



CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612-0243

TEL (510) 238-3721
FAX (510) 238-6181
TDD (510) 238-3254

HOW TO COMPLY WITH CERTIFICATION REQUIREMENTS FOLLOWING NO-FAULT EVICTIONS (Rent Board Regulation 8.22.360.B.8)

The Rent Adjustment Program is in receipt of the No-Fault Eviction Notice that you served on your tenant. **Please be advised** that there are both City of Oakland Regulations and a City of Oakland Municipal Ordinance to comply with. This hand-out refers to relevant portions of both. Additionally, attached, you will find the No-Fault Eviction Forms. Please complete the forms carefully following the instructions and deadline for each. If you have any questions, call the Rent Adjustment Program at 510-238-3721 or visit our website at <https://www.oaklandca.gov/topics/rent-adjustment-program>.

If an owner terminated a tenancy pursuant to an owner/relative move-in (O.M.C. 8.22.360.A.8 or A.9) or for repairs (8.22.360.A.10), then the owner must prepare and file with the Rent Adjustment Program:

For Owner/Relative Move-In (8.22.360.A.8 or A.9)

1. a Certificate of No-Fault Eviction (Form NFE-01) within 30 days after the tenant leaves the unit following (1) a notice terminating tenancy for owner or relative move-in, or (2) other communication stating the owner's intent to recover the unit for owner or relative move-in. The filing requirement applies even if the tenant vacated voluntarily following a communication that the owner intends to recover the unit under one these grounds.
2. a Certificate Upon Occupancy (Form NFE-02) within 30 days of initial occupancy by the owner or qualifying relative.
3. a Continued Occupancy Certificate (Form NFE-03) every 12 months after initial occupancy for 3 years (i.e. file a certificate within 12 months, 24 months, and 36 months after initial occupancy).
4. a Certificate Upon Re-Rental (Form NFE-04) if the owner offers the unit for re-rental

For Repairs (8.22.360.A.10)

1. an Initial Certificate (Form NFE-01) within 30 days after the tenant leaves the unit following (1) a notice terminating tenancy for eviction for repairs or (2) other communication stating the owner's intent to seek recovery of the unit for repairs.
2. a Certificate Upon Re-Rental (Form NFE-04) if the owner offers the unit for re-rental.

Please Be Advised that your tenant is eligible for relocation benefits under the City of Oakland Uniform Relocation Act (Oakland Municipal Code 8.22.800). An information sheet on the Relocation Ordinance is attached.



Uniform Residential Tenant Relocation Ordinance

(O.M.C. 8.22.800 et seq.)

On January 16, 2018, the City of Oakland passed the Uniform Residential Tenant Relocation Ordinance (Ord. No. 13468) to establish a uniform schedule of relocation payments which are now extended to tenants evicted when the owner or qualifying relative moves in and for other “no tenant fault” evictions.

The Uniform Relocation Ordinance (“Ordinance”) requires owners to provide relocation payments to tenants displaced by code compliance activities, owner or relative move-ins, Ellis Act, and condominium conversions. Except for temporary code compliance displacements, which require the payment of actual temporary housing expenses, the payment amounts set forth in the ordinance depend on the size of the unit, and adjust for inflation annually on July 1st. The base payment amounts until June 30, 2021 are:

- \$7,308.37 per studio/one bedroom unit
- \$8,994.92 per two-bedroom unit
- \$11,103.10 per three or more-bedroom unit

Tenant households in rental units that include lower income, elderly or disabled tenants, and/or minor children are entitled to a single additional relocation payment of two thousand five hundred dollars (\$2,500) per unit from the owner.

Termination notices served after January 25, 2018 for evictions where the new relocation requirement applies, must include a statement informing tenants of their right to relocation payments.



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CERTIFICATE OF NO-FAULT EVICTION
(Regulation 8.22.360.B.8)

Owner's Name:	
Property Address (Include Unit Numbers):	
Email Address:	Phone Number:
Owner's Mailing Address:	
Rent-Controlled Unit?: <input type="radio"/> Yes. <input type="radio"/> No, the unit is a single-family home or condominium. <input type="radio"/> No, the unit was constructed after Jan. 1, 1983 <input type="radio"/> No, the unit was substantially rehabilitated. <input type="radio"/> No, because _____ For list of exemptions, go to: rapwp.oaklandnet.com/issues/exemptions/	
Grounds for Eviction: <input type="radio"/> Owner or Relative Move-in (8.22.360.A.8 or A.9) <input type="radio"/> Repairs (8.22.360.A.10) <input type="radio"/> Ellis Act (8.22.360.A.11)	
Tenant's Name:	
Tenant's Forwarding Address:	Tenant's Email Address:
Date tenant Vacated unit:	Rent for Unit when vacated: \$

I certify under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

 (Owner's Signature)

 (Today's Date)

File this certificate within 30 days after the tenant vacates the unit. For owner or relative move-in evictions, the owner must also file (1) a certificate following occupancy within 30 days of move-in and (2) a continuing occupancy certification every 12 months for 3 years following occupancy.



