsequently exercise this waived right.		
ACCEPTANCE OF PROPOSAL. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Consent to Use of Subcontractor / Limitation of Liability: Signer (Property Owner) understands that Rooter Solutions of California is not the license holder for plumbing work, and consents to Rooter Solutions of California's use of a subcontractor Economy Rooter & Plumbing Inc. for performance of all aspects of this contract. Economy Rooter & Plumbing Inc. Date of Acceptance: Signature _____ Signature _____		

THIS DOCUMENT IS CONSIDERED CONFIDENTIAL AND IS TO BE SEEN BY PARTIES ADDRESSED TO AND MAY CONTAIN TRADE SECRETS
LICENSED BONDED AND INSURED
LICENSED # 1045663 C-42

4:15 PM

← IMAGE DETAILS

Front Back

CC N COMPANY INC
21C ORINDA WAY, #271
ORINDA, CA 94563

2095
11 0166/2210
41

DATE 9/11/2023 

PAY TO THE ORDER OF REDTAX SOLUTIONS OF CALIFORNIA \$ 15,000.00

FIFTEEN THOUSAND 00 00 DOLLARS 

 FIRST REPUBLIC BANK
214 Broadway Ave
Orinda, CA 94662
PH 925-938-0200 Customer Care

FOR 8114 LA SALLE AVE #712 

⑈002095⑈ ⑈321081669⑈ 

Griffin, Deborah A.

From: Hearings Unit
Sent: Monday, April 28, 2025 10:17 AM
To: Griffin, Deborah A.
Cc: Leavitt, Jessica
Subject: Fw: 1583 E 38th street Capitol improvement
Attachments: Petition added page 9 250428.pdf; Attachments Petition 250428.pdf

Good Morning Deborah -

Please see below (and attached) for the questions we had about this petition.

Thank you!

-Marguerita

From: john tse <jtse.cnc@gmail.com>
Sent: Monday, April 28, 2025 10:13 AM
To: Hearings Unit <hearingsunit@oaklandca.gov>
Subject: Re: 1583 E 38th street Capitol improvement

Hello,

I see the problem, my hard copy has the page 9 but maybe it pulled the sheet through without scanning it. Sorry for the confusion. I've rescan the file with all the pages and rescan the attachment under a separate file. I'm pretty sure the tenant has page 9 from the hardcopy but I will hand them another copy in case.

As for the address, 3751 Ardley is the county assessor's address for the 3 unit building so the reason why we list it as the main address for the petition. The property is on a corner, so the unit that was occupied during the work is located on E 38th street. Hope that helps. Each unit actually has their own unit number.

Thanks, John

On Mon, Apr 28, 2025 at 8:39 AM Hearings Unit <hearingsunit@oaklandca.gov> wrote:

Good Morning Owner Tse –

We are re-attaching what we received from you on 4/13/25.

1. There is no page 9 included in either attachment. This is a REQUIRED element of the petition.

Please **rescan** a complete copy of the petition and **resubmit** to this email address, OR **mail in** a complete copy.

2. We also need an answer to the question below (highlighted in yellow and repeated here):

- It is not clear from Page 1 of your Petition what the subject address of the property is for this petition – Is it 3751 Ardley OR 1583 E. 38th Street?

Without these two items, your petition cannot be processed.

Thank you.

- Hearings Unit

From: john tse <jtse.cnc@gmail.com>
Sent: Sunday, April 27, 2025 8:59 AM
To: Hearings Unit <hearingsunit@oaklandca.gov>
Subject: Re: 1583 E 38th street Capitol improvement

Hello,

Pages 6-8 I thought was not applicable to my case so I did not include. Let me know if you want me to send

Page 5 and 9 is in file. Sorry, page 9 is behind page 10 by accident.

As for the year of the petition, it is 2/12/24 and it was submitted for review(Christina) prior to sending to hearing. Also, your attachment for the new file is also for version 2/12/24. Let me know if there is something even more recent.

Thanks, John

On Thu, Apr 24, 2025 at 11:09 AM Hearings Unit <hearingsunit@oaklandca.gov> wrote:

Upon further review, it appears that you used a previous version of the form but what is missing specifically is the Tenant Information sheet that is contained on page 9 of the link below. This is an essential element of the petition.

- Hearings Unit

From: Hearings Unit
Sent: Thursday, April 24, 2025 11:02 AM
To: john tse <jtse.cnc@gmail.com>
Subject: FW: 1583 E 38th street Capitol improvement

Hello Owner Tse –

We are unable to complete the processing of your petition (attached) due to the following 2 matters:

- Pages 5-9 of the Petition form are missing – they need to be submitted. Here is a link to the complete Petition Form: <https://cao-94612.s3.us-west-2.amazonaws.com/documents/Property-Owner-Petition-for-Approval-of-Rent-Increase-02.12.20242.pdf>
- It is not clear from Page 1 of your Petition what the subject address of the property is for this petition – Is it 3751 Ardley OR 1583 E. 38th Street?

Please specify.

Thank you!

-Hearings Unit

From: john tse <jtse.cnc@gmail.com>
Sent: Sunday, April 13, 2025 3:25 PM
To: Hearings Unit <hearingsunit@oaklandca.gov>
Subject: 1583 E 38th street Capitol improvement

Capitol improvement Filing

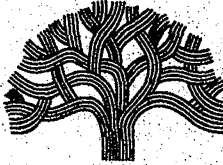
CITY OF OAKLAND
BUSINESS TAX CERTIFICATE

The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other agency of the City of Oakland and/or any other ordinance, law or regulation of the State of California, or any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per Section 5.04.300 (C,D), of the O.M.C. you are allowed a renewal grace period until March 1st the following year.

CCC PROPERTY MANAGEMENT LLC
CCC PROPERTY MANAGEMENT LLC

EXPIRATION DATE
12/31/2024

Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to:
<https://www.dca.ca.gov/publications>



BUSINESS LOCATION 3751 ARDLEY AVE
OAKLAND, CA 94602-1641

BUSINESS TYPE O2 Rental - Apartment

CCC PROPERTY MANAGEMENT LLC
PO BOX 184
ORINDA, CA 94563-0237



A BUSINESS TAX CERTIFICATE IS REQUIRED FOR EACH BUSINESS LOCATION AND IS NOT VALID FOR ANY OTHER ADDRESS.

ALL OAKLAND BUSINESSES MUST OBTAIN A VALID ZONING CLEARANCE TO OPERATE YOUR BUSINESS LEGALLY. RENTAL OF REAL PROPERTY IS EXCLUDED FROM ZONING.

PUBLIC INFORMATION ABOVE THIS LINE TO BE CONSPICUOUSLY POSTED

①

000139


[NEWS](#) [SERVICES](#) [DEPARTMENTS](#) [EVENTS](#) [OFFICIALS](#)

ATTACH 2

Guest
[Home](#) [Report a Problem](#)
[Find Account](#) → [Submit Payment](#) → **Receipt**

Paying 00258193

CCC PROPERTY MANAGEMENT LLC

Business License Online Payment

PRINT THIS PAGE FOR YOUR RECORD

Thank you for your payment

Payment Date: 3/11/2024

Confirmation #: 598462

Account Information

Account # 00258193
 Expire Date 12/31/2023
 Name CCC PROPERTY MANAGEMENT LLC
 Address 3751 ARDLEY AVE
 City OAKLAND
 Phone (925) 818-4923

Summary**Input Balance Due****Tax Calculation**

Current Year Business Tax – Residential/Non-Residential Rental (Based on Estimate)	4099.00	\$57.18
BT Registration Fee	1.00	\$99.00
BT SB1186 (AB1379)	1.00	\$4.00
BT Recordation and Tech	1.00	\$5.00
Penalty		\$77.85

Rent Adjustment Program (RAP) Calculation - only use whole numbers below

RAP Rent Adjustment Program (O)	3.00	\$303.00
Penalty		\$192.41
Total Balance Due		\$738.44

Payment Information

Payment Amount \$738.44

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[Boards and Commissions](#)
[Staff Directory](#)

[Services](#)
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[Documents](#)

[Oakland LiveLife](#)
[Oakland Library](#)
[Visit Oakland](#)
[Oakland Museum](#)

For Assistance

Email: btwebsupport@oakland.net
 Phone: (510) 238-3704

City of Oakland

250 Frank H Ogawa Plaza, Suite
 Oakland, CA 94612

Hours:

2



john tse <jtse.cnc@gmail.com>

Rap Notice 2nd Submittal

1 message

john tse <jtse.cnc@gmail.com>

Mon, Dec 18, 2023 at 5:02 PM

To: Nikone Rattana <NikoneRattana@gmail.com>, Somphane Mingsisouphan <SomphaneMingsisouphan@gmail.com>

Cc: connie louie <clouie.ccc@gmail.com>

Nikone and Somphane,

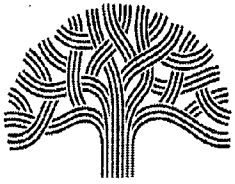
The Rap Board requested that I resend a copy of the rap notifications to you for your records. It was given to you earlier this year but we have not received a copy.

Thanks, John

 101- OAKLAND Rental Agreement__Nikone and Somphane.pdf
1458K

NOTE: TOWANT WILL NOT SIGN

000141 3



City of Oakland
Rent Adjustment Program
250 Frank Ogawa Plaza, Suite 5313
Oakland, CA 94612
Tel: (510) 238-3721, Option 2
Email: rentregistry@oaklandca.gov

**RENT ADJUSTMENT PROGRAM (RAP)
TENANCY REGISTRATION FORM**

REGISTER ONLINE: www.rentregistry.oaklandca.gov

All tenancies in residential rental units subject to the Rent Adjustment Program (RAP) Fee must be registered with RAP by July 1, 2024, and annually thereafter by March 1st (O.M.C. § 8.22.510). To register a covered property/unit fully, owners must complete 1) one Property Registration Form for each property, and 2) one Tenancy Registration Form for EACH tenant-occupied, covered unit on that property.

1. Which Units

Need To Be

Registered With a

Tenancy

Registration Form?

Use this form to register a tenancy in a covered unit for the first time or to update/confirm information for an existing tenancy.

Do not complete this form for units that are exempt. Exempt units include: 1) Fully owner-occupied units, 2) Units that are ground-up new construction and not created from existing space AND have received a Certificate of Occupancy within the past 10 years, or 3) Units rented for less than 30 days.

For more information on which units are covered by the registration requirement and which units are exempt, please refer to the Property Registration Form.

Unit Street Address: 1583 - 38th Street

2. Unit Information

Unit Number (#A, #1/2, etc): _____ Number of bedrooms: 1 Number of bathrooms: 1

Total Number of Units on Property: 3

Use this form to register a tenancy for the first time, OR to update/confirm information for an existing tenancy, as is required annually. I am (check one):

**3. Initial
Registration or
Amended
Registration?**

- ☐ Registering a tenancy for the first time
☐ Updating a previously registered tenancy in the unit
☒ Updating ONLY the rent information for a previously registered tenancy; all other previously registered information remains the same. (Fill out Part 4 - Rent/Occupancy Information, and then skip to Part 10 - Declaration and Signature.)
☐ Confirming that ALL previously submitted tenancy registration information remains unchanged. (Skip to Part 10 - Declaration and Signature.)

**4. Rent and
Occupancy
Information**

Tenancy Start Date: ____/____/____ Number of Occupants: 2

Initial Rent: \$ unknown Current Rent: \$ 564

Date of Last Rent Increase: 9/15/24 Amount of Last Rent Increase: \$ 36

Is unit subsidized or otherwise assisted? ☒ No ☐ Yes Was RAP Notice provided? ☐ No ☒ Yes

**5. Security Deposit
Information**

Total amount of security deposit collected
at start of tenancy: \$ unknown

Unit Address 1583 - 38th Street

Check the box next to all housing services paid for by property owner that are included with the rent:

6. Housing Services Information

- | | | |
|---|--|---|
| ☒ Water | ☒ Refuse/Recycle | ☐ Gas |
| ☐ Electricity | ☐ Parking | ☐ Laundry Access |
| ☐ Storage | ☐ Internet | ☒ Sewer |
| ☐ Appliances | ☐ Other _____ | ☐ NO SERVICES |

7. Utilities Metering

Please Indicate below whether utilities are individually metered, submetered or master metered:

- | | | | |
|--------------------------|--|--|---|
| Water (check one): | ☐ Individually Metered | ☒ Submetered | ☐ Master metered |
| Gas (check one): | ☒ Individually Metered | ☐ Submetered | ☐ Master metered |
| Electricity (check one): | ☒ Individually Metered | ☐ Submetered | ☐ Master metered |

8. Tenant Information

PLEASE NOTE: Civil Code 1947.7(g) ensures the confidentiality of tenant names and other tenant information in accordance with the Information Practices Act of 1977. All tenant information supplied on this form will be treated as confidential information in accordance with the Information Practices Act of 1977.

To comply with O.M.C. § 8.22.510, tenant names must be provided.

