



Appeal of Alarm Fee Assessment, Penalty, or License Revocation

Use this form to protest a fee assessment, including false alarm penalties and license revocations, pursuant to the Police Emergency Alarm Ordinance. Be sure to:

- Mail your appeal within 15 days of the Notice of Fee Assessment; and
- Include payment of the full amount of the assessed fee

Request for Hearing (Check One): **By Mail** **In-Person Hearing (Petition for Redetermination)**

Alarm License No. _____ **Invoice No.** _____ **Assessment Date** _____

Alarm System Address: _____ **San Francisco, CA** **Zip Code:** _____

Name (alarm user or company)

Daytime Phone Number

Mailing Address Street

Email Address

Mailing Address City, State, Zip Code

\$ _____
Amount of Fee Assessment or Penalty Protested

Detail the reasons supporting your protest of the fee assessment or revocation. Include any and all supporting documentation, including all initial determination documentation. Decisions shall be based upon written documentation. Use additional sheets and provide additional documents as needed.

I declare, under penalty of perjury under the laws of the state of California, that the above explanation is true and complete to the best of my knowledge and belief.

Signature _____

Date _____

Protests by mail will be reviewed and the protesting party will be notified within thirty (30) days of receipt of all information and evidence. Requests for an in-person hearing will proceed in the same manner as a petition for redetermination pursuant to San Francisco Business and Tax Regulations Code sections 6.13-1, et. seq. Protests must be submitted to the Office of the Treasurer & Tax Collector along with the full amount of the assessed fee to Office of the Treasurer & Tax Collector, Legal Section, P.O. Box 7426, San Francisco, CA 94120-7426.

FOR OFFICE USE ONLY – PLEASE DO NOT WRITE BELOW THIS LINE

Protest is: **Approved** **Denied**

Reason: _____

INSTRUCTIONS APPLICABLE TO ALL HEARING REQUESTS

An alarm user, alarm installation or monitoring company may protest an assessed penalty or license revocation by requesting a hearing by mail or an in-person hearing by setting forth the reasons for such hearing on the attached form. A request for hearing must be filed within fifteen (15) days from the date the assessment or revocation is served. All protests must be submitted to the Office of the Treasurer & Tax Collector along with the full amount of any assessed penalty. If a protest is granted, any assessed penalties will be returned to the appealing alarm user, alarm installation or monitoring company.

INSTRUCTIONS APPLICABLE TO IN-PERSON HEARINGS ONLY

Pursuant to the Police Emergency Alarm Ordinance, section 3716, a request for an in-person hearing will be handled by the Office of the Treasurer & Tax Collector in the same manner as a petition for redetermination under Section 6.13-1 of the Business and Tax Regulations Code. Please refer to that section of the Business and Tax Regulations Code for further details.

INFORMATION APPLICABLE TO FALSE ALARM PENALTIES

When considering whether to protest an assessment of a false alarm penalty, please note that the Police Emergency Alarm Ordinance allows the Tax Collector or hearing officer to adjust the count of false alarms based on:

- Evidence that a false alarm was caused by an Act of God;
- Evidence that a false alarm was caused by action of the telephone company;
- Evidence that a false alarm was caused by a power outage lasting longer than four (4) hours;
- Evidence that the alarm dispatch request was not a false alarm;
- Evidence that the police officer response was not completed in a timely fashion; and/or
- In determining the number of false alarms, multiple alarms occurring in any twenty-four (24) hour period may, in the Tax Collector's or the hearing officer's discretion, be counted as one false alarm, to allow the alarm user time to take corrective action unless the false alarms are directly caused by the alarm user.

The City presumes that the police officer response was completed in a timely fashion if the officer responds within 30 minutes from the time the alarm company receives notification of the alarm. The City presumes that the police officer response was not completed in a timely fashion if the officer does not respond within 30 minutes from the time the alarm company receives notification of the alarm. However, the facts of individual case may affect timeliness, and the City will consider any evidence presented concerning timeliness of officer response.

Please note that appeals will not be granted for a false alarm that is the result of the following circumstances:*

- Faulty, defective or malfunctioning equipment supplied by the alarm company.
- Improper installation or maintenance by the alarm company.
- Improper monitoring by the alarm company.
- Alarm activations that occur while alarm technicians are repairing, servicing or testing the alarm system.
- An occurrence where no evidence of criminal activity is present.
- Mistakes made by private contractors, maids, cleaning crews, realtors, etc.
- Items within the home or business that move and cause motion detectors to activate (curtains, signs, balloons, plants, pets, etc.).
- Improper maintenance of the alarm system by the alarm owner (including neglect of backup power/battery supplies).
- Glass break detectors that activate due to noises or sounds, other than actual glass breakage.
- Doors and/or windows that become loose and cause a break in the contacts that activate the alarm.
- Caretakers who watch homes or businesses when owners are away.
- Pets, rodents or wildlife.

** This list is intended only as a guide to assist you in deciding whether to appeal a false alarm assessment or whether to contact your alarm company for further discussion. This list is not intended to cover every situation where an appeal may be denied.*