

ORDINANCE NO. 184822

An ordinance amending Sections 151.02, 151.04, 151.05, 151.06, 151.09 and 151.30 of Article 1, Chapter XV, of the Los Angeles Municipal Code to improve the administration and enforcement of the Rent Stabilization Ordinance.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Paragraphs 1, 6 and 11 in the definition **Rental Units** in Section 151.02 of Article 1, Chapter XV, of the Los Angeles Municipal Code are amended to read as follows:

1. Dwellings, one family, except where two or more dwelling units are located on the same parcel. This exception shall not apply to duplexes or condominiums.

6. Housing accommodations, located in a structure for which the first Certificate of Occupancy was issued after October 1, 1978, are exempt from the provisions of this chapter. If the structure was issued a Certificate of Occupancy, including a Temporary Certificate of Occupancy, on or before October 1, 1978, the housing accommodation(s) shall be subject to the provisions of this chapter. If the property was issued a building permit for residential purposes at any time on or before October 1, 1978, and a Certificate of Occupancy for the building was never issued or was not issued until after October 1, 1978, the housing accommodation shall be subject to the provisions of this chapter. This exception shall not apply to individual mobile home coaches, mobile home parks, individual recreational vehicles, recreational vehicle parks or replacement units as set forth in Subsection A of 151.28.

11. Housing accommodations in limited equity housing cooperatives, as defined in Civil Code Sections 817 and 817.1, when occupied by a member tenant of the limited equity housing cooperative. However, if the cooperative acquired the property pursuant to Government Code Section 54237(d), then all dwellings in the limited-equity housing cooperative shall be excepted from this chapter

Sec. 2. The definition **Unsafe Building or Structure** in Section 151.02 of Article 1, Chapter XV, of the Los Angeles Municipal Code is repealed in its entirety.

Sec. 3. Subsection B of Section 151.04 of Article 1, Chapter XV, of the Los Angeles Municipal Code is repealed in its entirety.

Sec. 4. The first paragraph in Subsection F of Section 151.05 of Article 1, Chapter XV, of the Los Angeles Municipal Code is amended to read as follows:

F. For a rental unit for which the registration or annual registration renewal fee has been paid pursuant to Subdivision 5 of Subsection B of this section, the landlord may demand and collect a rental surcharge of 50% of the annual registration fee from the tenant of the rental unit after serving the tenant with a notice as described in Civil Code Section 827 and given in the manner prescribed by Code of Civil Procedure Section 1162.

Sec. 5. The first paragraph of Subsection D of Section 151.06 of Article 1, Chapter XV, of the Los Angeles Municipal Code is amended to read as follows:

D. For a rental unit which at any time on or after the operative date of this chapter has not had a rent increase for a period of 12 consecutive months or more (other than one lawfully imposed pursuant to Section 3B(5) or (6) of Ordinance No. 151,415, as amended), and/or pursuant to Subsection E of this section and/or pursuant to Section 151.07 of this chapter:

Sec. 6. The second paragraph of Subdivision 4 of Subsection A of Section 151.09 of Article 1, Chapter XV, of the Los Angeles Municipal Code is amended to read as follows:

The term “**illegal purpose**” as used in this subdivision includes, but is not limited to, violations of any of the provisions of Division 10, Chapter 6 (commencing with Section 11350) and Chapter 6.5 (commencing with Section 11400) of the California Health and Safety Code, and does not include the use of housing accommodations lacking a legal approved use or which have been cited for occupancy or other housing code violations.

Sec. 7. Subsection C and Subdivision C.1 of Section 151.09 of Article 1, Chapter XV, of the Los Angeles Municipal Code are amended to read as follows:

C. In any action to recover possession of a rental unit, the landlord shall serve on the tenant a written notice setting forth the reasons for the termination. The written notice shall be as described in Civil Code Section 1946 or Code of Civil Procedure Sections 1161 and 1161a. The notice shall be given in the manner prescribed by Code of Civil Procedure Section 1162 and must also comply with the following:

1. When the termination of tenancy is based on any of the grounds set forth in Subdivisions 2 through 7 of Subsection A of this section, the termination notice must set forth specific facts to permit a determination of the date, place, witnesses and circumstances concerning the eviction reason.