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CERTIFICATE UPON OCCUPANCY
FOLLOWING OWNER OR RELATIVE MOVE-IN EVICTION
(Regulation 8.22.360.B.8)

Owner's Name:	
Property Address (Include Unit Number):	
Owner's Mailing Address:	
Email Address:	Phone Number:
Owner's mailing Address (If relative moved in):	
Name of the Qualifying Relative Who Moved In:	
Relationship to Owner (if Qualifying Relative):	
Moved-In Date:	Date Tenant Vacated Unit:
<p>_____ I Certify that the owner or qualifying relative move in to the unit as a principal residence on the date indicated above.</p> <p><i>You must attach evidence of move-in, such as a bank statement, utility bill, or USPS change of address confirmation.</i></p>	

I certify under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(Owner's Signature)

(Today's Date)

File this certificate within 30 days after the owner or qualifying relative moves into the unit. The owner or qualifying relative must move in within 3 months after the tenant vacated the unit. After filing this certificate, the owner must file a continuing occupancy certification every 12 months following move-in for 3 years following occupancy.



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**CONTINUED CERTIFICATE UPON OCCUPANCY
 FOLLOWING OWNER OR RELATIVE MOVE-IN EVICTION
 (Regulation 8.22.360.B.8)**

Owner's Name:	
Property Address (Include Unit Number):	
Email Address:	Phone Number:
Owner's mailing Address (If relative moved-in):	
Name of the Owner or Qualifying Relative Who Moved In:	
Relationship to Owner (if Qualifying Relative):	
Moved In Date:	
This form is form:	
<input type="radio"/> 1 year after initial occupancy	<input type="radio"/> 2 years after initial occupancy
<input type="radio"/> 3 years after initial occupancy	

<p>This Unit is currently/ This Unit is currently:</p> <p><input type="radio"/> Occupied as the principal residence of the owner or qualifying relative. You must attach proof of residency in the unit, including but not limited to a copy of a valid California license or another government-issued form of identification showing the address of the unit.</p> <p><input type="radio"/> Occupied by another person. If the unit is re-rented to the former tenant or another tenant, the owner must certify the rent amount within 30 days of occupancy on Form NFE-04.</p> <p><input type="radio"/> Unoccupied</p>

I certify under the penalty of perjury under the laws of the State of California that the foregoing is true and correct

 (Owner's Signature)

 (Today's Date)

File this certificate every 12 months following move-in for 3 years following occupancy.



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**CERTIFICATE UPON RE-RENTAL
 FOLLOWING NO-FAULT EVICTION
 (Regulation 8.22.360.B.8)**

Owner's Name:		
Property Address (Include Unit Number)		
Email Address:	Phone Number:	
Rent-Controlled Unit? <input type="radio"/> Yes <input type="radio"/> No, the unit is a single-family home or condominium <input type="radio"/> No, the unit was substantially rehabilitated <input type="radio"/> No, the unit was constructed after Jan. 1, 1983 <input type="radio"/> No, because _____		
Ground for Eviction/Ground for Eviction: <input type="radio"/> Owner or Relative Move-in (8.22.360.A.8 or A.9) <input type="radio"/> Repairs (8.22.360.A.10)		
Date Former Tenant Vacated the Unit:		
Rent when Former Tenant Vacated the Unit \$		
Tenant's Who Moved In:	New Rent for the Unit \$	Move In Date:
If new rent is different from the former rent, explain. Use a separate sheet if necessary. <input type="radio"/> Unit is Exempt from Rent Control <input type="radio"/> CPI/Banking <input type="radio"/> Capital Improvement approved in Petition L _____ <input type="radio"/> Other (Please explain) _____		

I certify under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

 (Owner's Signature)

 (Today's Date)

**Fill out this certificate within 30 days of re-rental.
 Attach the Proof of Service to Tenant form.**