



CITY OF PORTLAND

Permitting and Inspections Department

Tenant Complaint and Rent Increase Appeal Application

Complete this form (or file online) to file a complaint with the Housing Safety Office. Before signing, please read the disclosure of additional/alternative protections, and indicate at the bottom of the form whether you would like to seek a Rent Board hearing.

Tenant Name(s): _____
Phone: (____) _____ - _____ Email: _____
Tenant Name(s): _____
Phone: (____) _____ - _____ Email: _____
Tenant Name(s): _____
Phone: (____) _____ - _____ Email: _____
Tenant Name(s): _____
Phone: (____) _____ - _____ Email: _____
Tenant Name(s): _____
Phone: (____) _____ - _____ Email: _____
Mailing Address: _____
Landlord Name: _____
Phone: (____) _____ - _____ Email: _____
Mailing Address: _____
Rental Property Address: _____ Unit: _____

Accommodations (please select any that apply):
<input type="checkbox"/> Interpretation Services required for Rent Board hearing or staff interaction.
<input type="checkbox"/> Staff assistance needed
<input type="checkbox"/> I need the renter protections provided in the new rent control ordinance explained to me in greater detail by the Office of Housing Safety.

Type of complaint (please select any that apply):

- Amount of rent the landlord may charge the tenant.

Rent charged as of June 2020 (if known): _____

Rent charged of previous tenant (if known): _____

Current rent, with date: _____ as of _____

Proposed amount after rent increase: _____

Reason for increase, if applicable: _____

(If you wish to appeal a rent increase to the Rent Board, please check the box at the bottom of this document, below the signature page, which allows you to request hearing with the Rent Board.)

- A tenancy-at-will was terminated without giving 90-days' notice or without providing an inconvenience fee, in violation of Sec. 6-236.
- After January 1, 2021, landlord failed to provide tenant's rights document and/or failed to post a copy of tenant's rights document in a conspicuous common area. (Sec. 6-238 (d))
- Landlord attempted to require, encourage, or induce tenant to waive the privileges provided in the Rent Control ordinance (Sec. 6-239.)
- Individual believes landlord discriminated against them by refusing to rent to them in violation of Sec. 6-237, based on the following (mark all that apply):
- Race, color, sex, sexual orientation, physical or mental disability, ancestry, national origin, or family status.
 - Source of income.
 - If they receive federal, state, or local rental assistance program.
 - Landlord refused to comply with federal, state, or local requirements of rental assistance program as described in Sec. 6-237 (d).
- Tenant wishes to report a violation of Maine statute regarding the habitability of residential units. NOTE: Statute of Habitability Concerns (6-263 (c)) (please select any that apply):

Inadequate Heat/Faulty Heat System

Leaking Ceilings

Inadequate Hot Water

Unfit Drinking Water

Poor Air Quality

Unsafe Electrical Wiring

Malfunctioning Sewer System

Other: _____

Comments (please describe any more details of your complaint):

(NOTE: Please see disclosure form below for more information.)

Disclosure of Additional/Alternative Protections

How this form is used:

- Any complaint made to the Housing Safety Office (HSO) via this form will be investigated by the appropriate members of City Staff. If HSO found a violation, the landlord would be asked to correct it. If the landlord did not do so willingly, HSO would issue a notice of violation (NOV). If the NOV was not successful, HSO has the option of issuing a summons or filing a complaint in court to enforce the ordinance.'
- Any action taken by HSO will be separate from any decisions made by the Rent Board, but evidence from an HSO investigation may be used by a party seeking a Rent Board hearing.
- THIS DOES NOT PREVENT A TENANT FROM SEEKING A RENT BOARD HEARING FOR ALLEGED VIOLATIONS.

Warranty of Habitability:

- If a tenant requests that a landlord correct a breach of the warranty of habitability, and the landlord refuses, the tenant may appeal this refusal to the Rent Board. This type of Rent Board Hearing DOES NOT require the signature of the landlord. The Rent Board is also limited in their jurisdiction in enforcing allegations of the breach of warranty of habitability.
- Allegations of warranty of habitability violations are typically handled and enforced in District Court. To do this a tenant must:
 - First give written notice of the alleged violation to the landlord.
 - If the landlord fails to address the issue, the tenant may file a complaint in District Court. If the court finds that the warranty of habitability is breached, the court can order that the condition be fixed, that the landlord rebate a certain amount of rent paid while that condition existed, require the landlord to pay temporary relocation costs for the tenant while the condition is being fixed, and similar remedies.

Discrimination:

- The Maine Human Rights Act (MHRA) also prohibits housing discrimination based on protected class, with some added protections that are not in the rent control ordinance. In order to use the protections in the MHRA, a tenant must file a claim in the Maine Human Rights Commission, and then eventually in court. A court could order the landlord to put the tenant in housing and/or award monetary damages to the tenant.
- **In cases of discrimination based on source of income**, the protections provided under the City of Portland's rent control ordinance may be greater than those provided by the Maine Human Rights Act. To learn more about the Maine Human Rights Act, contact the Maine Human Rights Commission at 51 State House Station, Augusta, Maine 04333-0051, by phone at (207) 624-6290; or by fax at (207) 624-8729.

Termination of Tenancies-at-Will:

- If you are a tenant-at-will, and your landlord attempts to improperly terminate your tenancy in violation of the City of Portland's Rent Control ordinance (i.e., not providing 90 days' notice, or paying the tenant to reduce the required notice) you may wish to request a Rent Board hearing regarding the dispute.
- HOWEVER, the State of Maine also has a statute that governs evictions. Other than "for-cause" evictions, by statute a landlord must generally give a tenant-at-will a 30-day notice when terminating a tenancy. District Court will have jurisdiction over whether you will be evicted and if you are opposed, you should appear in District Court in accordance with any Summons.

Please provide signatures below and indicate if you would like to seek a Rent Board hearing.

Tenant Signature: _____ Date: _____

Tenant Signature: _____ Date: _____

Tenant Signature: _____ Date: _____

Tenant Signature: _____ Date: _____

Tenant Signature: _____ Date: _____

Printed Name of person assisting tenant (s): _____

Relationship to Tenant (s): _____

Signature of person assisting tenant (s): _____ Date: _____

Landlord Signature: _____ Date: _____

Printed Name of person assisting landlord: _____

Relationship to landlord: _____

Signature of person assisting landlord: _____ Date: _____

PLEASE CHECK THIS BOX IF YOU WISH TO SEEK A RENT BOARD HEARING, REVIEW, AND DECISION REGARDING YOUR COMPLAINT OR DISPUTE.

Include any relevant documentation for the Housing Safety Office and/or Rent Board's consideration.

NOTE: Landlord signatures only required if seeking a Rent Board Hearing. Landlord signature is *not required* for a Rent Board Hearing if tenant is making an allegation regarding the Warranty of Habitability. If you are unable or uncomfortable obtaining a signature from your landlord, The Office of Housing Safety will reach out to them and request a signature using the information provided above.

Please read the above disclosure form for more information about seeking a remedy in District Court for allegations of a breach of the Warranty of Habitability.