- | Tenant Name: | Tenant Email Address: | Tenant Telephone (Optional): |
|----------------------------------|----------------------------------|------------------------------|
| 1. <u>Somphane Mingsisouphan</u> | Email: <u>noemail@noemail.co</u> | Tel.: _____ |
| 2. _____ | Email: _____ | Tel.: _____ |
| 3. _____ | Email: _____ | Tel.: _____ |
| 4. _____ | Email: _____ | Tel.: _____ |

9. Prior Tenancy Information

Ending Date of Prior Tenancy: ____/____/____

Reason That Prior Tenant Vacated:

- ☐ Tenant moved out voluntarily
- ☐ Tenant evicted due to nonpayment of rent, breach of lease, nuisance, etc.
- ☐ Tenant evicted due to owner move-in, withdrawal from rental market, or substantial repairs
- ☒ Other (please describe): unknown

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein is true and complete. To the extent I was unable, despite the use of reasonable diligence, to ascertain the exact information to be reported, I have provided the most accurate approximation that I can based on information and belief where possible or, where such approximation is not feasible, I have stated that the information is unknown.

10. Declaration and Signature

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

I am the (check one):

☒ Owner ☐ Manager

Connie Louie Tse

Signature

Connie Louie Tse

Print Name

Date: 9 / 30 / 2024

Telephone: 510-388-3208

Email: cdlouie@gmail.com

Attachment 5

WORKSHEET A: CAPITAL IMPROVEMENTS AND UNINSURED REPAIR COSTS						
Owners who file petitions based on Capital Improvements or Uninsured Repair Costs must complete the chart below, in addition to attaching all required supporting documentation. Petitions that do not include organized documentation and detailed calculations clearly demonstrating the claimed justification will be considered incomplete and may be dismissed without a hearing. Attach separate sheets if needed.						
Total number of residential units in building*: <u>3</u> *Including any vacant and owner/manager-occupied units		For mixed-use buildings, provide:		Residential sq. ft: _____ Other use sq. ft: _____ % residential use: _____		
BUILDING-WIDE CAPITAL IMPROVEMENTS						
CATEGORY OF IMPROVEMENT	Date permit obtained or work began	Date completed	Date paid for	Full costs	Amount of Reimbursement or Tax Credit Received	
Sewer lateral	8/1/23	8/3/23	9/11/23	15,000		
Sidewalk improvements	8/1/23	9/5/23	9/11/23	Included above		
Exterior Paint	8/1/23	8/15/23	8/21/23	20000		
SUBTOTAL:						
UNIT-SPECIFIC CAPITAL IMPROVEMENTS						
CATEGORY OF IMPROVEMENT	Unit #	Date permit obtained or work began	Date completed	Date paid for	Full costs	Amount of Reimbursement or Tax Credit Received
SUBTOTAL:						

6

CC N Company, INC

Lic A& B 100403292

ATTACHED MON 7 6

Owner Information

Name CCC Property Management

Address 29 Orinda Way #184

City, State ZIP Orinda, CA 94563

Phone (925) 259-3035

Email N/A

Project name 3751
Ardley Sewer and cleanup

Contractor Information

Company CC N Company, INC

Name John Tse

Address 40 Los Altos Rd

City, State ZIP Orinda, CA 94563

Phone 925-818-4923

Email jtse.cnc@gmail.com

Completion date

Scope of Work

Sewer Lateral, Concrete sidewalk upgrade, Exterior Painting, Interior Painting, Millwork, Cleanup backyard and around property.

1) Sewer lateral	1 LS	\$20,000
2) Concrete Sidewalk	1 LS	\$0
3) Exterior painting	1 LS	\$20,000
4) Interior Painting	1 LS	\$15,000
5) Millwork and Trim	1 LS	\$20,000
6) Cleanup and restoration yard	1 LS	\$15,000
7) Supervision	1 LS	\$10,000
		\$90,000
Options	1 LS	
1)	1 LS	

Not Included

Hardscaping, permits, water and electrical

000145

7

AT-0044 7

8

IMPROVEMENTS BENEFITING ALL UNITS BUILDING WIDE										
								Petition Date		9/2/24
								Number of Residential Units		3
IMPROVEMENT OR REPAIR	DATE PERMIT OBTAINED (or date started if permit not required)	DATE COMPLETED	FULL COST	ALLOWABLE PASS THROUGH (70%)	ALLOWABLE PASS THROUGH PER UNIT	Imputed Interest	Amortization Period (years)	Allowable Monthly Amortized Cost For Building (70%)	Allowable Amortized Cost per Unit	Date Validation (2 years ago max)
Sewer lateral		08/04/23	\$7,500.00	\$5,250.00	\$1,750.00		10	#VALUE!	#VALUE!	OK
Sidewalk improvement		08/04/23	\$7,500.00	\$5,250.00	\$1,750.00		10	#VALUE!	#VALUE!	OK
Exterior Paint		09/01/23	\$20,000.00	\$14,000.00	\$4,666.67		5	#VALUE!	#VALUE!	OK
Subtotal (with weighted averages)				\$24,500.00	\$8,166.67	0.000%	7	\$291.67	\$97.22	
Place X in cell B19 if property is mixed use.										
Residential square footage										
Other use square footage										
Percent residential use										
Total Cost Per Unit Allocated to Residential Units					\$8,166.67	0.000%	7		\$97.22	

CC N Company

21C ORINDA WAY
CA 94563

ATTACHED

Invoice

Date	Invoice #
7/3/2023	1075

PMI

Bill To
Ardley Sewer. sidewalk, paint, Millwork, Cleanup

P.O. No.	Terms	Project

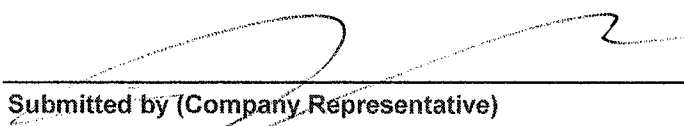
Quantity	Description	Rate	Amount
	Sewer Lateral	20,000.00	20,000.00
	Concrete Sidewalk	0.00	0.00
	Painting	20,000.00	20,000.00
	Painting Interior	15,000.00	15,000.00
	Millwork & Trim	20,000.00	20,000.00
	Supervision	10,000.00	10,000.00
	Cleanup & Restoration	15,000.00	15,000.00
		Total	\$100,000.00

Company Proposal

We, CC N Company, INC propose the above scope of work, to be completed by september31 , 2023 for the amount of
Total Amount. = \$ 100000

Option 2 Add-

Option 3 Add -


Submitted by (Company Representative)

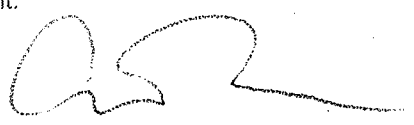
Date

8/15/23

Owner Acceptance

Owner acceptance goes here. Type in the Owner's name in a confirmation statement that includes the completion date and total amount stated in the company proposal.

I, CCC Property management, do accept the above scope of work, proposed to be completed by Completion Date for the amount of Total Amount.


Submitted by (home owner or authorized representative)

Date

8/17/23

AT Unit 9

4:11 31 M

← IMAGE DETAILS

Front Back

CCC PROPERTY MANAGEMENT, LLC
P.O. BOX 184
Orinda, CA 94563

LOOK FOR:
3D hologram foil across top
hologram circle in upper-right corner

2370
11-2286/1210

3/21/23 8/21/2023

Pay to the Order of CCNCO \$100,000.00

One Hundred Thousand only Dollars

Wells Fargo Bank, N.A.
California
wellsfargo.com

For Ardley REF. & E. UNIT UNIT 7

12104288 2370

000149

11

Rooter Solutions of California
6114 La Salle Ave #712 Oakland, CA 94611
(800) 943-3605

Rootersolutions.ca@gmail.com
LICENSED BONDED AND INSURED
LICENSED # 1045663 C-42

ATTACHED 10
PMT
9/11/23

THIS DOCUMENT IS CONSIDERED CONFIDENTIAL AND IS TO BE SEEN BY PARTIES ADDRESSED TO AND MAY CONTAIN TRADE SECRETS

PROPOSAL SUBMITTED John tse		DATE 08/04/23	P.O.#
STREET ADDRESS 3751 Ardley Ave		PHONE 925-818-4923	FAX
CITY, STATE, ZIP Oakland, Ca.		EMAIL jtse.cnc@gmail.com	
APPROX. START/FINISH DATE: TBD		JOB TYPE: USA# Sewer	
WE PROPOSE THE FOLLOWING WORK: *Existing sewer line will be replaced via trenchless method using 4" High Density Polyethylene piping (HDPE) *Replace approximately 60ft long 4" of sewer lateral From the house all the way to the city main 8ft deep located in the middle of the street plus 3 connections at the house. *We will excavate around all private and public utilities. *EBMUD company will inspect the project. *Asphalt/concrete/driveways/sidewalks cement repair if applies. We can't guarantee to match existing color or texture. *20-year certificate of compliance. *Job site will be cleaned and all debris will be removed from the property. * We will need to cut and remove old cracked broken concrete. We will repair and pour approximately 360 square feet of concrete sidewalk. We will provide sidewalk certificate. This estimate includes parts, material, labor, equipment, dump fees, permit fees, inspection time, and EBMUD certificate and sidewalk Certificate CONTRACT PRICE: \$15,000 (For Both Sewer and the Sidewalk) NOTE: If there is an existing illegal storm drains will not be connected to the sewer lateral and a separate estimate will be submitted to connect the storm drain properly. PLEASE MAKE ALL CHECKS PAYABLE TO : Rooter Solutions of California 6114 La Salle Ave. #712 Oakland, CA 94611			
WE PROPOSE HEREBY TO FURNISH MATERIAL AND LABOR, COMPLETE IN ACCORDANCE WITH ABOVE SPECIFICATIONS, FOR THE SUM OF: FIFTEEN THOUSAND DOLLARS AND NO CENTS-----			
PAYMENT TO BE MADE AS FOLLOWS: Pay in full when client receives the EBMUD certificate			
All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. NOTICE "Under the Mechanics' Lien Law (California Code of Civil Procedure, Section 1181 et seq.), any contractor, subcontractor, laborer, supplier or other person who helps to improve your property but is not paid for his work or supplies, has a right to enforce a claim against your property. This means that after a court hearing, your property could be sold by a court officer and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your own contractor in full, if the subcontractor, laborer, or supplier remains unpaid."		Authorized Signature. <u>Ottavio Caluso</u> <u>Economy Rooter & Plumbing Inc.</u> <u>License # 1039625</u> Note: This proposal may be withdrawn by us if not accepted within 15 days. CC payments 3.5% will be add convenience fee. 1.5 % penalty per month will be charged on past due accounts. RSC will work around existing vegetation but will not be responsible for loss or damaged trees, bushes, flowers, etc, including buried irrigation piping and tubing. We will start this job immediately due to the emergency nature of the job. Pursuant to Section 1689.13 of the California civil code, acknowledge and hereby waive all rights to cancel this transaction within three business days. I understand that regardless of whether work has started or not, after I waive all rights to cancel this transaction, I may not subsequently exercise this waived right.	
ACCEPTANCE OF PROPOSAL. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Consent to Use of Subcontractor / Limitation of Liability: Signer (Property Owner) understands that Rooter Solutions of California is not the license holder for plumbing work and consents to Rooter Solutions of California's use of a subcontractor Economy Rooter & Plumbing Inc. for performance of all aspects of this contract. Economy Rooter & Plumbing Inc.		Date of Acceptance: Signature _____ Signature _____	

THIS DOCUMENT IS CONSIDERED CONFIDENTIAL AND IS TO BE SEEN BY PARTIES ADDRESSED TO AND MAY CONTAIN TRADE SECRETS
LICENSED BONDED AND INSURED
LICENSED # 1045663 C-42

4:15 M 8 11 3

ATTACHED 11

← IMAGE DETAILS

Front Back

CC N COMPANY INC
210 ORINDA WAY, #271
ORINDA, CA 94563

2095
11 8155/2210
41

DATE 9/11/2023 CHECK NUMBER

PAY TO THE ORDER OF ROOTER SOLUTIONS OF CALIFORNIA \$ 15,000.00

FIFTEEN THOUSAND 00 DOLLARS

FIRST REPUBLIC BANK
224 Boulevard Blvd
Orinda, CA 94563
Ph 925-938-0238 Customer Care

FOR 6114 LA SALLE AVE #712

⑆002095⑆ ⑆321081669⑆

000151 13



Select Language ▼

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Find Account → Registration → Calculation → Payment → **Receipt**

Home Report a Problem

Account # 00258193
CCC PROPERTY MANAGEMENT LLC**Business License Online Renewal**

PRINT THIS PAGE FOR YOUR RECORD

The business tax license renewal has been submitted. Business tax certificates will be emailed 2 to 5 days after successfully renewing account. For questions, please contact the Business Tax office at (510) 238-3704 or btwebsupport@oaklandca.gov. Thank you, City of Oakland - Business Tax

Submission Date 2/16/2025
Confirmation # 686035

Account Information

Account # 00258193
Expire Date 12/31/2025
Name CCC PROPERTY MANAGEMENT LLC
Address 3751 ARDLEY AVE
City OAKLAND
Phone (510) 388-3208

