



**CITY OF BELL GARDENS  
COMMUNITY DEVELOPMENT DEPARTMENT  
7100 GARFIELD AVENUE, BELL GARDENS, CA 90201  
(562) 806-7257 [Housing@bellgardens.org](mailto:Housing@bellgardens.org)**

**FAIR RETURN PETITION FOR RENT ADJUSTMENT**

**General Information**

The Rent Stabilization and Tenant Eviction Protections Ordinance (“Ordinance”) allows for a maximum rent increase for a covered rental unit during any 12-month period of four percent (4%) or fifty percent (50%) of the change in Consumer Price Index (CPI), whichever is less.

An owner may submit a fair return petition (“Petition”) to request a rent increase in an amount greater than the annual maximum in order to obtain a fair return. Section 5.62.070 of the Bell Gardens Municipal Code details the Petition requirements. The applicant shall bear the burden of demonstrating that the requested increase is necessary to earn a fair and reasonable return on the property.

No request for rent adjustment will be approved unless the landlord has registered each affected rental unit in the rental property and is current on payment of registration fees. No increase shall be approved greater than the amount authorized by California Civil Code section 1947.12.

The applicant will be responsible for paying application fees for reasonable administrative expenses incurred by the Department in reviewing and processing the petition.

Petitions must be signed under penalty of perjury and include specific rent increase requested; copies of books, records, or other financial information to support the request; and other supporting documentation reasonably required by the Department relevant to the Petition.

Questions can be directed to the Community Development Department Housing Division at (562) 806-7257 or [Housing@bellgardens.org](mailto:Housing@bellgardens.org). More information can be found on the City’s website.

**Application Requirements and Review**

A fair return petition will be processed as follows:

- The Petition must be submitted to the Department in person or by mail at the above address attention Housing Division or by email at [Housing@bellgardens.org](mailto:Housing@bellgardens.org).
- The submitted Petition will be reviewed for completeness by Housing Division staff. If deemed incomplete, the applicant will be notified in writing as to what additional information is required.
- Within five calendar days of filing the Petition, the landlord must provide written notice of the Petition to each affected tenant.
- Once the Petition is deemed complete, the Department Director will evaluate and decide whether to approve or deny a rent increase to ensure a fair return while not causing an undue financial burden on the affected tenant(s).
- Once a decision is rendered, the Director will issue a notice of determination to the affected parties.

- A landlord may not impose an approved rent increase without providing written notice to affected tenant(s) in accordance with California Civil Code Section 827.
- Any party may appeal the Director's decision to the Department within 30 days. An appeal hearing will be conducted before a hearing officer. The decision of the hearing officer shall be final.

### **Required Documentation**

The applicant must submit a completed Petition and supporting documentation. If the information requested is not available, indicate this fact and give the reason for its unavailability.

Minimum Documentation required: Please provide copies of invoices, receipts, ledgers or other documents for the Base Year<sup>1</sup> (2021) and for the most recent 12-month calendar year, separately listing the following for the Base Year and for the most recent 12-month calendar year.

- Rents collected from all tenants.
- Leases entered between the applicant and the affected tenant(s). Include lease commencement date, termination or expiration date, and any extension dates. As used herein, the term "lease" means any rental agreement in excess of 12 months' duration.
- The amount of other income received.
- Verified property taxes assessed and paid.
- Verified amounts billed and paid for electricity, gas, water, and trash service, separately listed for common areas, for individual spaces, and by category.
- Verified amounts expended for maintenance and repair.
- Insurance paid.
- If claiming, all actual paid administrative and management expenses.
- License or other fees paid.
- Verified miscellaneous expenses paid.
- Capital expenses for which the amortized useful life has not expired. Include only those not included in previous increase petitions.
- Documentation for each comparable property identified for Rent Comparative Analysis, if applicable.

The City reserves the right to require submittal of other documentation reasonably necessary to deem an application complete and to establish the basis and justification for the requested rent increase set forth in the Petition.

### **Relevant Factors in Deciding a Fair Return Petition**

In evaluating a petition, the Director will not employ a prescribed formula but will consider various factors in accordance with the Ordinance and Department guidelines. The Director may request additional information from affected parties and engage the services of experts and consultants to inform their decision.

Factors considered may include, but are not limited to, the following:

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<sup>1</sup> The base year information utilized in this Fair Return Petition must be from the calendar year 2021, the period preceding the date the Rent Stabilization Ordinance went into effect.