Sec. 8. The first three paragraphs of Subsection G of Section 151.09 of Article 1, Chapter XV, of the Los Angeles Municipal Code are amended to read as follows:

G. Except for relocation fees owed pursuant to the provisions of Subsection E of Section 151.30 of this Code, if the termination of tenancy is based on the grounds set forth in Subdivisions 8, 10, 11, 12, 13 or 14 of Subsection A of this section, then the landlord shall pay a relocation fee of: \$16,650 to qualified tenants and a \$7,900 fee to all other tenants who have lived in their rental unit for fewer than three years; \$19,700 to qualified tenants and a \$10,400 fee to all other tenants who have lived in their rental unit for three years or longer; or \$19,700 to qualified tenants and \$10,400 to all other tenants whose household income is 80% or below Area Median Income (AMI), as adjusted for household size, as defined by the U.S. Department of Housing and Urban Development, regardless of length of tenancy. Relocation fees owed for the termination of tenancy set forth in Subdivision 14 shall be based on the applicable provisions of the Uniform Relocation Act, California Relocation Assistance Act, or the amount set forth in this section. If more than one fee applies to a rental unit, the landlord shall pay the highest of the applicable fees. Tenants who claim eligibility based on their income shall file a statement with the Department verifying their income on a form prescribed by the Department. Requests for a hearing to appeal a decision regarding a tenant's relocation assistance eligibility, including disputes about eligibility for higher relocation assistance based on a tenant's income, age, length of tenancy, family status and/or disability status, must be filed in writing on the form prescribed by the Department and received by the Department within fifteen calendar days of the date of the Department's notification of its decision regarding tenant relocation assistance.

The Department shall charge a fee of \$193 per rental unit for any hearing request under this subsection to pay for the cost of the appeal hearing. For the year beginning July 1, 2009, and all subsequent years, the fee amounts shall be adjusted on an annual basis pursuant to the formula set forth in Section 151.06 D. of this Code. The adjusted amount shall be rounded to the nearest \$50 increment.

If a termination of tenancy is required due to a governmental agency order to vacate or comply, and the subject property has an approved use as a single family home and the structure containing the single family home contains two dwellings, the landlord shall pay a relocation fee in accordance with Section 151.09 G. of this Code to the tenant(s) of the affected rental unit(s) within 15 days of receiving notice from the tenant(s) of their intention to terminate the tenancy.

Sec. 9. Subdivision 3 of Subsection G of Section 151.09 of Article 1, Chapter XV, of the Los Angeles Municipal Code is amended to read as follows:

3. Any tenant subject to displacement due to an unapproved dwelling unit as a result of a notice to vacate or other order requiring the vacation of the dwelling unit in violation of the municipal code or any other provision of law, where the landlord has had a reasonable opportunity to correct the violation, shall be entitled to relocation payable by the landlord to the tenant of the affected

rental unit within 15 days of service of the tenant's written notice of termination of the tenancy in accordance with Section 151.09 G. of this Code.

Sec. 10. Paragraph e of Subdivision 4 of Subsection G of Section 151.09 of Article 1, Chapter XV, of the Los Angeles Municipal Code is amended to read as follows:

e. The Department determines that the unit or structure became unsafe or hazardous as the result of a fire, flood, earthquake, or other event beyond the control of the owner or the designated agent and the owner or designated agent did not cause or contribute to the condition.

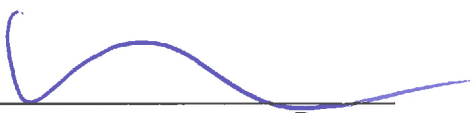
Sec. 11. Subsection C of Section 151.30, Article 1, Chapter XV of the Los Angeles Municipal Code is amended to read as follows:

C. **Comparable Rental Unit.** A landlord may not recover possession of a rental unit pursuant to the provisions of Subdivision 8 of Subsection A of Section 151.09 if there is a comparable rental unit in the building that is vacant, except that where a building has an existing resident manager, the landlord may evict the existing resident manager in order to replace the existing resident manager with a new manager.


Sec. 12. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles at its meeting of MAR 08 2017.

HOLLY L. WOLCOTT, City Clerk

By  Deputy

Approved MAR 16 2017


Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
DEBORAH BREITHAUPT
Deputy City Attorney

Date 2-27-17

File No. 14-0286-S1

DECLARATION OF POSTING ORDINANCE

I, JUAN VERANO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No.184822 – Amending Sections 151.02, 151.04,151.05, 151.06, 151.09 and 151.30 of Article 1, Chapter XV, of the Los Angeles Municipal Code to improve the administration and enforcement of the Rent Stabilization Ordinance – a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **March 8, 2017**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **March 20, 2017** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **March 20, 2017** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **20th** day of **March 2017** at Los Angeles, California.



Juan Verano, Deputy City Clerk

Ordinance Effective Date: **April 30, 2017**

Council File No. **14-0268-S1**