Summary

	Input Amount
Tax Calculation	
Current Year Business Tax - Residential/Non-Residential Rental	52,761 \$736.02
BT SBT186 (AB1379)	1 \$4.00
BT Recordation and Tech	1 \$5.00
Total # of Employees in 2024, Excluding Owners - report only employees that work within Oakland	\$0.00
Rent Adjustment Program (RAP) Calculation - only use whole numbers below	
a. Total # of units per Alameda County Records:	3 \$303.00
Total Due	\$1,048.02

Payment Information

Payment Amount \$1,048.02

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#OaklandLoveLife
Oakland Library
Visit Oakland
Oakland Museum

For Assistance
Email: btwebsupport@oaklandca.gov
Phone: (510) 238-3704

City of Oakland
250 Frank H Ogawa Plaza, Suite 1320
Oakland, CA 94612

Hours:
8:00 AM-4:00 PM
Monday, Tuesday, Thursday, Friday
9:30 AM-4:00 PM Wednesdays

rentregistportal.oaklandca.gov/FrontPortal/Page/RenderPage?tabId=60&searchParameter=assetId%3D62802

Managed bookmarks | Console's Notebook | Order@ISS | Password — Passwa... | New Tab | Home | Chase Online | Login - S&F

Google Chrome isn't your default browser | Set as default

CITY OF OAKLAND

Type Here To Search

Connie Tse

My Dashboard

Overview

Parcel Number: 025049002600

Site Address: 3751 ARDLEY AVE OAKLAND CA 94602 US

Year Built: 1945

Assessor Total Unit Count: 3

Total Units Added: 3

Property Status: Registration Completed

Back

INSTRUCTIONS TO REGISTER YOUR PROPERTY

Step 1: Update Contact Information. Scroll down to "Contacts" and click on white three-dot action button next to Primary Owner contact to complete Primary owner contact information. You must complete the Primary Owner Information to complete registration. Use the green "Add Contacts" button to add a property manager contact or additional owner contacts. Click on the green "Contact Preferences" button to select or change the Primary Owner and RAP Contacts.

Item 3

[illegible]

NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland has a Rent Adjustment Program (“RAP”) that limits rent increases (Chapter 8.22 of the Oakland Municipal Code) and covers most residential rental units built before 1983. For more information on which units are covered, contact the RAP office.
- **Tenancy Registration Required.** Starting in **2023**, the tenancy data for this unit must be **registered annually with RAP**. The annual deadline to register is **March 1st**. Please note that if your tenancy began after March 1st, the owner will not be required to register until the following year. Failure to register a tenancy with RAP by March 1st will disallow an owner from: 1) filing a rent increase petition, 2) serving a rent increase, and/or 3) answering a tenant petition. Failure to register is also an affirmative defense in most eviction actions even if the owner has “just cause” to evict.
- An owner must petition the RAP for any rent increase that is more than the annual general rent increase (“CPI increase”) or allowed “banked” rent increases. These include, but are not limited to, capital improvements and operating expense increases. For these types of rent increases, the owner may raise your rent only after a hearing officer has approved the increase. No annual rent increase may exceed the maximum increase which changes annually with a 10% cap. You have a right to contest the proposed rent increase by responding to the owner’s petition.
- **Banking:** As of January 2026, banking of rent increases will be limited to five years (instead of the current ten-year expiration term). Also, banking after transfer of property will be prohibited except for transfers through inheritance to certain family members and only if that transferee owns the property for at least a year.
- **Business Tax Certificate:** As of April 15, 2025, owners will be prohibited from issuing a rent increase if the owner is delinquent on business taxes as of April 30th. Owners must provide a copy of their Business Tax Certificate with any rent increase notice as follows:

	CPI only	Banking
Before April 30, 2025	Business Tax Certificate for current year or prior year OR signed payment plan	Business Tax Certificate for current year or prior year
On or after April 30, 2025	Business Tax Certificate for current year OR signed payment plan	Business Tax Certificate for current year

- **Contesting a Rent Increase:** You can file a petition with the RAP to contest unlawful rent increases or decreased housing services. To contest a rent increase, you must file a petition within 180 days of the notice of rent increase. The petition forms are available from the website at [Rent Adjustment Program Petition and Response Forms](#).
- Oakland has eviction controls (the Just Cause for Eviction Ordinance and Regulations, O.M.C. § 8.22) which limit the grounds for evictions in covered units. It also prohibits no-fault evictions (owner move-in or substantial repairs evictions) for owners who are delinquent on their business taxes. For more information contact the RAP office.
- Oakland charges owners a Rent Program Service Fee per unit per year. If the fee is timely paid before March 1st of each year, the owner is entitled to get half of the fee from you in the same year the fee is paid. Tenants in subsidized units are not required to pay the tenant portion of the fee.
- Oakland has a Tenant Protection Ordinance (“TPO”) to deter harassing behaviors by landlords and to give tenants legal recourse in instances where they are subjected to harassing behavior by landlords (O.M.C. 8.22.600).
- The owner ____ is ____ is not permitted to set the initial rent on this unit without limitations (such as pursuant to the Costa-Hawkins Act). If the owner is not permitted to set the initial rent without limitation, the rent in effect when the prior tenant vacated was _____.

TENANTS' SMOKING POLICY DISCLOSURE

- Smoking (circle one) IS or IS NOT permitted in Unit _____, the unit you intend to rent.
- Smoking (circle one) IS or IS NOT permitted in other units of your building. (If both smoking and non-smoking units exist in tenant's building, attach a list of units in which smoking is permitted.)
- There (circle one) IS or IS NOT a designated outdoor smoking area. It is located at _____.

I received a copy of this notice on _____
(Date) (Tenant's signature)

此份屋崙(奧克蘭)市租客權利通知書附有中文版本。請致電(510) 238-3721 索取副本。

La Notificación del Derecho del Inquilino está disponible en español. Si desea una copia, llame al (510) 238-3721.

CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
www.oaklandca.gov/RAP



住宅租金調整分部的租客通知書

- 屋崙(奧克蘭)市的租金調整分部(RAP)旨在限制租金調漲(屋崙(奧克蘭)市政法規 8.22 章),且主要是針對建於 1983 年以前大多數的出租住宅單位。若要了解哪些單位在本分部限制範圍內,請聯絡 RAP 辦事處。
- 租賃資料登記要求。**從 2023 年開始,業主必須**每年向 RAP 為該單位登記租賃資料**。每年的登記截止日期為 3 月 1 日。請注意:如果租約是在 3 月 1 日之後生效的,業主將可以延至到下一年才需要登記。如果業主沒有在 3 月 1 日之前向 RAP 按時登記租賃資料,將無法:1) 提出租金調漲呈請,2) 實行租金調漲,和/或 3) 回應租戶的呈請書。即使業主有“正當迫遷理由”驅逐房客,若業主沒有登記租賃資料,在大多數的驅逐行動中,將會成為租戶訴訟中抗辯的理由。
- 如果租金調漲幅度超出一般租金年度漲幅(「CPI 漲幅」)或允許的「租金調整存放」漲幅,業主就必須向 RAP 請呈加租。調漲原因可包括但不限於固定資產整修和營運支出增加。對於這些類型的租金調漲方案,業主必須在聽證官同意調漲後才能提高您的租金。任何租金年漲幅不得超過每年最變動且最多 10% 的漲幅。如果不同意建議的租金調幅,您有權對業主的請呈提出抗辯。
- 累積存放調漲:自 2026 年 1 月起,租金調漲的累積存放期限將限制為五年(而非目前的十年到期期限)。此外轉讓財產後的累積存放將被禁止除非是通過遺產轉讓給某些家庭成員,並且該繼承人必須至少擁有該財產一年。
- 商業稅務證書:自 2025 年 4 月 30 日起,如果業主在 4 月 30 日尚未繳納商業稅,將禁止發出租金調漲通知。業主在發出租金調漲通知時,必須附上商業稅務證書副本。

	僅限 CPI	累積存放調漲
2025 年 4 月 30 日前	當年度或前年度商業稅務證書或簽署的付款計劃	當年度或前年度商業稅務證書
2025 年 4 月 30 日或之後	當年度商業稅務證書或簽署的付款計劃	當年度商業稅務證書

- 對租金調漲提出抗辯:**您可以租金調漲違法或者住房服務縮為由,向 RAP 請呈抗辯。如果您要對租金調漲提出抗辯,則您必須在收到租金調漲通知後一百八十(180)天內提出請呈。若需要請呈書表格,可上網站 [Rent Adjustment Program Petition and Response Forms](#) (租金調整分部請呈書和回應表格) 取得。
- 屋崙(奧克蘭)市的驅逐管制規則(屋崙(奧克蘭)市政法規 8.22 中的「正當理由驅逐條例及相關規定」)對所管制單位的驅逐理由設有限制。它還禁止對欠商業稅的業主進行非租戶過錯過失逐(若業主自住或重大修繕工程驅逐)。若要瞭解更多資訊,請聯絡 RAP 辦公室。
- 屋崙(奧克蘭)市政府每年會向業主收取每個出租單位的「租金調整分部服務費」(Rent Program Service Fee)。若業主在每年 3 月 1 日之前準時繳納這費用,就有權在繳納費用的同一日曆年向您收取費用的一半。受補助單位的租客無需繳納該費用的租客部分。
- 屋崙(奧克蘭)市的租客保護條例(Tenant Protection Ordinance, TPO)旨在遏阻業主的騷擾行為,並且在租客受業主騷擾的情況下賦予租客法律追索權(屋崙(奧克蘭)市政法規 8.22.600)。
- 業主 _____ 得以 _____ 不得對本單位設下毫無限制的起租租金(例如根據 Costa-Hawkins 法理規定)。如果業主不得設下毫無限制的起租租金,則前任房客遷出後生效的租金是 _____。

針對租客的吸煙政策聲明

- 住房單位 _____ (您有意承租的單位)「允許」或「不允許」吸煙(圈選一項)。
- 您所住建築物中的其他單位「允許」或「不允許」吸煙(圈選一項)。(若租客所住的建築物中同時包含可吸煙和不可吸煙的單位,應附上一張可吸煙單位列表。
- 本建築物「有」或「沒有」指定的戶外吸煙區(圈選一項)。該吸煙區位於 _____。

我於 _____ 收到本通知書 _____
(日期) (租客簽名)

AVISO A LOS INQUILINOS DEL RESIDENTIAL RENT ADJUSTMENT PROGRAM

- Oakland tiene un Programa de Ajustes en el Alquiler (“RAP”) que limita los aumentos en el alquiler (Capítulo 8.22 del Código Municipal de Oakland) y cubre a la mayoría de las unidades residenciales en alquiler construidas antes de 1983. Para obtener más información sobre las viviendas cubiertas, contacte a la oficina del RAP.
- Es obligatorio registrar alquileres.** A partir del **2023**, los datos del alquiler de esta vivienda deben **registrarse anualmente con RAP**. La fecha límite anual para el registro es el **1º de marzo**. Por favor tenga presente que si su alquiler comenzó después del 1º de marzo, el propietario no tendrá la obligación de registrarlo hasta el año siguiente. En caso de no registrar un alquiler con RAP a más tardar el 1º de marzo, el propietario quedará descalificado para: 1) presentar una petición de aumento del alquiler, 2) notificar un aumento del alquiler y/o 3) responder a una petición del inquilino. La falta de tal registro también es una defensa afirmativa en la mayoría de las acciones de desalojo incluso si el propietario tiene una “causa justa” de desalojo.
- Un propietario debe presentar una petición ante el RAP para todo aumento en el alquiler que sea mayor que el aumento general anual en el alquiler (“aumento CPI”) o para todo aumento del alquiler “acumulado” que esté permitido. Estos incluyen, entre otros, mejoras de capital y aumentos en los gastos operativos. Respecto a este tipo de aumentos, el propietario puede aumentar su alquiler sólo después que un oficial de audiencia haya autorizado el incremento. Ningún aumento anual en el alquiler, el cual cambia anualmente, podrá exceder el aumento máximo de un 10 %. Usted tiene derecho a disputar el aumento en el alquiler propuesto respondiendo a la petición del propietario.
- Acumulación de CPIs (“Banking”):** A partir de enero del 2026, la acumulación de aumento de alquiler será limitada a cinco años (en vez de el término actual de expiración de 10 años.) También la acumulación después de la transferencia de la propiedad será prohibida excepto en transferencias a través de herencias a ciertos miembros de familia y solo si el beneficiario es dueño de la propiedad por al menos un año.
- Certificado de Impuesto de Negocio:** A partir de abril 15, 2025, se le prohíbe a los propietarios expedir aumentos de alquiler si el propietario está atrasado en el pago de impuesto de negocio para el 30 de abril. Los propietarios también deben dar una copia del Certificado de Impuesto de Negocio con cualquier aumento de alquiler como sigue:

	Solo CPI	Acumulación de CPIs
Antes de 30º de abril	Certificado de Impuesto de Negocio por año corriente o pasado O un plan de pago firmado	Certificado de Impuesto de Negocio por año corriente o pasado
El o después 30º de abril	Certificado de Impuesto de Negocio por año corriente O un plan de pago firmado	Certificado de Impuesto de Negocio por año corriente

- Cómo disputar un aumento en el alquiler:** Puede presentar una petición ante el RAP para disputar aumentos ilícitos en el alquiler o la disminución de servicios en la vivienda. Para disputar el aumento en el alquiler, debe presentar una petición dentro de los 180 días a partir de la fecha del aviso de aumento en el alquiler. Encontrará los formularios de petición disponibles en el sitio web, donde dice [Rent Adjustment Program Petition and Response Forms](#) (Formularios de Petición y Respuesta del Programa de Ajustes en el Alquiler).
- Oakland tiene controles de desalojo (Ordenanza y Reglamentos de Desalojo por Causa Justa, O.M.C. 8.22) que limitan los motivos de desalojo en las viviendas cubiertas. Desalojos sin culpa del inquilino (desalojos cuando el propietario se mueve a la unidad residencial o reparaciones substanciales) están prohibidos si el propietario está atrasado con el pago de impuesto de negocio. Para obtener más información contacte a la oficina RAP.
- Oakland cobra a los propietarios una Tarifa de Servicio del Programa de Ajustes en el Alquiler por vivienda al año. Si la tarifa se paga a tiempo antes o el 1ro de marzo, el propietario tiene derecho a cobrar la mitad del costo de esta tarifa al inquilino en el mismo año en el cual la tarifa es pagada. No se requiere que los inquilinos de viviendas subsidiadas paguen la parte de la tarifa que correspondería al inquilino.
- Oakland tiene una Ordenanza de Protección al Inquilino (Tenant Protection Ordinance, “TPO”) para impedir el comportamiento abusivo por parte de los propietarios y para ofrecer a los inquilinos recursos legales en instancias donde hayan sido víctimas de comportamiento abusivo por parte de los propietarios (O.M.C. 8.22.600).