- Changes in the CPI.
- The rental history of the affected rental unit(s) and the rental property, including the base rent and pattern of past rent increases or decreases.
- The landlord's income and expenses as they relate to the rental property.
- Increases or decreases in property taxes.
- The history or any prior hearings or determinations on an application for rent increase by landlord.
- The addition of capital improvements on the rental property.
- The physical condition of the affected rental unit(s) and building, including maintenance and repairs performed during the preceding 12 months, and long-term patterns of operating, maintenance, and capital improvements.
- The need for repairs caused by circumstances other than ordinary wear and tear.
- Increases or decreases in housing services.
- Any existing rental agreement(s) between the landlord and the tenant(s).
- A decrease in net operating income.
- A fair and reasonable return on the building prorated among the rental units in the building.
- If landlord is in violation of the Ordinance or has otherwise failed to comply with the Ordinance.

### General Information

<b>Applicant Information</b>		
Owner 1 Name:		
Phone #:	Alt. Phone #:	
Mailing Address:		
Email:		
Owner 2 Name:		
Phone #:	Alt. Phone #:	
Mailing Address:		
Email:		
<b>Authorized Representative Information</b> <small>(if applicable)</small>		
Name:		
Phone #:	Email:	
Mailing Address:		
<b>Subject Property Information</b>		
Address:		
City:	State:	Zip:
Assessor's Parcel Number (APN#):		
# of Total Unit(s)/Spaces:	# of Affected Unit(s)/Spaces	
Has the property been registered as required by BGMC Section 5.62.090? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Attach a copy of the Rental Unit Registration Form.		
Year Property Built/Park Opened:	Year Purchased by Current Owner(s):	

<p><b>Basis for requesting a rent increase.</b>          Explain in detail why the annual maximum rent increases will not provide the landlord a fair and reasonable return on the property and a rent adjustment is necessary. Attach additional pages, if needed.</p>
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### Gross Income -- Base Year and Current Year

List all residential property-related income below for the base year and current year. Use totals for the most recent 12-month calendar year period and the base year for all units/spaces in the property.

Rent is defined in Section 5.62.020 of the Ordinance. Utility Income: Do not include any income collected for the provision of sub-metered utilities or reimbursements by residents for utility company charges. Do not include any income collected for the provision of utility services if the utility company directly bills residents for the utility service or if the utility cost is directly passed through to residents.

Rental Income	Annual Total	
	Base Year <sup>2</sup> : 2021	Current Year (Most Recent 12-Month Calendar Year Period): _____
1. Total unit/space gross rent	\$ _____	\$ _____

Other Income (list charges not included in rent separately by type)		
2. Late fees	\$ _____	\$ _____
3. Laundry	\$ _____	\$ _____
4. Parking/Storage	\$ _____	\$ _____
5. Pet fees	\$ _____	\$ _____
6. Water (subject to exclusions listed above)	\$ _____	\$ _____
7. Sewer (subject to exclusions listed above)	\$ _____	\$ _____
8. Trash (subject to exclusions listed above)	\$ _____	\$ _____
9. Cable/Internet Subscription Services(subject to exclusions listed above)	\$ _____	\$ _____
10.	\$ _____	\$ _____
11. Total Other Income	\$ _____	\$ _____
<b>Total Gross Income</b>		

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<sup>2</sup> The base year information utilized in this Fair Return Petition must be from the calendar year 2021, the period preceding the date the Rent Stabilization Ordinance went into effect.

### Utilities -- Base Year and Current Year

Identify the manner in which each service is paid during the base year and current year.  
Check all applicable boxes.

Type of Service	Year	Cost of utility is included in rent (not separately metered and billed)	Tenant pays service directly to utility company	Landlord pays service and bills tenants based on meter reading
<b>Gas</b>	Base Year			
	Current Year			
<b>Electricity</b>	Base Year			
	Current Year			
<b>Water</b>	Base Year			
	Current Year			
<b>Sewer</b>	Base Year			
	Current Year			
<b>Trash/Garbage</b>	Base Year			
	Current Year			
<b>Television/Internet Subscription Services</b>	Base Year			
	Current Year			
<b>Other</b>	Base Year			
	Current Year			

Briefly describe utility services provided to the rental units/spaces and how paid for the Base Year and Current Year.

