

**Residential Rent Stabilization & Arbitration Board
City & County of San Francisco**

WATER REVENUE BOND PASSTHROUGH WORKSHEET
Ordinance Section 37.3(a)(5)(B); Rules and Regulations Section 4.14

Use this form when calculating the Water Revenue Bond Passthrough for one month or one calendar year.

Tenant's Name _____ Property Address _____

Landlord's Name _____ Phone _____ Date _____

Dear Tenant:

A landlord may pass through 50% of the water bill charges attributable to water rate increases resulting from the issuance of Water System Improvement Revenue Bonds authorized at the November 2002 election (Proposition A). Water bills prepared by the S.F. Public Utilities Commission commencing July 1, 2005 specify the water bill charges that are eligible for the passthrough. The eligible charges are only a portion of the landlord's total water bill.

Attached is the calculation of the Water Revenue Bond Passthrough for your unit. The landlord may base the calculation on a single water bill (Line 1 only) OR, in the alternative, on all the water bills for any calendar year (Lines 1-12). The landlord must not include charges incurred prior to commencement of your tenancy. If you moved in during the middle of a calendar year, the landlord may pass through the charges for the remainder of that calendar year, starting with the billing period following commencement of tenancy.

Where the landlord elects to calculate the Water Revenue Bond Passthrough based on a calendar year, the passthrough must be imposed on your anniversary date. Where the landlord elects to calculate the passthrough on a single water bill, the passthrough need not be imposed on your anniversary date; however, the landlord must serve notice of such passthrough within 60 days of receipt of the water bill. In any event, the passthrough shall not become part of your base rent and must be discontinued after you have paid it for the number of months specified on Line 17 of the attached Worksheet (page 2). The landlord is required to refund any overcharges if the passthrough is not discontinued on time.

The amount on Line 18 is the monthly amount per unit that the landlord can pass through to your unit after service of a written notice of rent increase pursuant to Civil Code §827. Both pages of the Worksheet, including this page, must be attached to the notice of rent increase. The rent increase notice must specify the amount of the monthly Water Revenue Bond Passthrough. Please be advised that you are entitled to receive a copy of the applicable water bill(s) from the landlord upon request.

Tenant Financial Hardship: A tenant may file a Tenant Financial Hardship Application with the Rent Board to request relief from payment of the Water Revenue Bond Passthrough. A hardship application must be filed within one year of the effective date of the Water Revenue Bond Passthrough. Once a timely hardship application is filed, the tenant need not pay the passthrough unless the Rent Board issues a final decision denying the hardship application. However, if the hardship application is denied, the tenant will need to pay the Water Revenue Bond Passthrough retroactive to the effective date. Hardship applications are available from the Rent Board's office at 25 Van Ness Avenue, Suite 320, San Francisco, CA 94102 or visit the Rent Board's website at www.sf.gov/rentboard.

Tenant Challenge of Improper Water Revenue Bond Passthrough: Within one year of the effective date of a Water Revenue Bond Passthrough, a tenant may petition for an arbitration hearing on the following grounds:

- The landlord has not properly calculated the passthrough;
- The passthrough is calculated using an incorrect unit count;
- The landlord failed to provide a clear written explanation of the charges and the calculation of the passthrough;
- The unit is not in compliance with applicable laws requiring water conservation devices;
- The tenant requested a copy of the applicable water bill(s) and the landlord has not provided them;
- The tenancy began during or after the billing period(s) included in the passthrough calculation;

If the landlord fails to discontinue the passthrough after it is fully paid, a tenant may file a petition on this basis at any time after the passthrough should have been discontinued; such petition is not subject to the one-year filing limitation. (Please note: A Water Revenue Bond Passthrough may remain in effect only for the same number of months covered by the water bills that were used to calculate the monthly passthrough amount.)

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WATER REVENUE BOND PASSTHROUGH WORKSHEET

Use this form when calculating the Water Revenue Bond Passthrough for one month or one calendar year.

List Each Bill Date	List The Service Period For Each Water Bill*		List Each Eligible Water Bill Charge**
	From _____ to _____	1	\$
	From _____ to _____	2	\$
	From _____ to _____	3	\$
	From _____ to _____	4	\$
	From _____ to _____	5	\$
	From _____ to _____	6	\$
	From _____ to _____	7	\$
	From _____ to _____	8	\$
	From _____ to _____	9	\$
	From _____ to _____	10	\$
	From _____ to _____	11	\$
	From _____ to _____	12	\$
Add Lines 1 through 12 to get Total Eligible Charges:		13	\$
Divide Line 13 by two to get 50% of Eligible Charges:		14	\$
List Total # of Residential & Commercial Units Covered by the Water Bills:		15	
Divide Line 14 by Line 15:		16	\$
List Total # of Months Covered by the Water Bills Listed in Lines 1-12:		17	
Divide Line 16 by Line 17 to get Monthly Passthrough Amount Per Unit:		18	\$

* The landlord may base the calculation on a single water bill (Line 1 only) OR, in the alternative, on all the water bills for any calendar year (Lines 1-12). A calendar year means *service periods* (not *bill dates*) from January through December, and not an alternate twelve-month period. It is not necessary to prorate water bills for service periods that fall into two different calendar years. The landlord can elect to include such bills in either calendar year, but cannot include the same bill in both years. The landlord must not include charges incurred prior to commencement of the tenancy. If the tenant moved in mid-year, the landlord must calculate the passthrough using only the bills beginning with the next service period after the tenancy commenced.

** If the tenant received a rent increase based on operating and maintenance expenses in which the same water bill charges were included in the comparison year cost totals, the landlord may not also impose a Water Revenue Bond Passthrough for that same period.

☒ **By service of this notice on the tenant, the landlord affirms that the tenant is eligible for the Water Revenue Bond Passthrough because the tenant's unit is in compliance with any applicable laws requiring water conservation devices, including but not limited to California Civil Code Section 1101.5 and San Francisco Housing Code Section 12A.**

Landlord's Signature