- El propietario ____ tiene _____ no tiene permitido establecer el alquiler inicial de esta unidad sin limitaciones (por ejemplo, de conformidad con la Ley Costa-Hawkins). Si el propietario no tiene permitido establecer el alquiler inicial sin limitaciones, el alquiler vigente cuando el inquilino anterior desalojó la vivienda era de _____.

INFORMACIÓN PARA LOS INQUILINOS SOBRE LAS POLÍTICAS PARA FUMADORES

- Fumar (encierre en un círculo) ESTÁ o NO ESTÁ permitido en la Unidad, la unidad que usted pretende alquilar.
- Fumar (encierre en un círculo) ESTÁ o NO ESTÁ permitido en otras unidades de su edificio. (Si hay disponibilidad de ambas unidades, para fumadores y no fumadores, en el edificio del inquilino, adjunte una lista de las unidades en donde se permite fumar).
- (Encierre en un círculo) HAY o NO HAY un área designada al aire libre para fumar. Se encuentra en _____.

Recibí una copia de este aviso el _____
(Fecha)

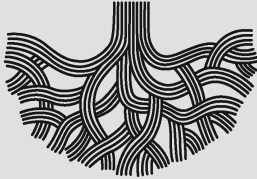
(Firma del inquilino)

CITY OF OAKLAND
BUSINESS TAX CERTIFICATE

The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per State of California, or any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per Section 5.04.300 (C,D), of the O.M.C. you are allowed a renewal grace period until March 1st the following year.

EXPIRATION DATE
12/31/2025

Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to: <https://www.dca.ca.gov/publications>



CCC PROPERTY MANAGEMENT LLC
CCC PROPERTY MANAGEMENT LLC

BUSINESS LOCATION
3751 ARDLEY AVE
OAKLAND, CA 94602-1641

BUSINESS TYPE
O2 Rental - Apartment

CCC PROPERTY MANAGEMENT
PO BOX 184
ORINDA, CA 94563-0237



A BUSINESS TAX CERTIFICATE
IS REQUIRED FOR EACH
BUSINESS LOCATION AND IS
NOT VALID FOR ANY OTHER
ADDRESS.

ALL OAKLAND BUSINESSES
MUST OBTAIN A VALID
ZONING CLEARANCE TO
OPERATE YOUR BUSINESS
LEGALLY. RENTAL OF REAL
PROPERTY IS EXCLUDED
FROM ZONING.

PUBLIC INFORMATION ABOVE
THIS LINE TO BE
CONSPICUOUSLY POSTED!



**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313 Oakland,
CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR PETITION OR RESPONSE (PLUS ANY ADDITIONAL DOCUMENTS) ON THE OPPOSING PARTIES.

- Use this PROOF OF SERVICE form to indicate the date and manner in which service took place, as well as the person(s) served.
- Provide a complete but unsigned copy of this PROOF OF SERVICE form to the opposing parties together with the document(s) being served.
- File the completed and signed PROOF OF SERVICE form with the Rent Adjustment Program together with the document you are filing and copies of any attachments you served on the opposing party/parties.
- Please sequentially number all additional documents provided to the RAP.

PETITIONS FILED WITHOUT A PROOF OF SERVICE WILL BE CONSIDERED INCOMPLETE AND MAY BE DISMISSED.

I served a copy of: Property owner Petition (insert name of document served) and

☒ And Additional Documents

(write number of attached pages) 10 attached pages (not counting the Petition or Response served or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- ☒ a. First-Class Mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.
- ☐ c. Electronic Service (DO NOT USE THIS SERVICE METHOD TO SERVE PETITIONS OR RESPONSES TO PETITIONS.) I electronically sent the document(s) to the person(s) at the address(es) listed below who have previously given written consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) they provided.

PERSON(S) SERVED:

Name	Nikone Rattanamongkhoun
Address	1583 E 38thst
City, State, Zip	Oakland, CA 94602
Email Address	

Name	Somphane Mingdisouphan
Address	1583 E 38th St
City, State, Zip	Oakland, CA 94602
Email Address	

Name	
Address	
City, State, Zip	
Email Address	

Name	
Address	
City, State, Zip	
Email Address	

Name	
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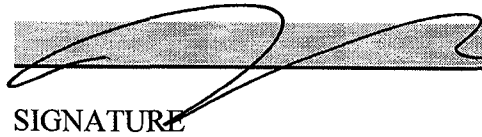
Name	
Address	
City, State, Zip	
Email Address	

Name	
Address	
City, State, Zip	
Email Address	

To serve more than 8 people, copy this page as many times as necessary and insert in your proof of service document. If you are only serving one person, you can use just the first and last page

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 5/21/25 (insert date served).

John Tse
PRINT YOUR NAME


SIGNATURE

5/21/25
DATE



UNITED STATES POSTAL SERVICE.

PIEDMONT
195 41ST ST
OAKLAND, CA 94611-9991
(800)275-8777

05/08/2025

03:01 PM

Product	Qty	Unit Price	Price
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First-Class Mail® Letter	1		\$1.01
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Orinda, CA 94563

Weight: 0 lb 1.50 oz

Estimated Delivery Date

Sat 05/10/2025

First-Class Mail® Letter	1		\$1.01
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Orinda, CA 94563

Weight: 0 lb 1.50 oz

Estimated Delivery Date

Sat 05/10/2025

First-Class Mail® Letter	1		\$1.01
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Orinda, CA 94563

Weight: 0 lb 1.50 oz

Estimated Delivery Date

Sat 05/10/2025

ThankYouHealthCom	20	\$0.73	\$14.60
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Grand Total:			\$17.63
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Credit Card Remit			\$17.63
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Card Name: VISA

Account #: XXXXXXXXXXXXX8341

Approval #: 033569

Transaction #: 069

AID: A0000000980840 Contactless

AL: US DEBIT

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or call 1-800-410-7420.

000165

UFN: 055517-0024

Receipt #: 840-59450095-2-6794785-2



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

2025 MAY 20 PM 6:50

CASE NUMBER L - _____

TENANT RESPONSE TO OWNER PETITION FOR APPROVAL OF RENT INCREASE

Please fill out this form as completely as you can. Use this form to respond to the Property Owner Petition for Approval of Rent Increase filed by the property owner of your rental unit. The Rent Adjustment Ordinance allows property owners to increase rents above the allowable annual CPI (Consumer Price Index) rate, based on certain justifications ("grounds"), if approved after a hearing with the Rent Adjustment Program ("RAP"). By completing this Tenant Response and submitting it in the required time for filing, you will be able to participate in the hearing. Failure to provide the required information may result in your Tenant Response being rejected or delayed. See "Important Information Regarding Filing Your Response" on the last pages of this packet for more information, including filing instructions and how to contact RAP with questions. Additional information is also available on the RAP website. **CONTACT A HOUSING COUNSELOR TO REVIEW YOUR RESPONSE BEFORE SUBMITTING.** To make an appointment email RAP@oaklandca.gov.

Tenant Rental Information

1583	E 38th Street		Oakland, CA	94602
Street Number	Street Name	Unit Number		Zip Code
Nikone Rattanamongkhoun and Somphane Mingsisouphan				
Your First Name		Last Name		
Mailing Address (if different from above): _____				
Primary Telephone: _____		Other Telephone: 510-967-6070	Email: nikone.rattana@gmail.com somphanemingsisouphane@gmail.com	
Type of unit (check one):	☐ Single family home ☐ Condominium ☒ Apartment, room, or live-work	[RESERVED]		
Number of units on the property: 3				

Case number(s) of any relevant prior Rent Adjustment case(s): L25-0029 (current), L24-0066, T25-0025, T23-0011

Tenant Representative: (Check one) ☐ No Representative ☐ Attorney ☒ Non-Attorney

Phonethip	Hill	
First Name	Last Name	Firm/Organization (if any)
Mailing Address: 1583 E 38th Street, Oakland, CA 94602		
Phone Number: 510-393-6012	Email: ponniehill@gmail.com	

RENT HISTORY

Move-in Date: May 15, 1983 Initial Rent at Move-In: \$ 350.00 Current Rent: \$ 564.00

When did the property owner first provide you with the City form, NOTICE TO TENANTS OF THE RESIDENTIAL RENT ADJUSTMENT PROGRAM ("RAP Notice")?

- ☒ I first received the RAP Notice on (date): 5/11/23
☐ I was never provided with the RAP Notice
☐ I do not remember if I ever received the RAP Notice

List all rent increases you have received for this unit in the past five years. Enter all information requested.

Date received rent increase notice:	Date rent increase went into effect:	Amount of increase:		Received RAP Notice with notice of rent increase?	
(mm/dd/yy)	(mm/dd/yy)	FROM	TO	YES	NO
8/24/23	10/15/23	\$ 515.00	\$ 528.00	☐	☒
7/31/24	9/15/23	\$ 528.00	\$ 564.00	☐	☒
		\$	\$	☐	☐
		\$	\$	☐	☐
		\$	\$	☐	☐

RESPONSE TO PROPERTY OWNER PETITION

Use the space below to respond to the rent increase requested in the Owner Petition.

- To generally contest the Owner Petition, simply check the first box under the "GENERAL RESPONSE(S)" section below.
- You may also (but are not required to) raise specific defenses pertaining to the claimed rent increase justification(s) by selecting from the "SPECIFIC RESPONSES" checklist on the following page. **Note that the property owner has the burden of proving that all requirements for the requested rent increase have been met—your failure to check any of the boxes below does NOT mean that any objection you may have is waived.**

Attach additional sheets if needed to provide further explanation. You may attach any documentation supporting your position together with your Tenant Response form. For detailed information on allowable rent increases, see the Rent Adjustment Program Regulations or see the Rent Adjustment Ordinance. Copies the Regulations and the Ordinance are available on the RAP website. Brief summaries of each rent increase justification are also listed on the last page of this response packet.

GENERAL RESPONSE(S)

- ☐ I wish to generally contest the requested rent increase.
- ☐ The requested increase would cause my rent to increase by more than 30% in the last five years (This response may not apply when the increase sought is based on the tenant not residing in the unit as principal residence.)
- ☐ I believe I should not have to pay the requested rent increase because the unit has been cited in an inspection report by a governmental agency as containing serious health, safety, fire, or building code violations. (Attach copy of inspection report.)
- ☐ Before serving the rent increase notice, the property owner failed to substantially comply with the annual registration and reporting obligations as required under Oakland Municipal Code, Section 8.22.510.
- ☒ I believe the property owner is not entitled to the proposed rent increase because: See Attachment

SPECIFIC RESPONSES

(Optional)

NOTE: You do not have to make these claims in order for these issues to be decided by the Hearing Officer.

