



CITY OF
HAYWARD
HEART OF THE BAY

SUMMARY: THE VACANCY DECONTROL PROCESS
Residential Rent Stabilization Ordinance

When a unit is “voluntarily vacated” [Section 2(p)], the unit can be decontrolled pursuant to Section 8 of the Hayward Residential Rent Stabilization Ordinance. If documented properly, the unit will be subject only to Section 18 (Fees) and Section 19 (Eviction for Cause) of the Ordinance. In order to complete the decontrol process, a landlord must comply with all of the following conditions set forth in Section 8(a):

1. Improvements: The Landlord must make improvements to the unit in the amount of at least:
 - \$1,311.65 for 1 or fewer bedrooms, or
 - \$1,967.47 for 2 bedrooms, or
 - \$2,623.16 for 3 or more bedrooms.

Section 8(f) lists the kinds of improvements.

2. Application for Decontrol: Before rerenting the unit, obtain an “Application for Decontrol” from the Building Division at City Hall, 777 “B” Street, Hayward, CA 94541, (510) 583-4142.

An inspection will be arranged and an inspector will inspect the unit. There will be an inspection fee charged by Building Division. If there are violations, they must be remedied before the inspector certifies the unit. Any unit rerented on or after January 1, 1991, must have a solid-core front door or a rated fire door assembly with a deadbolt installed and any auxiliary door or window locks that the City Building Official considers necessary or advisable to inhibit access to the unit from such possible points of entry.

After the City Building Official has signed the certification (white form), it will be mailed to you. The original form, signed by the Building Division staff, must be turned into the Rent Review Office and a copy retained by the landlord.

3. Information Supplied to the Tenant: The following information must be provided to the new tenant at the time of rerental (be included on City provided form):
 - a. A copy of the current Residential Rent Stabilization Ordinance;
 - b. A written statement that the unit was voluntarily vacated;
 - c. A written statement of the disposition of the security deposit;
 - d. A written explanation of the type(s) of improvement(s) performed to the unit and the value of such improvement(s); and
 - e. A written statement that the unit is still covered by Section 18 (Fees), and Section 19 (Eviction for Cause).

4. Documentation Supplied to Rent Review Office: Within 30 days after rerenting the unit, the landlord must supply the Rent Review Office with the following:
 - a. The Application for Decontrol, signed by Building Division (original); and
 - b. The Landlord Certification of Proper Decontrol, completed and signed by the landlord.

The originals must be submitted to the Rent Review office located at:

Rent Review Office – City Attorney
Hayward City Hall
777 B Street, 4th Floor,
Hayward, CA, 94541,
(510) 583-4454.

Make copies of each document for your records.

Summary: Vacancy Decontrol
Revised: 6/24/2015