## Gross Income -- Four Prior Years

List all residential property-related income below for each of the four (4) years preceding the base year.<sup>3</sup> Use totals for each 12-month calendar year period for all units/spaces in the property. Supporting documentation is not required for these four years unless specifically requested by the City based on a review of this application.

Utility Income: Do not include any income collected for the provision of sub-metered utilities or reimbursements by residents for utility company charges. Do not include any income collected for the provision of utility services if the utility company directly bills residents for the utility service or if the utility cost is directly passed through to residents.

Rental Income	Annual Total			
	Prior Year	Two Years Previous to Prior Year	Three Years Previous to Prior Year	Four Years Previous to Prior Year
(Year)	2020	2019	2018	2017
1. Total unit/space gross rent	\$ _____	\$ _____	\$ _____	\$ _____
Other Income (list charges not included in rent separately by type)				
2. Late fees	\$ _____	\$ _____	\$ _____	\$ _____
3. Laundry	\$ _____	\$ _____	\$ _____	\$ _____
4. Parking/Storage	\$ _____	\$ _____	\$ _____	\$ _____
5. Pet fees	\$ _____	\$ _____	\$ _____	\$ _____
6. Water (subject to exclusions listed above)	\$ _____	\$ _____	\$ _____	\$ _____
7. Sewer (subject to exclusions listed above)	\$ _____	\$ _____	\$ _____	\$ _____
8. Trash (subject to exclusions listed above)	\$ _____	\$ _____	\$ _____	\$ _____
9. Cable/Internet Subscription Services(subject to exclusions listed above)	\$ _____	\$ _____	\$ _____	\$ _____
10.	\$ _____	\$ _____	\$ _____	\$ _____
11. Total Other Income	\$ _____	\$ _____	\$ _____	\$ _____
<b>Total Gross Income</b>	\$ _____	\$ _____	\$ _____	\$ _____

<sup>3</sup> The base year information utilized in this Fair Return Petition must be from the calendar year 2021, the period preceding the date the Rent Stabilization Ordinance went into effect.

### Utilities -- Four Prior Years

Identify the manner in which each service was paid during each of the four years prior to the base year. Check all applicable boxes.

Type of Service	Year	Cost of utility was included in rent (not separately metered and billed)	Tenant paid service directly to utility company	Landlord paid service and bills tenants based on meter reading
<b>Gas</b>	2020			
	2019			
	2018			
	2017			
<b>Electricity</b>	2020			
	2019			
	2018			
	2017			
<b>Water</b>	2020			
	2019			
	2018			
	2017			
<b>Sewer</b>	2020			
	2019			
	2018			
	2017			
<b>Trash/Garbage</b>	2020			
	2019			
	2018			
	2017			
<b>Television / Internet Subscription Services</b>	2020			
	2019			
	2018			
	2017			
<b>Other</b>	2020			
	2019			
	2018			
	2017			

**For each of the previous four years, briefly describe utility services provided to the rental units/spaces and how paid.**




## Operating Expenses -- Base Year and Current Year

Include reasonable annual costs of operation and maintenance of the property for the base year and current year. Do not include debt service or capital improvements. Gas and Electricity Expenses<sup>4</sup>: Do not include any expenses associated with the provision of sub-metered gas and electricity services. However, fees and maintenance for the provision of gas and electricity services to common areas, which are not passed through to residents, should be included in this application if they can be documented by the applicant.

Item	Annual Total	
	Base Year	Current Year (Most Recent 12-Month Calendar Year Period)
1. Assessments	\$ _____	\$ _____
2. Electricity (common areas only)	\$ _____	\$ _____
3. Gas (common areas only)	\$ _____	\$ _____
4. Gardening/Landscaping	\$ _____	\$ _____
5. Insurance	\$ _____	\$ _____
6. Legal	\$ _____	\$ _____
7. Accounting	\$ _____	\$ _____
8. Licenses and Fees	\$ _____	\$ _____
9. Management	\$ _____	\$ _____
10. Miscellaneous Supplies	\$ _____	\$ _____
11. Office Supplies	\$ _____	\$ _____
12. Real Property Taxes	\$ _____	\$ _____
13. Security	\$ _____	\$ _____
14. Street Sweeping	\$ _____	\$ _____
15. Trash (exclude charges reimbursed by tenants)	\$ _____	\$ _____
16. Water (exclude charges reimbursed by tenants)	\$ _____	\$ _____

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<sup>4</sup> Pricing for the provision of sub-metered gas and electricity is regulated by the California Public Utilities Commission (CPUC) and includes a differential over the utility company charge in order to provide for the maintenance of these systems. The courts and CPUC have ruled that these expenses cannot be considered in a rent control proceeding.