Justification	Tenant Response
Capital Improvements	☐ The claimed improvements do not meet the legal or factual requirements for "Capital Improvements" as set forth in Appendix A of the Rent Adjustment Program Regulations. ☐ The claimed improvements were not completed by the date the Property Owner Petition was filed or were completed more than 24 months prior to the date the Petition was filed. ☐ Property owner did not obtain finalized permit(s) for work that required permit(s). ☐ The claimed improvements were not primarily a benefit to the tenants. ☒ Other (provide explanation): <u>see attached statement</u>
Uninsured Repair Costs	☐ Property owner received insurance reimbursement for claimed costs. ☐ The need for some or all of the repairs was not caused by a natural disaster. ☐ Other (provide explanation): _____
Increased Housing Service Costs	☐ The claimed expenses do not meet the legal or factual requirements for "Housing Service Costs" as set forth in Appendix A of the Rent Adjustment Program Regulations. ☐ Property owner did not include all rental income or all expenses as required. ☐ Other (provide explanation): _____
Fair Return	☐ Property owner did not provide adequate information or documentation on gross income or gross expenses as required. ☐ Other (provide explanation): _____
Banking	☐ I have received an annual CPI increase each year since I moved in. ☐ I have not received an annual CPI increase every year (just some years) but I think the proposed banking increase is too high. ☐ I moved into the current unit more than 10 years ago. My rent amount 11 years ago was \$_____/month. ☐ Other (provide explanation): _____
Additional Occupant(s)	☐ The additional occupant(s) is/are a one-for-one replacement of former tenant(s) (total number of tenants does not exceed the base occupancy level). ☐ The additional occupant(s) is/are family member(s) and/or caretaker/attendant(s) of an existing tenant. (See O.M.C. § 8.22.020.) ☐ The person does not permanently reside in the unit. ☐ Other (provide explanation): _____
Tenant Not Residing in the Unit as Principal Residence	☐ As of the date the petition is filed, I reside in the unit as my principal residence.

TENANT VERIFICATION

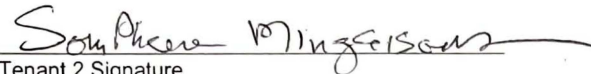
(Required)

I/We declare under penalty of perjury pursuant to the laws of the State of California that everything I/we said in this Response is true and that all of the documents attached to the Response are true copies of the originals.



Tenant 1 Signature

5/8/25
Date



Tenant 2 Signature

5/8/25
Date

REQUEST FOR OWNER DOCUMENTATION IN EXCESS OF 25 PAGES

If the property owner submitted more than 25 pages of attachments in support of their petition, the owner may have opted to not serve you with a copy of all the attachments (see if box is checked on the Property Owner Petition under "Documentation in Excess of 25 pages"). You may contact RAP to request copies of the documents (email RAP@oaklandca.gov), or you may check the box below to request that the owner provide you with copies.

☒ I/We request that the owner provide me/us with copies of all documents submitted in support of the Property Owner Petition.

CONSENT TO ELECTRONIC SERVICE

(Highly Recommended)

Check the box below if you agree to have RAP staff and the OTHER PARTY/IES send you documents related to your case electronically. If you agree to electronic service, the RAP and other parties may send certain documents only electronically and not by first class mail.

☒ I/We consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) provided in this response.

MEDIATION PROGRAM

Mediation is an optional process offered by RAP to assist parties in settling the issues related to their Rent Adjustment case as an alternative to the formal hearing process. A trained third party will work with the parties prior to the hearing to see if a mutual agreement can be reached. If a settlement is reached, the parties will sign a binding agreement and there will not be a formal hearing. If no settlement is reached, the case will go to a formal hearing with a Rent Adjustment Hearing Officer, who will then issue a hearing decision.

Mediation will only be scheduled if both parties agree to mediate. Sign below if you agree to mediation in your case.

I agree to have the case mediated by a Rent Adjustment Program staff mediator.

Tenant Signature

Date

INTERPRETATION SERVICES

If English is not your primary language, you have the right to an interpreter in your primary language/dialect at the Rent Adjustment hearing and mediation session. You can request an interpreter by completing this section.

☐ I request an interpreter fluent in the following language at my Rent Adjustment proceeding:

- ☐ Spanish (Español)
☐ Cantonese (廣東話)
☐ Mandarin (普通话)
☐ Other: _____

-END OF RESPONSE-

3 ways to submit a petition:



Rent Adjustment Program
250 Frank Ogawa Plaza, Suite

Please note.

File petitions within 90 days of service issues or a RAP notice; ongoing issues can be filed anytime. **Include all issues** in your



CITY OF OAKLAND

CITY OF OAKLAND RENT ADJUSTMENT PROGRAM

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR RESPONSE (PLUS ANY ATTACHMENTS) ON THE PROPERTY OWNER PRIOR TO FILING YOUR RESPONSE WITH RAP.

- 1) Use this *PROOF OF SERVICE* form to indicate the date and manner of service and the person(s) served.
- 2) **NOTE:** Email is not a form of allowable service on a party of a petition or response pursuant to the Ordinance.
- 3) Provide a completed and unsigned copy of this *PROOF OF SERVICE* form to the person(s) being served together with the documents being served.
- 4) File a completed and signed copy of this *PROOF OF SERVICE* form with RAP together with your Response. Your Response will not be considered complete until this form has been filed indicating that service has occurred.

On the following date: 5 / 8 / 25 I served a copy of (check all that apply):

☒ **TENANT RESPONSE TO OWNER PETITION FOR APPROVAL OF RENT INCREASE** plus 2 attached pages (number of pages attached to Response not counting the Response form or *PROOF OF SERVICE*)

☐ Other: _____

by the following means (check one):

☒ **First-Class Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ **Personal Service.** I personally delivered the document(s) to the person(s) at the address(es) listed below or I left the document(s) at the address(es) with some person not younger than 18 years of age.

PERSON(S) SERVED:

Name	CCC Property Management
Address	29 Orinda Way #184
City, State, Zip	Orinda, CA 94563

Name	John Tse	Connie Louie-Tse
Address	29 Orinda Way #184	29 Orinda Way #184
City, State, Zip	Orinda, CA 94563	Orinda, CA 94563

*Each person received a separate piece of mail

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

Phonethip Hill

PRINTED NAME



SIGNATURE

5/8/25

DATE SIGNED

IMPORTANT INFORMATION REGARDING FILING YOUR RESPONSE

TIME TO FILE YOUR RESPONSE

Your Tenant Response form must be received by the Rent Adjustment Program within 35 days after the Owner Petition was mailed to you (30 days if the Petition was delivered in-person). RAP staff cannot grant an extension of time to file.

CONTACT A HOUSING COUNSELOR TO REVIEW YOUR RESPONSE BEFORE SUBMITTING

To make an appointment, email RAP@oaklandca.gov or call (510) 238-3721. Although the Housing Resource Center is temporarily closed for drop-in services, assistance is available by email or telephone.

DOCUMENTS SUBMITTED IN SUPPORT OF RESPONSE

All attachments submitted together with your Response must be numbered sequentially. You may submit additional evidence in support of your Response up to seven days before your hearing.¹ You must serve a copy of any documents filed with RAP on the other party and submit a PROOF OF SERVICE form.

REMINDER: Once a petition and its attachments are submitted to the RAP they become public records. Please redact any private information (such as social security numbers, bank account numbers, credit card numbers and similar financial data) from the documents you submit as part of this petition. If you have any questions, you may contact RAP staff by phone at (510) 238-3721 or by email at RAP@oaklandca.gov.

Additionally, all documents submitted to the RAP, including but not limited to emails, petitions, attachments, potential evidence, text messages, screenshots, etc., are a part of the file in your case and all parties to a case are entitled to have access to this information.

SERVICE ON PROPERTY OWNER

You are required to serve a copy of your Tenant Response form (plus any attachments) on the property owner or the property owner's representative and submit a PROOF OF SERVICE form together with your Response.

- (1) Serve a copy of your Response on the owner by mail or personal delivery.
- (2) Complete a PROOF OF SERVICE form (*included in this Response packet and available on RAP website*) indicating the date and manner of service and the person(s) served.
- (3) Provide the owner with a completed copy of the PROOF OF SERVICE form together with the document(s) being served.
- (4) File a completed copy of the PROOF OF SERVICE form together with your Response when submitting to RAP.

Note: Your Response will not be considered complete until a PROOF OF SERVICE form has been filed indicating that the owner has been served.

FILING YOUR RESPONSE

Although RAP normally does not accept filings by email or fax, RAP is temporarily accepting Responses via email during the COVID-19 local state of emergency. You may also fill out and submit your Response online through the RAP website or deliver the Response to the RAP office by mail. If the RAP office is closed on the last day to file, the time to file is extended to the next day the office is open. If you send your Response by mail, a postmark date does not count as the date it was received. Remember to file a PROOF OF SERVICE form together with your Response.

¹ Note that certain documents are required to be submitted with the Response. See Response form for details.

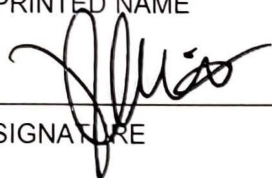
Name	John Tse	Connie Louie-Tse
Address	29 Orinda Way #184	29 Orinda Way #184
City, State, Zip	Orinda, CA 94563	Orinda, CA 94563

*Each person received a separate piece of mail

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

Phonethip Hill

PRINTED NAME



SIGNATURE

5/8/25

DATE SIGNED

Via email: hearingsunit@oaklandca.gov

Mail to: City of Oakland
Rent Adjustment Program
250 Frank H. Ogawa Plaza, Ste. 5313
Oakland, CA 94612-0243

File online: <https://www.oaklandca.gov/services/respond-to-an-owner-petition-for-the-rent-adjustment-program>

In person: TEMPORARILY CLOSED
City of Oakland
Dalziel Building, 250 Frank H. Ogawa Plaza Suite 5313

AGREEMENT TO ELECTRONIC SERVICE

Except for service of a petition or a response to a petition, documents may be electronically served on you when you have agreed to receive electronic service from the Rent Adjustment Program and from the other party/parties to the case.

AFTER RESPONSE IS FILED

In most cases, RAP will schedule a hearing to determine whether the Property Owner's Petition should be granted or denied. You will be mailed a Notice of Hearing indicating the hearing date. If you are unable to attend the hearing, contact RAP as soon as possible. The hearing will only be postponed for good cause.

FILE/DOCUMENT REVIEW

If the property owner submitted more than 25 pages of attachments in support of their Petition, the owner may have opted to not serve you with a copy of all the attachments (see if box is checked on the Property Owner Petition form under "Documentation in Excess of 25 pages"). You may contact RAP to request copies of the documents (email RAP@oaklandca.gov), or you may check the box on your Response to request that the owner provide you with copies.

Either party may contact RAP to review the case file and/or to request copies of any documents pertaining to the case at any time prior to the scheduled hearing.

FOR MORE INFORMATION

Additional information on the petition and hearing process is located on the RAP website and in the Residential Rent Adjustment Program Ordinance and Regulations (see Oakland Municipal Code 8.22.010 *et seq.*). For more information on rent increases, including the list of the annual allowable CPI rates and calculators for certain justifications, see: <https://www.oaklandca.gov/resources/learn-more-about-allowable-rent-increases>, or you can refer to the Guide on Oakland Rental Housing Law at <https://cao-94612.s3.amazonaws.com/documents/Guide-to-Oakland-Rental-Housing-Law-1.pdf>. You may also contact a RAP Housing Counselor with questions at any time by emailing RAP@oaklandca.gov or calling (510) 238-3721.

SUMMARY OF JUSTIFICATIONS FOR RENT INCREASES ABOVE THE CPI

Capital Improvements

Allows pass-through of portion of costs for qualified capital improvements to units benefitting from improvements over amortization period based on expected life of improvement and not to exceed 6.1% of tenant's rent in starting year.² Calculation for building-wide improvements must factor in total number of units, even if vacant or owner/manager-occupied. Not counted as part of base rent for calculating next increases. Pass-through drops off at end of amortization period.

Uninsured Repair Costs

Costs for work done to secure compliance with any state or local law to repair damage resulting from, fire, earthquake, or other casualty or natural disaster, to the extent not reimbursed by insurance proceeds. Calculated and applied like capital improvements.

Increased Housing Service Costs

Compares two (2) years' net operating costs to determine if increase rate exceeds current year's CPI. Calculation must include all rental income and all operating expenses (no one expense can be singled out). Replaces CPI increase for current year; applies to all units. Limited by maximum allowable rent increase.

Fair Return on Investment

Requires evidence to show that without the requested rent increase owner is being denied a fair return on investment in the subject property. Requires analysis and proof of gross income (e.g., total of gross rents lawfully collectible from a property at 100% occupancy, plus any other consideration received or receivable) and gross costs (e.g., property taxes, housing service costs, and the amortized cost of capital improvements) on subject property in the current year and base year. Cannot be combined with any other justification for increase. Replaces CPI increase for current year; applies to all units.

Banking

Banking refers to deferred allowable annual rent increases. Any unclaimed CPI increase, or partial increase, may be carried over to a future year's increase ("banked"). A banked increase, including the current CPI, is capped at no more than three times (3X) the CPI on the date that increase takes effect, or 6.1% of the current rent, whichever is lower. Any banking left over may be carried over to another year. Banking cannot be given more than ten years after it accrues, and will expire. Banking can be combined with other rent increase justifications as long as the cap is not exceeded. If challenged, evidence of the rental history of the subject unit is required. A petition is not required to give a banked increase unless owner wishes to combine banking with other type(s) of justification.

