



IMPORTANT – PLEASE READ

This packet includes (1) this cover letter; (2) an instruction sheet explaining what you must do to successfully submit your Fair Return Petition to the City; (3) a Fair Return Petition; and (4) a blank proof of service.

The use of the included Fair Return Petition form is obligatory. The blank proof of service form is provided for your convenience; you are not required to use it. But you must submit a proof of service demonstrating that you have served all affected tenants with a copy of the petition that you submit to the City.

Before taking the time and incurring the expense of filing a Fair Return Petition, you should understand what the Fair Return Petition process is—and is not—designed to do. In a nutshell, it is designed to ensure that, if the Rent Stabilization Ordinance has so limited your rental receipts that you are unable to obtain a fair return on your rental property investment, your rents are adjusted so that you are able to obtain such a return. It is not designed to ensure that your return on your investment in residential rental property is what you had expected it to be before the Rent Stabilization Ordinance was enacted.

Under the United States and California Constitutions, investors, including investors in residential rental property, are entitled to “a fair and reasonable return on their investment.” This does not mean that government must *guarantee* that investors earn a profit. But it does mean that government may not by regulation *prevent* an investor from obtaining a “fair and reasonable return” on investment. In the context of controls on residential rentals, the Courts have determined that a government regulation does not prevent a fair and reasonable return so long as the regulation itself does not prevent the owner-investor from collecting an amount of rent sufficient to cover the owner’s costs of operation, the servicing of reasonable financing, and at least some profit.

This information should help guide your decision about whether to submit a Fair Return Petition and, if you do so, should help you to focus on the information most germane to the Petition’s outcome.



**PROPERTY OWNER FAIR RENT PETITION
INSTRUCTIONS FOR COMPLETION**

CITY OF OXNARD
HOUSING DEPARTMENT
RENT STABILIZATION PROGRAM
435 SOUTH D STREET, OXNARD, CA 93030

Under Oxnard City Code Section 27-23, you must use this form to apply to increase the rent paid by your tenant(s) in order to achieve the fair and reasonable return guaranteed under City Code Section 27-22. Please note that if any of the following required steps are not complete, or if any required information is not provided in this Petition, the Petition will be rejected or denied and you will have to submit a new Petition.

- Step 1.** This Petition must be filled out completely, with all supporting documents attached, and submitted to the City by my mail or in person to:

City of Oxnard Housing Department
Rent Stabilization Program
435 South D Street
Oxnard, CA 93030

NOTE: Any documentation that you provide must substantiate your claim. All personally identifiable information such as social security numbers or bank account numbers should be redacted, because any submitted documentation is subject to the Public Records Act.

- Step 2.** By no later than the day on which you submit this Petition to the City, you must serve a complete copy of this Petition on your tenant(s) via personal service or certified mail, return receipt requested.
- Step 3.** Together with your submission of this Petition to the City, you must submit proof that you have complied with Step 2 in the form of a proof of service signed under penalty of perjury. (A form is included for your convenience.)



FAIR RETURN PETITION

Complete and return this form to:
CITY OF OXNARD HOUSING DEPARTMENT
RENT STABILIZATION PROGRAM
435 SOUTH D STREET
OXNARD CA 93030

Petitioner Information		
Name:		
Phone:		Alt. Phone
Mailing Address:		
Email:		Case No. (to be filled in by City)
Authorized Representative Information (if applicable)		
Name:		
Phone:		Alt. Phone
Mailing Address:		
Email:		
Property Information		
Address:		# of units:
City:	State	ZIP:
Have all notices been provided in compliance with City Code Section 27-26 <input type="checkbox"/> Yes. <input type="checkbox"/> No		

Reason for Claim
The 4% annual limitation imposed by the City of Oxnard Rent Stabilization Ordinance has prevented the petitioning owner from receiving a fair and reasonable return on the above-identified property, in the manner explained below.
Explanation of Claim:



Identify each occupied residential unit that may be affected by this Petition and provide contact information for that unit's tenant. You may copy this page to add more units than provided for on this sheet.

Tenant Information			
Name:		Phone:	
Address:			Unit Number:
City:		State:	ZIP:
Current Rent:		Date of Last Increase:	
Tenant Information			
Name:		Phone:	
Address:			Unit Number:
City:		State:	ZIP:
Current Rent:		Date of Last Increase:	
Tenant Information			
Name:		Phone:	
Address:			Unit Number:
City:		State:	ZIP:
Current Rent:		Date of Last Increase:	
Tenant Information			
Name:		Phone:	
Address:			Unit Number:
City:		State:	ZIP:
Current Rent:		Date of Last Increase:	
Tenant Information			
Name:		Phone:	
Address:			Unit Number:
City:		State:	ZIP:
Current Rent:		Date of Last Increase:	
Tenant Information			
Name:		Phone:	
Address:			Unit Number:
City:		State:	ZIP:
Current Rent:		Date of Last Increase:	
Tenant Information			
Name:		Phone:	
Address:			Unit Number:
City:		State:	ZIP:
Current Rent:		Date of Last Increase:	



You must submit ALL of the documents called for below.

