

# Notice to Tenant of Intention to Withdraw Rental Units from the Rental Market (Post 1979) --Form B (SJMC 17.23.1140)

**Overview:** The City's Ellis Act Ordinance applies to Rent Stabilized Units, including those temporarily exempt because they are owned or operated by a government agency or rents are subsidized by a government agency. The Ordinance also extends, in part, to apartments built **after 1979**, allowing property owners not subject to the Apartment Rent Ordinance to use the Ellis Act Ordinance if they provide a 120-day notification or withdrawal and relocation consultant services to impacted tenants. These properties are not subject to the requirement to pay base or qualified relocation assistance or provide a right of return.

**Purpose:** This form provides owners of units built **after 1979** with a termination of tenancy notice (SJMC 17.23.1130 H).

**Note:** As per the Ordinance, this form may be provided in a non-English version by a tenant's request.

## Notices of Intent to Withdraw (SJMC 17.23.1140)

I/(We) am/(are) hereby notifying you that pursuant to the City of San José Municipal Code Part 11 to Chapter 17.23, the covered rental unit where you reside is intended to be withdrawn from the rental market on \_\_\_\_/\_\_\_\_/\_\_\_\_ (FILL IN DATE OF LAST DAY OF TENANCY).

I (we) hereby notify the tenant/s and City of San José of my (our) intention to evict all tenants and withdraw from the rental market and rental housing use \_\_\_\_\_ (number of units) rental units which are located on the property described below.

**Assessor's Parcel Number(s) (APN):**

\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_  
\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_

## Property Address:

Property Address: \_\_\_\_\_

City, State & Zip Code: \_\_\_\_\_

## Tenant Information:

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Unit: \_\_\_\_\_

City, State & Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

## Owner/Agent Information:

Owner Name: \_\_\_\_\_ Phone: (\_\_\_\_\_) \_\_\_\_\_

Agent Name: \_\_\_\_\_ Date of Ownership: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State & Zip Code: \_\_\_\_\_

Email: \_\_\_\_\_

1. I/(We), the property owner(s), will file with the Rent Stabilization Program of the City of San José, the required Notice of Intent to Withdraw Rental Units from the rental market (**Form B**) (SJMC 17.23.1130 H).
2. The following information regarding the rental units where the current tenant(s) reside have been filed with the Rent Stabilization Program of the City of San José:
  - a. The address and legal description of the property where the unit is located.
  - b. The name(s) of any other tenant(s) residing in the unit.
  - c. The contact information of the tenant(s) residing in the unit.
3. Tenants who are **62 years of age or older, terminally or catastrophically ill, or disabled and have lived in the dwelling unit for one year or more prior to this notice**, are entitled to advanced notice of **one (1) year** if the tenant gives written notice to the owner of the extension. Tenant household includes **minor children enrolled in school 18 years or younger**, tenants are entitled to an extension of the noticing period through the school year **plus 60 days** if the tenant household gives written notice. To receive this extension, tenants must notify the **owner(s)** and the **Rent Stabilization Program** of the tenant's entitlement with the required documentation on **Form C within sixty (60) days of receipt of this notice, Form B (SJMC 17.23.1160 B-C)**.

**Declaration:**

I (we), owner(s) of the above described property, declare under penalty of perjury under the laws of the State of California that the foregoing and all attached pages, including attached documentation, are true, correct and complete.

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Print Name of Owner: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Print Name of Owner: \_\_\_\_\_

*Not less than **10 days** from the date when this notice is delivered to the tenant, the owner must file this form with the City of San José, Rent Stabilization Program in person or by first-class mail at the address listed below (17.23.1160 A).*



**Rent Stabilization Program**  
**City of San José Housing Department**  
**200 East Santa Clara St, 12th Floor, San José, CA 95113**  
**408-975-4480 • [www.san José ca.gov/rent](http://www.san José ca.gov/rent) • [RSP@san José ca.gov](mailto:RSP@san José ca.gov)**