Additional Occupant(s)

Allows up to a 5% increase for each additional occupant above the base occupancy level. An additional occupant who is the spouse, registered domestic partner, parent, grandparent, child, adopted child, foster child, or grandchild of an existing tenant, or the legal guardian of an existing tenant's child or grandchild who resides in the unit, or a caretaker/attendant as required for a reasonable accommodation for an occupant with a disability, does not qualify as an "additional occupant" for purposes of imposing a rent increase.

Tenant Not Residing in the Unit as Principal Residence

If the original occupant or occupants who took possession of the dwelling or unit pursuant to the rental agreement with the owner no longer permanently reside there, an owner may increase the rent to the prevailing market rate to a lawful sublessee or assignee who did not reside at the dwelling or unit prior to January 1, 1996.

² Note that this percentage changes every year based on the State of California's maximum allowable rent increase per year.

Case No. L25-0029

Attachment 1

General Response(s)

I believe the property owner is not entitled to the proposed rent increase because:

1. New property owners must ensure that the sewer lateral replacement and sidewalk repair were performed to comply with local municipal codes or safety mandates; these are not discretionary improvements. According to Oakland RAP regulations, repairs required by law are not considered capital improvements eligible for a rent increase.
2. The exterior painting was primarily cosmetic and does not significantly enhance our/tenants' use. We experienced disruption during the painting and construction work, with no material gain in services or functionality.

Response to page 3, Capital Improvement, Tenant Response:

1. **Sewer Lateral and Sidewalk Work Was Legally Required Upon Transfer of Ownership.** Under the City of Oakland and East Bay Municipal Utility District regulations, sewer lateral and sidewalk repairs are mandatory upon the sale or transfer of a property. These improvements are not discretionary upgrades but legally required compliance work, and therefore do not qualify as capital improvement under the Oakland Rent Adjustment Ordinance (OMC § 8.22.020). As such, we the tenants' should not bear the cost of bringing the property into legal compliance upon the new owner's purchase. Deferred Maintenance Is Not Eligible for a Rent Increase. RAP rules clearly state that routine or deferred maintenance is not eligible for a capital improvement passthrough. Painting, sidewalk repair, and sewer lateral work, when done to correct long-standing conditions or fulfill legal obligations, fall into this category.
2. **Exterior painting was not necessary and was done by the Landlord's own company.** The exterior painting was performed not out of necessity, but the new owner chose to repaint the building is cosmetic and elective, not essential. The painting was completed by the Landlord's own construction company, raising concerns about whether the costs were at are market rate. There is no independent verification that the charges are reasonable or competitive with other licensed contractors.
3. On page 19 of the Landlord's Petition, titled *Capital Improvement Calculator – City of Oakland Rent Adjustment Program*, the columns labeled "Allowable Monthly Amortized Cost for Building" and "Allowable Amortized Cost per Unit" display the error message **#VALUE!** instead of calculated amounts. This indicates a spreadsheet or formula error and reflects a lack of proper documentation. The petition fails to provide a clear and accurate breakdown of the total project cost, the amount allocated to each unit, or the useful life calculations used to determine the proposed rent increase. Without this information, tenants cannot adequately evaluate or respond to the proposed surcharge.

CCC Property Management LLC
P.O. Box 184
Orinda, CA 94563

Retail



94602

U.S. POSTAGE PAID
FCM LETTER
ORINDA, CA 94563
MAY 21, 2025

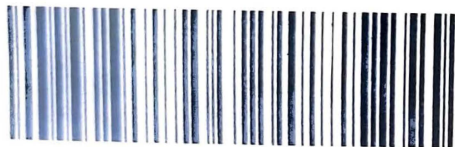
\$5.86

S2324P502318-99

RDC 99

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®

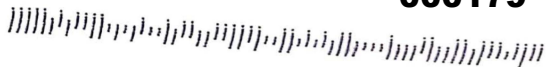


9589 0710 5270 3012 0608 23

NIKONE RATTANAMONGKOLAN
SOMPANE MINGSIPOUTAN
1583 E ~~38th~~ ST
OAKLAND, CA 94602

94602\$1244 0009

000179





CITY OF OAKLAND

CITY OF OAKLAND RENT ADJUSTMENT PROGRAM

250 Frank H. Ogawa Plaza, Suite 5313 Oakland,
CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

PROOF OF SERVICE

NOTE: YOU ARE REQUIRED TO SERVE A COPY OF YOUR PETITION OR RESPONSE (PLUS ANY ADDITIONAL DOCUMENTS) ON THE OPPOSING PARTIES.

- Use this PROOF OF SERVICE form to indicate the date and manner in which service took place, as well as the person(s) served.
- Provide a complete but unsigned copy of this PROOF OF SERVICE form to the opposing parties together with the document(s) being served.
- File the completed and signed PROOF OF SERVICE form with the Rent Adjustment Program together with the document you are filing and copies of any attachments you served on the opposing party/parties.
- Please sequentially number all additional documents provided to the RAP.

PETITIONS FILED WITHOUT A PROOF OF SERVICE WILL BE CONSIDERED INCOMPLETE AND MAY BE DISMISSED.

I served a copy of: Property owner Petition (insert name of document served) and

☒ And Additional Documents

(write number of attached pages) 10 attached pages (not counting the Petition or Response served or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- ☒ a. First-Class Mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.
- ☐ c. Electronic Service (DO NOT USE THIS SERVICE METHOD TO SERVE PETITIONS OR RESPONSES TO PETITIONS.) I electronically sent the document(s) to the person(s) at the address(es) listed below who have previously given written consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) they provided.

PERSON(S) SERVED:

Name	Nikone Rattanamongkhoun
Address	1583 E 38thst
City, State, Zip	Oakland, CA 94602
Email Address	

Name	Somphane Mingdisouphan
Address	1583 E 38th St
City, State, Zip	Oakland, CA 94602
Email Address	

Name	
Address	
City, State, Zip	
Email Address	

Name	
Address	
City, State, Zip	
Email Address	

Name	
Address	
City, State, Zip	
Email Address	

Name	
Address	
City, State, Zip	
Email Address	

Name	
Address	
City, State, Zip	
Email Address	

Name	
Address	
City, State, Zip	
Email Address	

To serve more than 8 people, copy this page as many times as necessary and insert in your proof of service document. If you are only serving one person, you can use just the first and last page

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 5/21/25 (insert date served).

John Tse

PRINT YOUR NAME

SIGNATURE

5/21/25

DATE

[illegible]

entiretyportal.oakland.gov/MyDashboard/PropertyRegistration/603?searchParameters=Assessor%202022

Managed bookmarks | Console's Notebook | Order@ISS | Password - Passw... | New Tab | Home | Chase Online | Login - Sofi

Google Chrome is your default browser | Set as default

CITY OF OAKLAND | Type Here To Search | Continue Use

My Dashboard

Overview | Back

Parcel Number : 023049002600 | Site Address : 3751 ARDLEY AVE OAKLAND CA 94602 US | Year Built : 1965 | Assessor Total Unit Count : 3 | Total Units Added : 3

Property Status : Registration Completed

INSTRUCTIONS TO REGISTER YOUR PROPERTY:

Step 1: Update Contact Information. Scroll down to "Contacts" and click on white three-dot action button next to Primary Owner contact to complete Primary owner contact information. You must complete the Primary Owner Information to complete registration. Use the green "Add Contacts" button to add a property manager contact or additional owner contact. Click on the green "Contact Preferences" button to select or change this Primary Owner and RAP Contacts.

Item 3

OAKLAND

NEWS SERVICES DEPARTMENTS EVENTS OFFICIALS

Select Language | ▼

Guest

Find Account → Registration → Calculation → Payment → Receipt

Home Report a Problem

Account # 00258193
CCC PROPERTY MANAGEMENT LLC

Business License Online Renewal

PRINT THIS PAGE FOR YOUR RECORD

The business tax license renewal has been submitted. Business tax certificates will be emailed 2 to 5 days after successfully renewing account. For questions, please contact the Business Tax office at (510) 238-3704 or btwebsupport@oaklandca.gov. Thank you, City of Oakland - Business Tax

Submission Date
Confirmation #2/16/2025
686035

Account Information

Account # 00258193
Expire Date 12/31/2025
Name CCC PROPERTY MANAGEMENT LLC
Address 3751 ARDLEY AVE
City OAKLAND
Phone (510) 388-3208

Summary

	Input Amount
Tax Calculation	
Current Year Business Tax – Residential/Non-Residential Rental	52,761 \$736.02
BT SB1186 (AB1379)	1 \$4.00
BT Recordation and Tech	1 \$5.00
Total # of Employees in 2024, Excluding Owners - report only employees that work within Oakland	\$0.00
Rent Adjustment Program (RAP) Calculation - only use whole numbers below	
a. Total # of units per Alameda County Records:	3 \$303.00
Total Due	\$1,048.02
Payment Information	
Payment Amount	\$1,048.02

After printing or saving this page for your records, you may close this browser window/tab.

Powered by: Holo

Elected Officials
Departments
Boards and Commissions
Staff Directory

Services
News & Updates
Events
Documents

#OaklandLoveLife
Oakland Library
Visit Oakland
Oakland Museum

For Assistance
Email: btwebsupport@oaklandca.gov
Phone: (510) 238-3704

City of Oakland
250 Frank H Ogawa Plaza, Suite 1320
Oakland, CA 94612

Hours:
8:00 AM-4:00 PM
Monday, Tuesday, Thursday, Friday

9:30 AM-4:00 PM Wednesdays.

Item 1

CITY OF OAKLAND
BUSINESS TAX CERTIFICATE

The holder of a Business Tax Certificate in Oakland is responsible for the payment of the City of Oakland's business tax. It is the responsibility of the holder of this certificate to ensure that the business tax is paid on time and in full. The City of Oakland reserves the right to suspend or revoke this certificate if the business tax is not paid on time and in full.

ACCOUNT NUMBER
06248184

DBA
COC PROPERTY MANAGEMENT LLC

BUSINESS LOCATION
3751 ARDEN AVE
OAKLAND, CA 94602-1641

BUSINESS TYPE
02 Rental Apartment

EXPIRATION DATE
1/31/2025

QR CODE

CONTACT INFORMATION
COC PROPERTY MANAGEMENT
PO BOX 184
OAKLAND, CA 94602-0184

A BUSINESS TAX CERTIFICATE
IS REQUIRED FOR EACH
BUSINESS LOCATION AND IS
NOT VALID FOR ANY OTHER
ADDRESS.

ALL OAKLAND BUSINESSES
MUST OBTAIN A VALID
ZONING CLEARANCE TO
OPERATE YOUR BUSINESS
LEGALLY. RENTAL OF REAL
PROPERTY IS EXCLUDED
FROM ZONING.

PUBLIC INFORMATION ABOVE
THIS LINE TO BE
CONSPICUOUSLY POSTED!

TENANT INFORMATION

(Required for all petitions)

List each tenant and the requested information for each unit affected by this petition. Attach additional copies of this sheet if necessary. Under "Type of Increase Sought," specify the ground(s) on which the rent increase is sought (e.g., capital improvements, banking, etc.).

TENANT NAME	ADDRESS (include unit #)	EMAIL ADDRESS	PHONE NUMBER	CURRENT RENT	TYPE OF INCREASE(S) SOUGHT
NIKON RATTANARONGKATON	1583 E 38 th ST	/	510-967-6070	\$564	Capital
SOMPITAN MUNGSISOUWAT	1583 E 38 th ST	/	510-407-2185	\$564	Capital

WORKSHEET D: BANKING

Petitions based on Banking must include the below information. List each tenant for whom you are seeking an increase. Attach all documents which support the dates and amounts shown in the chart. "Current Pass-Through Amount" refers to any capital improvement pass-through currently being paid by the tenant.

TENANT NAME	UNIT #	MOVE-IN DATE (mm/dd/yy)	RENT AT MOVE-IN	RENT 11 YEARS AGO (If tenant has lived in unit > 11 years)	CURRENT RENT	CURRENT PASS- THROUGH AMOUNT (If any)

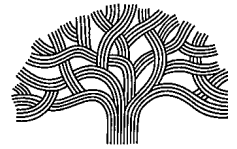
WORKSHEET C **FAIR RETURN**

Owners who submit petitions based on Fair Return must complete the chart below, in addition to attaching all required supporting documentation. Petitions that do not include organized documentation and detailed calculations clearly demonstrating the claimed justification will be considered incomplete and may be dismissed without a hearing. Calculations should be based on the entire subject premises. Note that the first column (base year) should be completed based on the year 2014.

	BASE YEAR (2014)		LAST YEAR	
	From: _____ to _____ (mm/dd/yy) (mm/dd/yy)		From: _____ to _____ (mm/dd/yy) (mm/dd/yy)	
INCOME				
Rents	\$		\$	
Parking	\$		\$	
Laundry	\$		\$	
Other: _____	\$		\$	
Imputed rent if any unit owner/manager-occupied	\$		\$	
Imputed rent if any unit not rented to capacity	\$		\$	
Total:	\$		\$	
EXPENSES				
Electricity/Gas	\$		\$	
Garbage	\$		\$	
Water/Sewer	\$		\$	
Insurance	\$		\$	
Maintenance/Repairs	\$		\$	
Pest Control	\$		\$	
Laundry Expenses	\$		\$	
Parking	\$		\$	
Elevator Service	\$		\$	
Security	\$		\$	
Property Taxes	\$		\$	
Business License	\$		\$	
Management Expenses	\$		\$	
Furnishings	\$		\$	
Capital Improvements (Amortized cost)	\$		\$	
Other: _____	\$		\$	
Other: _____	\$		\$	
Total:	\$		\$	

Owners who submit petitions based on increased housing service costs must complete the chart below, in addition to attaching all required supporting documentation. Petitions that do not include organized documentation and detailed calculations clearly demonstrating the claimed justification will be considered incomplete and may be dismissed without a hearing. Calculations should be based on the entire subject premises.