For the period between June 1, 2021 to May 31, 2022	For the 12-month period preceding the date when this Petition is filed
Copies of all written rental agreements in effect during this period.	Copies of all written rental agreements in effect during this period.
Spreadsheet demonstrating actual income: <ul style="list-style-type: none"> • Rents received (rent roll) • Income from ancillary services (i.e., laundry, vending machines, etc.) • Any other income received from any activity or service at the property 	Spreadsheet demonstrating actual income: <ul style="list-style-type: none"> • Rents received (rent roll) • Income from ancillary services (i.e., laundry, vending machines, etc.) • Any other income received from any activity or service at the property
Spreadsheet demonstrating actual expenses: <ul style="list-style-type: none"> • Regular maintenance • Repairs • Property Taxes • Property Insurance • Utility Payments • Other Necessary Property Expenses 	Spreadsheet demonstrating actual expenses: <ul style="list-style-type: none"> • Regular maintenance • Repairs • Property Taxes • Property Insurance • Utility Payments Other Necessary Property Expenses
Documentation to substantiate all claimed expenses (which demonstrates actual payment and a relationship to the property), such as: <ul style="list-style-type: none"> • Bank Statements • Property Tax Statements • Property Insurance Statements • Utility Bills / Payment Summary • Paid Invoices • Cancelled Checks 	Documentation to substantiate all claimed expenses (which demonstrates actual payment and a relationship to the property), such as: <ul style="list-style-type: none"> • Bank Statements • Property Tax Statements • Property Insurance Statements • Utility Bills / Payment Summary • Paid Invoices Cancelled Checks

NOTE: Remember to redact personally identifiable information such as bank account numbers, etc.

Independent Financial Report

In addition to the documents called for above, the Petitioner must submit an independent financial report, including the above and any additional verified financial data, demonstrating that in the absence of a rent increase in a specified amount, the Rent Stabilization Ordinance will have prevented the Petitioning owner from realizing a fair and reasonable return on the owner's property. The report must explain how the Rent Stabilization Ordinance (as distinct from, for example, market forces) has impeded the Petitioner's ability to achieve a fair return.

Proposed Rent Increase(s)

For each occupied rental unit identified on page 3 of this petition (and any additional attachment to page 3), state the amount to which, if this Petition is granted, you would propose to increase the rent in order to obtain a fair and reasonable return. *(Chart on following page. Attach additional as necessary.)*



Unit	Proposed New Rent

Acknowledgment of Responsibility for Petition Costs

I understand that:

- Under City Code Section 27-23(B), I am responsible for all costs associated with the City's review of this Petition;
- Upon receipt of this Petition, the City Manager will determine the anticipated costs of review and whether it will be necessary for the City to employ one or more experts to properly evaluate the rent increase asked for by this Petition;
- If the City Manager determines that such expert assistance is required, the City Manager will determine the estimated cost of employing any necessary expert, and will communicate that figure to me.
- This petition will not be processed until I have paid to the City the estimated cost of the City's review and analysis;
- If the review and analysis costs less than estimated, any unused portion of my advanced payment will be refunded to me;
- If the review and analysis costs more than estimated, I will not receive a determination on this Petition until I pay those additional costs.

Signature

I declare, under penalty of perjury under the laws of the State of California, that everything included in this Petition, including all attachments, is true and correct to the best of my knowledge. I understand that if I do not meet the requirements for a Fair Return Petition set forth in City Code Section 27-23, the petition will be rejected or denied.

Print Name: _____ Phone: _____

Sign Name: _____ Date: _____



TENANT RESPONSE

The owner of the property where you live has submitted a Fair Return Petition to the Rent Stabilization Program of the City of Oxnard Housing Department. In that petition (a copy of which the owner should already have given you), the owner seeks permission to increase your rent by more than the limit of 4% once every 12 months imposed by City Code 27-21.

The reasons why the owner claim entitlement to increase your rent by more than those limits are stated in the petition. Because you would be affected by any such increase, you are entitled to submit a response, which the City will consider when deciding whether the owner's petition should be granted.

Any response must be submitted to the City by no later than 30 days from the date when you were served with the owner's Fair Return Petition.

This form may be used by any tenant, or the authorized representative of any tenant, who has been served with a Fair Return Petition and wishes to respond to it. Use of this form is optional.

Responding Tenant Information		
Name:		
Phone:	Alt. Phone	
Mailing Address (if different from property address):		
Email:		
Authorized Representative Information (if applicable)		
Name:		
Phone:	Alt. Phone	
Mailing Address:		
Email:		
Property Address		
Street Address:		Unit:
City:	State	ZIP:
The owner has served me with a copy of the Petition <input type="checkbox"/> Yes. <input type="checkbox"/> No		



Tenant Response (check one)

- I do not oppose the Petition.
- I oppose the Petition, for the following reason(s) (state with as much specificity as possible why you oppose the Petition. Attach additional pages if necessary):

Supporting Documents

If your opposition relies on document(s), attach the document(s) to your opposition and identify them here (attach additional pages if necessary):

Signature

I declare, under penalty of perjury under the laws of the State of California, that everything included in this Petition, including all attachments, is true and correct to the best of my knowledge.

Print Name: _____ Phone: _____

Sign Name: _____ Date: _____

Authorized representative (check box only if applicable)