17. Sewer (exclude charges reimbursed by tenants)	\$ _____	\$ _____
18. Television / Internet Subscription Services (exclude charges reimbursed by tenants)	\$ _____	\$ _____
19. Owner-performed labor	\$ _____	\$ _____
20. Pool Maintenance	\$ _____	\$ _____
21. Plumbing Maintenance	\$ _____	\$ _____
22. Normal Repairs/Ordinary Wear & Tear	\$ _____	\$ _____
23. Street Maintenance	\$ _____	\$ _____
Other (list separately by type)		
24.	\$ _____	\$ _____
25.	\$ _____	\$ _____
<b>Total Operating Expenses</b>	\$ _____	\$ _____

### Net Operating Income (NOI) Summary

	Annual Total	
	Base Year <sup>5</sup> : 2021	Current Year
1. Total Gross Income	\$ _____	\$ _____
2. Total Operating Expenses*	\$ _____	\$ _____
3. Net Operating Income (NOI) (Line 1 minus Line 2)		

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<sup>5</sup> The base year information utilized in this Fair Return Petition must be from the calendar year 2021, the period preceding the date the Rent Stabilization Ordinance went into effect.

## Operating Expenses -- Four Prior Years

Include reasonable annual costs of operation and maintenance of the property for each of the four (4) years preceding the base year. Do not include debt service or capital improvements. Gas and Electricity Expenses<sup>6</sup>: Do not include any expenses associated with the provision of sub-metered gas and electricity services. However, fees and maintenance for the provision of gas and electricity services to common areas, which are not passed through to residents, should be included in this application if they can be documented by the applicant.

Item  (Year)	Annual Total			
	Prior Year	Two Years Previous to Prior Year	Three Years Previous to Prior Year	Four Years Previous to Prior Year
	2020	2019	2018	2017
1. Assessments	\$ _____	\$ _____	\$ _____	\$ _____
2. Electricity (common areas only)	\$ _____	\$ _____	\$ _____	\$ _____
3. Gas (common areas only)	\$ _____	\$ _____	\$ _____	\$ _____
4. Gardening/Landscaping	\$ _____	\$ _____	\$ _____	\$ _____
5. Insurance	\$ _____	\$ _____	\$ _____	\$ _____
6. Legal	\$ _____	\$ _____	\$ _____	\$ _____
7. Accounting	\$ _____	\$ _____	\$ _____	\$ _____
8. Licenses and Fees	\$ _____	\$ _____	\$ _____	\$ _____
9. Management	\$ _____	\$ _____	\$ _____	\$ _____
10. Miscellaneous Supplies	\$ _____	\$ _____	\$ _____	\$ _____
11. Office Supplies	\$ _____	\$ _____	\$ _____	\$ _____
12. Real Property Taxes	\$ _____	\$ _____	\$ _____	\$ _____
13. Security	\$ _____	\$ _____	\$ _____	\$ _____
14. Street Sweeping	\$ _____	\$ _____	\$ _____	\$ _____
15. Trash (exclude charges reimbursed by tenants)	\$ _____	\$ _____	\$ _____	\$ _____
16. Water (exclude charges reimbursed by tenants)	\$ _____	\$ _____	\$ _____	\$ _____

<sup>6</sup> Pricing for the provision of sub-metered gas and electricity is regulated by the California Public Utilities Commission (CPUC) and includes a differential over the utility company charge in order to provide for the maintenance of these systems. The courts and CPUC have ruled that these expenses cannot be considered in a rent control proceeding.