	YEAR 1 (two years ago)		YEAR 2 (last year)	
	From: _____ (mm/dd/yy)	to: _____ (mm/dd/yy)	From: _____ (mm/dd/yy)	to: _____ (mm/dd/yy)
INCOME				
Rents	\$		\$	
Parking	\$		\$	
Laundry Income	\$		\$	
Other: _____	\$		\$	
Total:	\$		\$	
EXPENSES				
Garbage	\$		\$	
Water/Sewer	\$		\$	
Electricity/Gas	\$		\$	
Insurance	\$		\$	
Repairs and Maintenance	\$		\$	
Pest Control	\$		\$	
Laundry Expenses	\$		\$	
Parking	\$		\$	
Elevator Service	\$		\$	
Security	\$		\$	
Furnishings	\$		\$	
Business License	\$		\$	
Management Expenses	\$		\$	
Other: _____	\$		\$	
Other: _____	\$		\$	
Other: _____	\$		\$	
Total:	\$		\$	



ADMINISTRATIVE DECISION

CASE NUMBER: L25-0029

CASE NAME: CCC Property Management v. Tenants

PROPERTY ADDRESS: 3751 Ardley Avenue
Oakland, CA

PARTIES: John Tse, Owner's Representative

SUMMARY OF DECISION

The Owner's petition is dismissed.

INTRODUCTION

Reason for Administrative Decision: An Administrative Decision is a decision issued without a hearing. The purpose of a hearing is to allow the parties to present testimony and other evidence to resolve disputes of material fact. However, in this case, sufficient uncontested facts have been presented to issue a decision without a hearing, and no material facts are disputed. Therefore, an administrative decision is being issued without a hearing.

BACKGROUND

On April 14, 2025, the Owner filed the petition herein for approval of a rent increase on the grounds of capital improvement costs for a sewer later, sidewalk improvements and exterior painting.

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//

A *Notice of Incomplete Petition* was sent to the petitioner on May 6, 2025, and the petitioner was given 30 days to file the necessary documents and complete the petition. Thereafter, the Owner provided copies of the 2024 and 2025 City of Oakland Business Tax Certificates, proof of payment of the RAP Fees, and evidence of registration with the rent registry. An *Amended Notice of Incomplete Petition* was sent to the petitioner on May 9, 2025, and the petitioner was given 30 days to file the necessary documents and complete the petition. The petitioner provided the missing pages to the petition and the capital improvement calculations.

The Tenant filed a Response, penalty of perjury, contesting the petition.

RATIONALE FOR ADMINISTRATIVE DECISION

The Rent Adjustment Ordinance (Ordinance) requires an Owner filing a petition to provide evidence of a current City Business License, evidence of payment of the Rent Adjustment Program Service Fee, proof of registration with the Rent Adjustment Program, and evidence of service of written notice of the existence and scope of the rent adjustment program on the tenant in each affected covered unit in the building prior to the petition being filed.¹ Effective September 21, 2016, Owners are required to provide a RAP Notice in the following languages: English, Spanish, and Chinese.²

The Owner herein filed the petition on April 15, 2025, signed under the penalty of perjury. The Owner provided a copy of the Business Tax Certificate and evidence of Registration with the Rent Adjustment Program. The Owner alleged that written notice of the existence and scope of the rent adjustment program was served on the tenant in each affected covered unit in the building before the petition was filed, as required.

Capital Improvements

Capital improvement costs are those improvements that materially add to the property's value and appreciably prolong its useful life or adapt it to new building codes. For a capital improvement to be allowed, the improvement must primarily benefit the tenant rather than the owner. Normal routine maintenance and repair are

¹ O.M.C. § 8.22.090(B).

² O.M.C. § 8.22.060(A)(2).

not a capital improvement cost but a housing service cost. Capital improvement costs may justify a rent increase in excess of the C.P.I.³

To be considered a capital improvement, the improvement has to be “completed.” The Oakland Building Code provides that “all construction work for which a permit is required shall be subject to inspection by the Building Official.” (O.M.C. Section 15.08.140). Without a permit, the work cannot be said to have been “completed.”

The Board has held that if a construction project required a permit, then a capital improvement rent increase cannot be granted for costs expended on that project.⁴

Effective July 1, 2023, permits are now required for exterior painting of pre-1978 buildings.⁵ The proof of registration submitted by the petition shows the building was built in 1945. Additionally, the repair or replacement of a sewer lateral requires a permit.⁶

To date, no evidence of permits for the subject property has been submitted. Additionally, the deadline to provide additional exhibits for the hearing (seven days before August 20, 2025) has passed. Accordingly, there is insufficient evidence to grant a rent increase justified by capital improvements as there is no evidence that the work performed was inspected by a Building Official and “completed.” Accordingly, the petition remains incomplete and must be dismissed.

ORDER

1. Petition L25-0029 is dismissed.
2. The Remote Settlement Conference and Hearing, scheduled for August 20, 2025, is canceled.

Right to Appeal: **This decision is the final decision of the Rent Adjustment Program Staff.** Either party may appeal this decision by filing a properly completed appeal using the form provided by the Rent Adjustment Program. The appeal must be received within seventeen (17) calendar days of electronic service or twenty (20) days if served by first-class mail. If the last day to file is a

³ Regulations Appendix § 10.2.2(1)

⁴ Falcom v. Bostrum, Case No. T13-0279 & Ludwig v. Tenants, Case No. L16-0038.

⁵ OMC § 15.08 §5, Article 8.

⁶ OMC § 13.08.040.

weekend or holiday, the appeal may be filed on the next business day. The date and service method are shown on the attached Proof of Service.



Dated: 14 August 2025

Élan Consuella Lambert
Hearing Officer
Rent Adjustment Program

PROOF OF SERVICE BY ELECTRONIC MAIL

Case Number: L25-0029

I, the undersigned, state that I am a resident of the State of California at least eighteen years of age. I am not a party to the Residential Rent Adjustment Program case listed above. I am employed in Alameda County, California. My business address is 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California 94612. My electronic service address is: bjackson@oaklandca.gov.

Today, I electronically served the attached documents:

Documents Included

Administrative Decision

I electronically served the document(s) listed above to:

John Tse jtse.cnc@gmail.com ;

Nikone Rattanamongkitoun nikone.rattana@gmail.com;

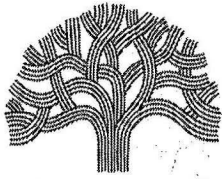
Somphane Mingsisouphan somphanemingsisouphan@gmail.com;

Sae Harshberger sharshberger@centrolegal.org

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **August 15, 2025**.



Brittni Jackson
Oakland Rent Adjustment Program



CITY OF OAKLAND

**CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM**

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243
(510) 238-3721
CA Relay Service 711
www.oaklandca.gov/RAP

For Rent Adjustment Program date stamp.

APPEAL

Appellant's Name John Tse		☒ Owner ☐ Tenant	
Property Address (Include Unit Number) 3751 Ardley Ave			
Appellant's Mailing Address (For receipt of notices) 29 Orinda Way #184 Orinda, CA 94563		Case Number L25-0029	
		Date of Decision appealed 14 August 2025	
Name of Representative (if any)		Representative's Mailing Address (For notices)	

Please select your ground(s) for appeal from the list below. As part of the appeal, an explanation must be provided responding to each ground for which you are appealing. Each ground for appeal listed below includes directions as to what should be included in the explanation.

- 1) There are math/clerical errors that require the Hearing Decision to be updated. *(Please clearly explain the math/clerical errors.)*
- 2) Appealing the decision for one of the grounds below (required):
 - a) ☐ The decision is inconsistent with OMC Chapter 8.22, Rent Board Regulations, or prior decisions of the Board. *(In your explanation, you must identify the Ordinance section, Regulation or prior Board decision(s) and describe how the description is inconsistent.)*
 - b) ☐ The decision is inconsistent with decisions issued by other Hearing Officers. *(In your explanation, you must identify the prior inconsistent decision and explain how the decision is inconsistent.)*
 - c) ☐ The decision raises a new policy issue that has not been decided by the Board. *(In your explanation, you must provide a detailed statement of the issue and why the issue should be decided in your favor.)*
 - d) ☐ The decision violates federal, state, or local law. *(In your explanation, you must provide a detailed statement as to what law is violated.)*
 - e) ☒ The decision is not supported by substantial evidence. *(In your explanation, you must explain why the decision is not supported by substantial evidence found in the case record.)*

- f) ☒ I was denied a sufficient opportunity to present my claim or respond to the petitioner's claim. (In your explanation, you must describe how you were denied the chance to defend your claims and what evidence you would have presented. Note that a hearing is not required in every case. Staff may issue a decision without a hearing if sufficient facts to make the decision are not in dispute.)
- g) ☐ The decision denies the Owner a fair return on the Owner's investment. (You may appeal on this ground only when your underlying petition was based on a fair return claim. You must specifically state why you have been denied a fair return and attach the calculations supporting your claim.)
- h) ☐ Other. (In your explanation, you must attach a detailed explanation of your grounds for appeal.)

Supporting documents (in addition to this form) must not exceed 25 pages, and must be received by the Rent Adjustment Program, along with a proof of service on the opposing party, within 15 days of the filing of this document. Only the first 25 pages of submissions from each party will be considered by the Board, subject to Regulations 8.22.010(A)(4). Please number attached pages consecutively.

• You must serve a copy of your appeal on the opposing parties, or your appeal may be dismissed. •

I served a copy of: Appeal (insert name of document served)
☐ And Additional Documents

and (write number of attached pages) attached pages (not counting the Appeal Form or the Proof of Service) to each opposing party, whose name(s) and address(es) are listed below, by one of the following means (check one):

- ☐ a. First-Class Mail. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) listed below and at the address(es) below and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ b. Personal Service. (1) By Hand Delivery: I personally delivered the document(s) to the person(s) at the address(es) listed below; or (2) I left the document(s) at the address(es) with some person not younger than 18 years of age.
- ☒ c. Electronic Service. I electronically sent the document(s) to the person(s) at the address(es) listed below who have previously given written consent to receiving notices and documents in this matter from the RAP and from the OTHER PARTY/IES electronically at the email address(es) they provided.

Name	NILKONE RATTANAMONGKITHAN
Address	1503 E 30TH ST
City, State Zip	OAKLAND, CA 94602
Email Address	NILKONE.RATTANA@GMAIL.COM
Name	SOMPANE MINGDISOUPTAN
Address	1503 E 30TH ST
City, State Zip	OAKLAND, CA 94602

SOMPANEMINGSISOUANE@gmail.com

Email Address

~~itse.cac@gmail.com~~ JP

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and the documents were served on 8/30/25 (insert date served).

John Tse

PRINT YOUR NAME

SIGNATURE

DATE

8/30/25

IMPORTANT INFORMATION:

This Appeal must be received by the Rent Adjustment Program, 250 Frank Ogawa Plaza, Suite 5313, Oakland, California 94612, not later than 5:00 P.M. on the 20th calendar day after the date the decision was mailed to you as shown on the proof of service attached to the decision. If the last day to file is a weekend or holiday, the time to file the document is extended to the next business day.

- Appeals filed late without good cause will be dismissed.
- You must provide all the information required, or your appeal cannot be processed and may be dismissed.
- **Any response to the appeal by the responding party must be received by the Rent Adjustment Program, along with a proof of service on appealing party, within 30 days of service of the service of the appeal if the party was personally served. If the responding party was served the appeal by mail, the party must file the response within 35 days of the date the appeal was mailed to them.**
- There is no form for the response, but the entire response is limited to 25 pages or less.
- The Board will not consider new claims. All claims, except jurisdictional issues, must have been made in the petition, response, or at the hearing.
- The Board will not consider new evidence at the appeal hearing without specific approval.
- You must sign and date this form or your appeal will not be processed.
- The case record is available to the Board, but sections of audio recordings that you want the Board to review must be pre-designated to Rent Adjustment Staff.

City of Oakland
Rent Adjustment Board Appeal
3571 Ardley Ave
L25-0029

1. There are mathematical/clerical errors that require the Hearing Decision to be updated.

Page 3 of the Administrative Decision under Rational for Administrative Decision for Capital Improvement states "The Board has held that if a construction project required a permit, then a capital improvement rent increase cannot be granted for costs expended on a project."

This statement cannot be correct and is inconsistent with everything about rent increases due to capital improvements. There must be a typo.

