

INFORMATION REGARDING THE EXPEDITED HEARING PROCESS

The San Francisco Rent Ordinance was amended effective June 20, 1992. Section 37.8A was added to allow for a voluntary expedited hearing procedure for certain types of hearings. The expedited hearing process speeds up the time between filing a petition at the Rent Board and receiving a decision on the case.

WHAT KINDS OF CASES QUALIFY FOR THE EXPEDITED HEARING PROCESS?

Only the following types of cases qualify for the expedited hearing process, and only when the documentation listed below accompanies the Application for Expedited Hearing and Order:

- **CAPITAL IMPROVEMENT PETITIONS** which will result in an increase of no more than the greater of 10% of the tenant's base rent or \$30. Required Documentation: Stipulations of Capital Improvement Costs (form)
- **TENANT PETITIONS ALLEGING DECREASED HOUSING SERVICES** valued at no more than \$1,000 as of the date the petition is filed. Required Documentation: None
- **TENANT PETITIONS ALLEGING THE LANDLORD'S FAILURE TO MAKE REQUESTED REPAIRS/MAINTENANCE** as required by law. Required Documentation: Official Code Violation Notice(s)
- **TENANT PETITIONS REGARDING UNLAWFUL RENT INCREASE(S)** where rent overpayments do not exceed \$1,000 as of the date the petition is filed. Required Documentation: Stipulations of Tenant's Rent History (form)
- **ANY PETITION WHERE THE ONLY ISSUE IS THE RENT BOARD'S JURISDICTION.** Required Documentation: Stipulations of Relevant Facts (no form)

NOTE: In each type of case listed above, you must also file the appropriate petition with supporting documentation, an estimator's fee where applicable and the Application for Expedited Hearing and Order.

HOW DOES THE EXPEDITED HEARING PROCESS COMPARE TO THE REGULAR HEARING PROCESS?

EXPEDITED HEARING PROCESS	REGULAR HEARING PROCESS
Hearing scheduled within 21 days of filing petition	Hearing scheduled 3-4 months after filing petition
Written Order with result only (i.e. decision) issued within 10 days of hearing	Decision with Findings of Fact and Conclusions of Law issued 2-3 months after hearing
No appeal -- Objection filed within 15 days instantly dissolves Order -- Can refile petition	Appeal filed within 15 days can take 15 weeks to decide -- Decision on appeal is final
No judicial review	Judicial review possible within 90 days of final decision if lawsuit filed
Order enforceable in a Court of Law	Decision enforceable in a Court of Law
Hearing not tape recorded	Hearing tape recorded and available at cost
All parties must consent in writing	Consent of parties not required
Written stipulations may be required	Written stipulations not required

HOW DO I GET AN EXPEDITED HEARING DATE?

Applications for Expedited Hearing and stipulation forms for capital improvement costs and tenant's rent history are available at the Rent Board and must be filed at the same time as the petition. All parties must give their written consent to an Expedited Hearing and Order at the time the application is filed. It will be necessary to file the required supporting documentation when you file the petition and application in order to receive an expedited hearing date within 21 days. However, you may still file the Application for Expedited Hearing (with written consent and appropriate documentation) after your petition has been filed; it will just be too late to receive an expedited hearing date. In such cases, the hearing will be scheduled in approximately 30 days and an order (decision) will be issued within 10 days of the hearing.

(415) 252-4600 rentboard@sfgov.org 25 Van Ness Avenue, Suite 320 San Francisco, CA 94102

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John D. Ayer



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