

# NOTICE TO TERMINATE A TENANCY DUE TO WITHDRAWAL OF THE RENTAL UNIT FROM THE RENTAL MARKET

To Tenants: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_  
(Date notice is served)

THIS NOTICE is given pursuant to the City of Alameda’s “Ellis Act” Policy, the terms and provisions of sections 6-58.80, 6-58.85, 6-58.95, 6-58.100, and 6-58.110, Alameda Municipal Code, and City Council Resolution No. 15517 for the purpose of terminating your tenancy due to the withdrawal of the rental unit from the rental market at:

\_\_\_\_\_  
(Address of rental unit)

YOU ARE HEREBY REQUIRED to deliver up possession of the rental unit to the undersigned by no later than 120 days from the date of service of this Notice unless you inform the landlord, in writing, that you are exercising the “extended stay” option detailed below.

YOU ARE HEREBY NOTIFIED of the following:

## 1. Grounds for Termination of Tenancy

This notice is being given pursuant to Section 6-58.80(H), Alameda Municipal Code and the City of Alameda’s “Ellis Act” Policy, in order to permanently withdraw your unit and all other residential rental units on the property from the rental housing market.

## 2. Extended Stay Option

### Entitlement to Stay One Year

If you have resided in the unit for at least one year and are **62 years of age or older** or are **a person with a disability** as defined under California Government Code Section 12926, you are entitled to remain in the unit for one year.

You must inform the landlord in writing within 60 days of receipt of this Notice that you are exercising this option. You must pay rent for the additional time you occupy or use the unit. You may submit the information to the landlord by using Form RP-202 (C), which has been provided to you along with this Notice.

### **3. Relocation Payment**

#### Amount

You are entitled to a relocation payment in the amount of: \$\_\_\_\_\_.

#### Schedule

One-half of the relocation payment will be paid within three business days after you have informed the landlord in writing of the date you will vacate the rental unit; the date must be no later than the date provided by this Notice. The other half will be paid within three days after you have (i) vacated the rental by no more than two calendar days after the date provided in this Notice, and (ii) removed all of your personal property from the rental unit and/or from other property of the landlord, such as a storage unit.

You may submit to the landlord the information concerning the date you will vacate the rental unit by using Form RP-202 (C), which has been provided to you along with this Notice.

### **4. Right to Return to the Unit Under Certain Circumstances**

If the landlord decides to return the rental unit to the rental market within five years, you have the right to return to the rental unit at a rent no higher than 5 percent more than what you were paying when this Notice was provided to you. You must, however, make a request in writing to your landlord that you want to be notified if the landlord decides to return the rental unit to the rental market.

You may submit such request to the landlord by using Form RP-202 (D) which has been provided to you along with this Notice.

### **5. Right to Seek Damages if the Rental Unit is Returned to the Rental Market Within Two Years**

If the landlord decides to return the rental unit to the rental market within two years, you have the right to seek damages from the landlord, in addition to having the right to return to the rental unit. See the City of Alameda's Ellis Act Policy, at Section 3 B.

PLEASE FIND ATTACHED TO THIS NOTICE

- Form RP-202 (C) - Notice for Tenant Concerning the Date that the Tenant will Vacate the Rental Unit
  - Please complete and return to the landlord. See the form for more details.
  
- Form RP-202 (D) - Notice for Tenant to Request an Offer to Renew a Tenancy in a Previously Withdrawn Rental Unit
  - Please complete and return to the landlord. See the form for more details.

**Declaration of Landlord**

I declare under penalty of perjury under the laws of the State of California that this information and every attached document, statement and form is true and correct and that this Declaration was executed on \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_, California.

Landlord Signature \_\_\_\_\_ Date \_\_\_\_\_

Landlord Name \_\_\_\_\_

Mailing Address \_\_\_\_\_ City, State and Zip Code \_\_\_\_\_

Email address \_\_\_\_\_ Phone \_\_\_\_\_