



CITY OF OAKLAND

Housing and Community Development Department  
RENT ADJUSTMENT PROGRAM  
250 Frank H. Ogawa Plaza, Suite 5313  
Oakland, CA 94612

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## ELLIS ACT FILINGS REQUIREMENTS

### CHECK LIST FOR OWNERS AND TENANTS

Document		Comments
Date	<b>Notice of Termination of Tenancy</b>	Owner serves Notice of Termination to tenant; notice must include Forms 3 and 5 and 1/2 of relocation payment. Owner must file a copy of Notice of Termination within 10 days of serving on tenant.
Date	<b>Form 1: Notice to RAP of Intent to Withdraw Rental Unit</b>	Owner files Form 1 with a fee of \$250 per unit . Under the Ellis Act owner must file all documents in person or via 1st class mail. If possible, owners should file Form 1 together with Form 2 (see below). The 120-day withdrawal notice period will start ONLY when RAP receives Form 1, Form 2, and the filing fee.
Date	<b>Form 2: Certificate and Summary of Notice of Intent</b>	Form 2 must be recorded with the Alameda County Recorder before owner files it with RAP. If possible, owners should file Form 2 together with Form 1 and filing fee (see above). The 120-day withdrawal notice period will start ONLY when RAP receives Form 1, Form 2, and the filing fee.

Date	<b>Form 3: Notice of Interest in Re-renting Rental Unit</b>	Tenant has 30 days from the date of displacement to notify the owner in writing that The tenant would be interested in re-renting the unit. Filing a copy with RAP is optional.
Date	<b>Form 4: Notice to RAP of Constraints on Real Property</b>	Form 4 must be filed within 90 days of filing Form 1 (Notice of Intent).
Date	<b>Form 5: Notice of Entitlement of Extension of Time Terminating Tenancy to One Year Based on Disability or Age</b>	Within 60 days of date that Form 1 is filed with RAP: Elderly or disabled tenants should serve to owner notice of their entitlement of an extension of notice from 120 days to a year.
Date	<b>Owner response to Notice of Entitlement to Extension</b>	If owner has received Form 5 from tenant, owner must inform RAP of tenant's entitlement to extension within 30 days of receipt.
Date	<b>Notice of Eligibility for Additional Relocation Assistance</b>	Within 60 days of date that Form 1 is filed with RAP: Tenants who are elderly, disabled, low-income, or who have minor children can inform owner of their right to additional \$2500 in relocation assistance.
Date	<b>Owner Response to Request for Additional Relocation</b>	If tenant has requested additional relocation assistance, owner has 15 days to 1) pay additional relocation assistance to tenant, or 2) request documentation from tenant demonstrating income qualification.
Date	<b>Form 6: Rescission of Notice of Intent to Withdraw Unit from Rental Market</b>	Owners who wish to rescind the Notice of Intent to Withdraw must complete and file Form 6 with RAP. The form must include a declaration signed by all the tenants living in the unit at the time of the Ellis Act eviction.
Notes:		