

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

PETITION FOR
CERTIFICATE RELATING TO EVICTION

MAILING ADDRESS OF PETITIONER
(Please Print or Type)

1. Name of petitioner

2. Telephone No.

3. Name of agent

4. Address mail to ↓

Name George Mercurio TELEPHONE NO. Sup 0641

Address 1261 N. Wells St.

City and State Chicago 10 Ill.

CONCERNING (ADDRESS OF ACCOMMODATIONS)

STAMP OF ISSUING OFFICE

Office of Price Administration
Chicago Defense-Rent Area
100 West Adams Street
Chicago 5, Illinois

(Issuing office will fill in space between heavy lines)

EFFECTIVE DATE
OF REGULATION

DOCKET NO. 31818

MAILING ADDRESS OF TENANT

(Please Print or Type)

NAME OF TENANT Ben. J. Licciardi TELEPHONE NO.

ADDRESS 165 W. Goethe St.

CITY AND STATE Chicago 10 Ill. 4th Floor

(APARTMENT NO.)

INSTRUCTIONS FOR PREPARING THIS PETITION

Fill out and sign two copies of this petition and file both copies with Rent Director at address stamped above.

All names and addresses must be typed or printed. All blank spaces, if applicable, must be filled in. The petition must be dated and signed in ink. Petitioner shall not fill in page 4 of this petition. The petition will, when necessary, be sent to the tenant by the area rent office.

If the petitioner is a corporation, the petition should be signed on its behalf by a duly authorized officer.

Read the excerpts from the Rent Regulation below.

NOTICE TO TENANT

This petition was filed with our Office requesting us to issue a Certificate Relating to Eviction in connection with the housing accommodations described herein. You may submit to this Office any information you wish with reference to this matter. Use the space on page 4 headed "Tenant's Statement." Sign and date your statement in the space provided and return to this Office within 5 days. Your failure to return the petition with your signed statement will result in the entry of an order upon the basis of the facts available to the Rent Director.

EXCERPTS FROM THE RENT REGULATIONS

Section 6 (b) (1) of the Housing Regulation.—No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removal or evictions of the character proposed are not inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof. The certificate shall authorize the pursuit of local remedies at the expiration of 6 months after the date of filing of the petition unless the Area Rent Director has determined that a 3 months period is adequate for the purposes of the act in the particular area in issuing certificates under Section 6 (b) (2), in which event the applicable period shall be 3 months. Within the discretion of the Area Rent Director, the certificate may authorize the pursuit of local remedies for the removal or eviction of the tenant at a time less than 6 or 3 months, as the case may be, after the date of the filing of the petition if the petitioner establishes that unusual hardship would otherwise result, or that a lesser period in the particular case is consistent with the purposes of the regulation and the act.

Section 6 (b) (2) of the Housing Regulation.—A certificate shall be issued authorizing the pursuit of local remedies to remove or evict a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of regulation (or on or after October 20, 1942, where the effective date of regulation is prior to that date), only as provided in this paragraph (b) (2).

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate 20 percent or more of the purchase price, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as herein provided, and unless the Area Rent Director shall determine that a 3 months period is adequate for the purposes of the act in the particular defense-rental area, the certificate shall authorize the pursuit of local remedies at the expiration of 6 months after the date of filing of the petition.

The payment or payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate.

Any payments of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether 20 percent of the purchase price has been paid, unless the Administrator finds that the inclusion of such payments is consistent with the purposes of this paragraph (b) (2) and would not be likely to result in the circumvention or evasion thereof.

Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the vendor to secure any unpaid balance of the purchase price, the payment requirement shall be deemed satisfied if the value of such security, plus any payments of principal made from funds not borrowed for the purpose of making such principal payments, equal 20 percent or more of the purchase price.

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship

would result, or (d) the purchaser has, during the period of the war emergency served in the armed forces of the United States and requires possession of the accommodations for the adequate housing of himself and family, a certificate may be issued although less than 20 percent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at a time less than 6 or 3 months or the case may be in any particular area, after the date of filing of the petition.

(iii) The payment of 20 percent or more of the purchase price shall not be a condition to the issuance of a certificate under this paragraph (b) (2) where the purchaser has obtained a loan to be used in purchasing the housing accommodations which is guaranteed in whole or in part by the Administrator of Veterans' Affairs pursuant to the provisions of Title III of the Servicemen's Readjustment Act of 1944.

Section 6 (b) (3) of the Housing Regulation.—(i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association (hereinafter called "cooperative") by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to a proprietary lease of such housing accommodations. It applies only to the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of the housing accommodations at the time of such purchase.

(ii) Where the cooperative was organized on or after February 17, 1945, or the effective date of regulation, whichever is the later, or where the purchased stock originally was issued on or after that date, no certificate shall be issued, unless on such date the cooperative was in the process of organization and the Administrator finds that substantial hardship would result from the failure to issue a certificate, or unless, at the time of issuance of the certificate, stock in the cooperative has been purchased by persons who are then tenants of at least 80 percent of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iii) Where the cooperative was organized and acquired its title or leasehold interest in the structure or premises before February 17, 1945, or the effective date of regulation, whichever is the later, and on that date stock in the cooperative allocated to more than 50 percent of the dwelling units in the structure or premises was held by the cooperative, or by another person owning more shares than those allocated to a single dwelling unit, or both, no certificate shall be issued for occupancy by a purchaser of stock so held or owned on such date, unless, at the time of issuance of the certificate, stock in the cooperative is owned or has been purchased by persons who are then tenants of at least 80 percent of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iv) In all other cases, including those excepted from paragraph (b) (3) (ii) and (iii), the issuance of a certificate shall be pursuant to paragraph (b) (2).

Section 6 (b) of the Hotel and Rooming House Regulation.—No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removal or evictions of the character proposed are not inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof.

SELLER'S STATEMENT

I (we) have sold or agreed to sell the within-described housing accommodations to _____ I (we) have read the purchaser's statement above, and to the best of my (our) knowledge the same is true. He (they) has (have) paid me (us) \$ _____ and has (have) deposited with _____ in _____ the principal of the purchase price. I (we) have not loaned any part thereof to the purchaser, nor do we know of any borrowing by him (them) for the purpose of making said payments, except as follows: _____

This statement need not be sworn to, but false statements may subject you to the penalties provided by law.

PETITIONER'S STATEMENT

I purchased this Building almost, One and one-half years ago. And having respect for the tenants, because the war was still going on, I made no attempt to take possession of any apartment at that time.

But now, I have a wife, and a daughter, and I believe it is time for us to have an apartment.

I told this particular tenant, many months ago, that I was going to eventually move into that apartment.

But he has made no attempt to move. In fact he said that I will never get him out.

I think, that in all fairness, I have given this man and his wife, ample time, to find new living quarters.

The Rent Director may show this petition to the tenant. This petition need not be sworn to, but false statements may subject you to the penalties provided by law.

DATE

Jan. 22 1947

SIGNATURE OF PETITIONER

George Mercurio