2. Appealing the decision for one of the grounds below:

E. The decision is not supported by substantial evidence.

Page 3 of the Administrative Decision states "To date, no evidence of permits for the subject property has been submitted...there is no evidence that the work performed was inspected by a Building Official and "completed.""

The attached email from RAP confirms that Certificates of completion were provided before the deadline which showed the sewer lateral and sidewalk work were completed. Certificates of completion are not issued if there are no permits. The certificates of completion also reference permit numbers. That is sufficient evidence.

EXHIBIT A

F. I was denied a sufficient opportunity to present my claim or respond to the petitioner's claim.

The Petition for Approval of Rent increase was reviewed multiple times by the Housing counselors for completeness before submitting. If the petition was not sufficient it should have surfaced during that review. This is recommended on your website so that these issues don't arise at the end of the petition.

The Hearing took 5 months from the submittal to get scheduled then was delayed multiple times with short notice (less than 3 days, even though petitioners are asked to request changes in schedule early), and then the case dismissed without providing the opportunity for the hearing officer to state what the issues were or allowing petitioner to have an opportunity to point out the sufficient evidence (i.e. certificates of completion) that were already provided as part of the petition. If the hearing occurred in July as scheduled, we would have had the opportunity to resubmit with a new petition for the painting after getting a retroactive permit.

Four attempts to contact the Hearing Officer's supervisor about the delays and multiple rescheduled hearings resulted in no response.

EXHIBIT A

Fri, Aug 22, 11:26 AM (8 days a

Brittani

e,
r your email.

hat I do not review petitions, as they are forwarded directly to the Hearing Officer for consideration. The petition and any related documents are
e, failure to provide a complete petition may result in dismissal, at the discretion of the Hearing Officer.
ed your submission from June 26th, and it has been saved and was forwarded to the assigned Hearing Officer.

on was 13 pages including the proof of service 3 pages, the missing pages of the petition, a 2025 BT Certificate, 2025 proof of payment of the RA
the capital improvement calculator, a compliance certificate from EBMUD, and a sidewalk compliance certificate of self-certification.

ted, you were not aware of the requirement for permitted painting. There was also no City of Oakland permit included authorizing the sidewalk
please note that a review of page 2 of the capital improvement calculator shows the maximum increase is 8.8% while your calculations show ove

like to refile your petition and exclude the exterior permitting, you are more than welcome to do so.

ice or assistance, you may wish to contact a local housing advocacy organization. You can find a list of resources here: <https://www.oaklandca.gov/tenant-rights-protection/contact-local-housing-advocacy-organizations>

hat availability may vary, so I recommend reaching out as soon as possible.

initiative of a neutral agency adjudicating disputes under the Oakland Rent Ordinance, I am unable to provide legal advice.

EXHIBIT A

MODE AG 0001

S2301588

DOT - Curb Gutter
Sidewalk Standard
Compliance Certificate

3751 ARDLEY AVE,
Oakland CA 94602

S2301571

OPW - Curb Gutter
Sidewalk

3751 ARDLEY AVE,
Oakland CA 94602

sidewalk repair NOTE: ***BEFORE any work in Right of Way, please call 510-238-3860 forty-eight hours in advance. Applicant is subject to fine if work is started WITHOUT scheduling a pre-inspection*** Install new driveway per approved plans per City Standard. If working within 25' feet of a monument you must comply with State Law 8771, contact the Inspector prior to starting excavation: minimum \$5,800.00 fine for non-compliance. Comply with all terms of City of Oakland Public Works Standards, Street Excavation Rules, Revised March 2015 and City Council Ordinance No. 13300 C.M.S. Five-day prior notice required for work lasting five days or less in business/commercial districts; 72-hour notice in residential districts. Ten-day prior notice required for work lasting six days or more in all districts. USA# 2023081800553-00

S2301475

(SL) - Sewer Lateral (OPW)

3751 ARDLEY AVE,
Oakland CA 94602

Repair/replace sewer lateral and EXCAVATE in PUBLIC RIGHT-OF-WAY. Overflow device may be needed. If working within 25' feet of a monument you must comply with State Law 8771, contact the Inspector prior to starting excavation: minimum \$5,800.00 fine for non-compliance. Comply with all terms of City of Oakland Public Works Standards, Street Excavation Rules, Revised March 2015 and City Council Ordinance No. 13300 C.M.S. Five days prior notice required for work lasting five days or less in business/commercial districts; 72 hour notice in residential districts. Ten days prior notice required for work lasting six days or more in all districts. USA # and date must be provided in order to have a permit issued. Permit valid 90 days. If the work is to be performed on a designated

Q Search

000201



CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA • 4TH FLOOR • OAKLAND, CA 94612

Department of Transportation
www.oaklandca.gov

DOT Permit Service:
DOTOnlinePermits@oaklandca.gov
PH: (510) 238-3199

①

Standard Sidewalk Compliance Certificate

Permit No: CGS2301588 **Permit Issued:** 09/05/2023

Job Site: 3751 ARDLEY AVE

Parcel No: 023 049002600

District:

Project Description: Sidewalk Compliance Certificate; pursuant to Oakland Municipal Code 12.04.380: Sidewalk inspection, replacement, and compliance certificates. The applicant has conducted a self-certification inspection at the subject property, completed repairs or replacements as needed, and certifies that the entire sidewalk abutting the site is maintained in a manner consistent with the California Streets and Highways Code, Section 5610. The sidewalk, for a period of five years from the date of this certificate, is subject to random inspection by the City Inspector to verify its condition. Property owners who falsify a self-certification inspection report, and have not performed all necessary sidewalk and curb ramp repair or replacement, shall be subject to specified civil penalties and liens.

Related Permits:

<u>Name</u>	<u>Address</u>	<u>Phone</u>
Jaime Novoa	10415 BYRON AVENUE OAKLAND, CA 94603	510-415-5774

TOTAL FEES PAID: \$87.21

Approved By: Renee Armas

Date: 09/05/2023

000202

12/13/23



2

Regional Private Sewer Lateral Program

Compliance Certificate for Private Sewer Lateral

Parcel Address: **3751 ARDLEY AVE, OAKLAND**

Parcel Number: **023 -0490-026-00**

Expiration Date: **08/30/2043**

Certificate Number: **90701**

Issue Date: **08/30/2023**

Type: **Compliance: replaced lateral**

Special Instructions:

Retain this PSL certificate for your records for any future parcel sale, re-model greater than \$100,000, or change of water meter size.

This certificate was issued solely on the basis of the performance of the tested sewer lateral in a verification test performed in the presence of EBMUD personnel. The verification test is designed for the sole purpose of determining whether the tested portion of a sewer lateral is free from leaks at the time the test is performed. By issuing this certificate, EBMUD warrants only that the tested portion of the sewer lateral passed a verification test on the date of the inspection. EBMUD makes no warranty, representation, or guarantee as to the sewer laterals existing or future condition or its compliance with the legal standards of any other jurisdiction, including building or construction standards without limitation. EBMUD expressly disclaims any and all warranties, both express and implied, as to the sewer laterals condition or compliance with legal standards and shall bear no liability in connection therewith.

000203

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

CITY OF OAKLAND HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY MEMBER DENARD INGRAM

RESOLUTION RECOMMENDING AMENDMENT OF THE RENT ADJUSTMENT ORDINANCE TO ALLOW THE HOUSING, RESIDENTIAL RENT, AND RELOCATION BOARD TO ADOPT OR AMEND THE RENT ADJUSTMENT PROGRAM REGULATIONS WITHOUT CITY COUNCIL APPROVAL

WHEREAS, the Housing, Residential Rent and Relocation Board ("Board") may make recommendations to the City Council or appropriate City Council committee pertaining to Chapter 8.22 of the Oakland Municipal Code ("O.M.C.") or City housing policy when requested to do so by the City Council or when the Board otherwise acts to do so, pursuant to O.M.C. 8.22.040 D.4 of the Rent Ordinance; and

WHEREAS, O.M.C. 8.22.040 D.2 provides that the Board may develop or amend the regulations implementing the Rent Ordinance, subject to City Council approval; and

WHEREAS, the Board currently has the authority to develop or amend regulations without final approval by the City Council for the Just Cause for Evictions Ordinance, Tenant Protection Ordinance, Ellis Act Ordinance, and Tenant Move Out Agreement Ordinance; and

WHEREAS, the Brown Act and Sunshine Ordinance require proposed regulations within the purview of the Board to be published in advance with the agenda for the meeting during which the regulations will be considered; and

WHEREAS, all published Board agenda materials, including proposed regulations, are available for inspection online or at the City Clerk's office; and

WHEREAS, regulations implementing the Rent Ordinance may not conflict with or go beyond the scope of the Rent Ordinance; and

WHEREAS, proposed legislation introduced for adoption or recommendation by the Board must be reviewed the City Attorney prior to introduction; and

WHEREAS, Oakland is the only Bay Area jurisdiction that requires a city council's approval for adoption or amendment of regulations done by the jurisdiction's rent board; and

WHEREAS, many governments leave authority for development and adoption of implementing regulations entirely to administrative agencies; and

WHEREAS, if the recommended amendments to the Rent Ordinance are adopted, proposed regulations would always require at least two Board meetings to adopt, since proposed regulations would be required to be published with the agenda of an initial meeting in order to provide the public with notice that the Board will consider the proposal at a subsequent meeting and allow time for submitting written comments; and

WHEREAS, if the Board was given final authority for approval of Rent Adjustment Program Regulations, the Rent Adjustment Program intends to (1) post written public comments on proposed regulations with the Board agenda materials when proposed regulations are considered for adoption and (2) provide an informational report to the City Council regarding each instance where the Board adopts changes to the regulations for the Rent Ordinance; and

WHEREAS, if the Board was given final authority for approval of Rent Adjustment Program Regulations, the City Council would maintain the ability to override any amendments to the regulations by amending the Rent Adjustment Ordinance; and

WHEREAS, at its June 13, 2024, meeting, the Board unanimously adopted a resolution recommending that the City Council amend the Rent Adjustment Ordinance to allow the Board to adopt or amend the Rent Adjustment Program Regulations without Council approval; and

WHEREAS, the Board's resolution regarding regulation authority under the Rent Adjustment Ordinance included the following recommended amendments (additions are shown in double underline and deletions are shown in ~~strikeout~~):

O.M.C. 8.22.020 (Definitions), "Regulations"

"Regulations" means the Regulations adopted by the Board ~~and approved by the City Council~~ for implementation of this Chapter, Article I (formerly known as "Rules and Procedures") ~~(after regulations are approved, they will be attached to this Chapter as Appendix B).~~

O.M.C. 8.22.040 (Composition and functions of the Board), subsection D (Duties and Functions), subpart 2

Regulations. The Board may ~~develop~~ adopt or amend the regulations; ~~subject to City Council approval. No resolution to adopt or amend the regulations shall be adopted or deliberated by the Board at the meeting when it is first introduced. The resolution and proposed regulation changes shall be included with the agenda materials for the introductory meeting and noticed on the meeting agenda under the standing item, Scheduling and Reports, with the notice including announcement of a future public hearing~~

regarding the proposed changes. Following introduction, a resolution to adopt or amend the regulations may be adopted with or without changes at a subsequent meeting, once the Board has held a public hearing at a meeting in order to consider public input regarding the introduced regulation changes.

; and

WHEREAS, the Office of the City Attorney has recommended revised drafting for the proposed amendment to O.M.C. 8.22.040 for clarity; and

WHEREAS, the revised proposed amendment produces the same result as the previous recommended amendment approved by the Board; now, therefore, be it

RESOLVED: That the Housing, Residential Rent and Relocation Board recommends the City Council amend the Rent Adjustment Ordinance by adopting the following (additions are shown in double underline and deletions are shown in ~~strikeout~~):

O.M.C. 8.22.020 (Definitions), “Regulations”

“Regulations” means the Regulations adopted by the Board ~~and approved by the City Council~~ for implementation of this Chapter, Article I (formerly known as “Rules and Procedures”) ~~(after regulations are approved, they will be attached to this Chapter as Appendix B).~~

*O.M.C. 8.22.040 (Composition and functions of the Board),
subsection D (Duties and Functions), subpart 2*

Regulations. The Board may ~~develop~~ adopt or amend the regulations; ~~subject to City Council approval.~~ Before a resolution to adopt or amend the regulations may be adopted or deliberated by the Board, such a resolution must first be noticed on a prior Board meeting agenda for scheduling to a subsequent meeting and included with the agenda materials for the meeting during which scheduling is determined.

; and

FURTHER RESOLVED: This resolution supersedes the Board’s resolution adopted on June 13, 2024, regarding recommending amendment of the Rent Adjustment Ordinance to provide the Board with final authority regarding the Rent Adjustment Program Regulations; and

FURTHER RESOLVED: That Member Denard Ingram is authorized to speak in support of this resolution before the City Council and its committees.

APPROVED BY THE FOLLOWING VOTE:

AYES: BRODFUEHRER, INGRAM, JACKSON, MUÑOZ RAMOS, OSHINUGA,
SAMATI, AND CHAIR CUCULLUM

NOES:

ABSENT:

ABSTENTION:

ATTEST: _____
NYILA WEBB
Rent Adjustment Program

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