

Notice to Tenant of Right to Extend Tenancy Related to Owner Intent to Withdraw Rental Units from the Rental Market (Post 1979) – Form C (SJMC 17.23.1150 A-C & 17.23.1160 B-C)

Overview: In accordance with the State’s Ellis Act, the City of San José requires owners to allow certain tenants to extend their tenancy beyond the minimum one hundred twenty (120) day notice period when a landlord intends to withdraw the dwelling unit from the residential market. Those 62 years or older, disabled, or terminally or catastrophically ill and households with a child enrolled in kindergarten through 12th grade may be eligible for extended tenancies if requested. Tenants may also submit information that qualifies the tenant household for additional relocation benefits.

Purpose: The property owner(s) must provide this form to each tenant. The tenant must notify the owner(s) and the City of tenant’s qualification to extend tenancy **within 60 days** of receipt of the owner(s) Notice of Intent to Withdraw.

Note: Per the Ordinance, this form may be provided in a non-English version by the tenant’s request. Withdrawal of less than an entire building is not allowed (SJMC 17.23.1130 F).

SECTION I – TO BE FILLED OUT BY OWNER(S)

Assessor’s Parcel Number(s) (APN): _____ - _____ - _____
_____ - _____ - _____

Property Address:

Property Address: _____

City, State & Zip Code: _____

Owner/Agent Information:

Owner Name: _____ Phone: (_____) _____

Agent Name: _____ Date of Ownership: _____

Mailing Address: _____

City, State & Zip Code: _____ Email: _____

Tenants are entitled to:

- A. Notice of owner’s intent to withdraw rental units from the rental market no less than one hundred twenty (120) days before the date of withdrawal; and
- B. Tenant households *may* also be entitled to extended tenancy of up to one (1) year, upon request (Form C) and approval by the City.

The owner is required to:

- A. Provide information related to the tenant’s option to extend tenancy to households that qualify;
- B. Pay to the City the filing fee including the fee for Relocation Specialist Services (17.23.1130 H)

Security Deposit: The owner must also refund to tenant any security deposit paid by the tenant with any interest due. The owner may withhold properly itemized deductions from the security deposit under California Civil Code Section 1950.5 as amended.



SECTION II – TO BE FILLED OUT BY TENANT: Tenant Qualification Information

Tenant Information:

First Name: _____ Last Name: _____
Phone: (____) _____ Mailing Address: _____
City, State & Zip Code: _____
Email: _____

Tenant Right to Extend Tenancy and Tenant Qualification:

To extend tenancy based on the criteria noted below, the form must be completed and returned to the owner and the Rent Stabilization Program **within sixty (60) days** of the delivery to the City of the owner(s) Notice of Intent to Withdraw, Form B (SJMC 17.23.1160). The **owner is required to provide prepaid postage** with this form for tenant’s use to return Form C, which will allow tenant household to qualify for extended tenancy, to the owner and the City of San José Rent Stabilization Program (17.23.1140 C).

The tenant has lived in the dwelling unit at **least one (1) year prior** to the date of the owner(s) delivery to the City of the Notice of Intent to Withdraw (Form B) and is qualified to request an extension of tenancy based on, one of the following:

- 62 years old or older and requests extension of tenancy up to one (1) year;
- Disabled (as defined in California Government Code Section 12955.3) and requests extension of tenancy up to one (1) year;
- Terminally or catastrophically ill and requests extension of tenancy up to one (1) year; or
- Child under the age of eighteen (18) enrolled in school (kindergarten up to 12 grade) and requests an extension of tenancy through the scholastic year, plus 60 days.

Declaration:

I (we), tenant(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 Tenant: _____ Date: _____
Print Name of Tenant: _____

Signature of Tenant: _____ Date: _____
Print Name of Tenant: _____

Owner

City

Owner Name: _____ Phone: () _____

Owner's Address: _____

City, State & Zip Code: _____

Email: _____

City of San José
Housing Department – Rent Stabilization Program
200 E. Santa Clara Street
San José, CA 95113



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