

Tenant Buyout Disclosure

Purpose

This form is to provide notice to Tenants of their rights under the City of San José's Apartment Rent Ordinance regarding offers to voluntarily vacate a rental unit in exchange for compensation by the Landlord.

Under San José Apartment Rent Ordinance Regulations, a Tenant has the following rights when considering whether to accept a Landlord's buyout offer:

- 1. Right to Translated Buyout Agreement:** The Tenant has the right to request the Landlord provide a copy of the Buyout Agreement in the Tenant's primary language.
El Inquilino tiene el derecho de solicitar al arrendador que proporcione una copia del Acuerdo de Compra en Español.
Người thuê nhà có quyền yêu cầu chủ nhà cung cấp bản sao của hợp đồng mua lại bằng tiếng Việt.
- 2. Right to Refuse:** The Tenant has the right to refuse to sign a Buyout Agreement and/or engage in negotiations.
- 3. Right to Negotiate:** The Tenant has the right to negotiate with the Landlord before signing a Buyout Agreement.
- 4. Right to Consult an Attorney:** The Tenant has the right to speak with an attorney of his or her choosing at any time.
- 5. Right to Contact the Rent Stabilization Program:** The Tenant has the right to contact the Rent Stabilization Program for information about their rights under the Apartment Rent Ordinance and Tenant Protection Ordinance. The Rent Stabilization Program can be reached at 408-975-4480.
El Programa de Estabilización de Renta puede ser alcanzado al 408-975-4480.
Chương Trình Ổn Định Tiền Thuê có thể liên lạc tại số 408-975-4462.
- 6. 45-Day Right to Cancel the Buyout Agreement:** The Tenant has the right to cancel any Buyout Agreement within forty-five (45) days from the date of signing the Buyout Agreement without penalty. However, if a Tenant has already moved out, cancelling a Buyout Agreement will not entitle them to move back in.

The Landlord must file the fully executed Buyout Agreement, along with the signed Tenant Buyout Disclosure, with Rent Stabilization Program Staff within thirty (30) days from the date that the Tenant and Landlord sign the Buyout Agreement.

Tenant Relocation Assistance Amounts for 2017-2018

The Tenant Protection Ordinance (SJMC 17.23.1250(B)) also requires that Landlords make relocation assistance payments when Tenants are evicted because the Landlord wants to remove the Rental unit from the rental market. The chart below indicates the minimum amount of relocation payment required. **These figures are provided for information only and in no way limit the buyout amounts Landlords and Tenants can negotiate.**

	Studio	1-Bedroom	2-Bedroom	3-Bedroom
Base Assistance	\$ 6,925	\$ 8,400	\$ 10,353	\$ 12,414



Rent Stabilization Program

City of San José Housing Department

200 East Santa Clara St, 12th Floor, San José, CA 95113

408-975-4480 • www.sanjoseca.gov/rent • RSP@sanjoseca.gov

v2/12/2019

Rental Property Information

Property Address: _____ San José, CA, Zip Code: _____

Apartment Complex Name: _____

Landlord Information

Landlord First Name: _____ Landlord Last Name: _____

Email: _____ Phone: _____

Mailing Address (if different from the unit address): _____

City, State & Zip Code: _____

Copy of Agreement in Tenant's Primary Language is Requested: Yes No
Se solicita copia del acuerdo en Español: Sí No
Người thuê nhà yêu cầu một bản thỏa thuận được dịch ra tiếng Việt: Có Không

DECLARATION OF LANDLORD:

I declare under penalty of perjury under the laws of the State of California that I have given a copy of the Tenant Disclosure Form to the Tenant(s) immediately prior to making a Buyout Offer.

Signature: _____ Date: _____

Print Name of Person Signing: _____

Acknowledgement of Tenant(s)

I verify that I have received a copy of the Disclosure Notice of Tenants Rights under the ARO concerning Buyout Offers & Agreements.

Print Name of Tenant Signing: _____ Signature of Tenant: _____

Date this Notice was Received: _____ Date this Notice was Signed: _____

Print Name of Tenant Signing: _____ Signature of Tenant: _____

Date this Notice was Received: _____ Date this Notice was Signed: _____

Print Name of Tenant Signing: _____ Signature of Tenant: _____

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Print Name of Tenant Signing: _____ Signature of Tenant: _____

Date this Notice was Received: _____ Date this Notice was Signed: _____

NOTE: Every Tenant of the rental unit must sign this notice. All signatures must be original. If more than four Tenants are part of this petition, please reprint this form to include the names and contact information and to allow all Tenants to sign.