17. Sewer (exclude charges reimbursed by tenants)	\$ _____	\$ _____	\$ _____	\$ _____
18. Television / Internet Subscription Services	\$ _____	\$ _____	\$ _____	\$ _____
19. Owner-performed labor	\$ _____	\$ _____	\$ _____	\$ _____
20. Pool Maintenance	\$ _____	\$ _____	\$ _____	\$ _____
21. Plumbing Maintenance	\$ _____	\$ _____	\$ _____	\$ _____
22. Normal Repairs/Ordinary Wear & Tear	\$ _____	\$ _____	\$ _____	\$ _____
23. Street Maintenance	\$ _____	\$ _____	\$ _____	\$ _____
Other (list separately by type)				
24.	\$ _____	\$ _____	\$ _____	\$ _____
25.	\$ _____	\$ _____	\$ _____	\$ _____
<b>Total Operating Expenses (Four Prior Years)</b>	\$ _____	\$ _____	\$ _____	\$ _____

## Additional Repairs -- Base Year and Current Year

Has there been a need for repairs caused by circumstances other than ordinary wear and tear in the most recent 12-month calendar year period and base year? If so, please briefly explain below and list relevant repair expenses:


<b>Additional Repairs (list separately by type)</b>		
	Base Year (2021)	Current Year (Most Recent 12-Month Calendar Year)
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
<b>Total Additional Repairs Expenses</b>	\$ _____	\$ _____

## Completed Capital Improvement/Rehabilitation Work Expenses -- Base Year and Current Year

List and describe capital improvements or rehabilitation work related to the property and/or affected unit(s)/space(s) specified in the Petition.

Include improvements/rehabilitation work **only** completed during the most recent 12-month calendar year and base year.

### (Please Complete this Sheet for Each Capital Improvement)

Capital Improvement/Rehabilitation: \_\_\_\_\_

Date of Completion: \_\_\_\_\_

Has a Capital Improvement Pass-Through Petition been submitted?       Yes       No

<b>Brief Description</b>	
<b>Cost</b>	<b>Amount</b>
Materials	\$ _____
Labor	\$ _____
Construction Interest	\$ _____
Permit Fees	\$ _____
Other Items	
	\$ _____
	\$ _____
	\$ _____
	\$ _____
<b>Total Amount:</b>	<b>\$ _____</b>

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**Additional Expenses -- Base Year and Current Year**

**A. Complimentary Tenant Services**

List all services that were provided to the tenants and included in the rent at no additional charge for the base year and current year.

Service Provided	Annual Amount	
	Base Year	Most Recent 12-Month Calendar Year Period
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
<b>Total</b>	\$ _____	\$ _____

**B. Changes in the Rent Paid by the Applicant for Leasing of Property**

If applicable, describe below if there have been any changes in the rent paid by the applicant for the lease of the residential property or land on which the subject residential real property or mobile home park is located, during the base year or current year.

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### Proposed Rent Increase Schedule

List previous and proposed rent increases for each individual unit/space related to the property specified in the Fair Return Petition.

Unit/Space Number	No. Bed/Bath	Current Monthly Rent	Proposed New Rent Amount	Proposed Percent Increase	Date Tenancy Commenced	Date of Last Rent Increase



## Request for Base Year Rent Adjustment

An owner may rebut the presumption that the base year net operating income provided a fair return because base year rents for one or more unit(s) did not reflect general market conditions due to peculiar circumstances. A claim may be made for a base year rent adjustment if the base year rent was disproportionately low in comparison to prevailing rents for comparable units during the base year.

Applicants submitting a claim for a base year rent adjustment may be required to pay for an independent comparable rent analysis by an appraiser approved by the City.

### **Explain the Basis in Support of Claim for Adjustment of Base Year Rent.**

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### **Rent Comparative Analysis**

The applicant must detail how rental charges for the property compare to residential real properties or mobilehome parks in the City.

Describe below amenities and services in your property that are provided within the current rent at no additional charge to tenants, in addition to the current average rent of the property.

Additionally, identify and describe comparable residential real properties or mobile home parks in the City that offer similar amenities, services, unit/space count, and detail their current average rent. Provide documentation for each comparable property identified.

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**Declaration  
Owner/Authorized Representative**

I/We declare as follows:

I am the owner or authorized representative of the owner(s) of the residential property/mobile home park/unit involved in this request.

I am authorized to submit this petition form and supporting documentation on behalf of the residential property/mobile home park/unit that is the subject of this request.

I declare under penalty of perjury under the laws of the State of California that the information, documentation, and statements herein are true and correct to the best of my knowledge and belief.

Executed this \_\_\_\_\_(Day) of \_\_\_\_\_(Month), 20\_\_\_\_\_(Year)  
at \_\_\_\_\_(City), California.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Capacity (e.g., Owner, Manager, Attorney, etc.)

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

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone

*\* This section does not need to be notarized*