

ORDINANCE NO. 184446

An ordinance making technical amendments to Chapters XV (Rent Stabilization Ordinance) and XVI (Housing Regulations) of the Los Angeles Municipal Code to clarify compliance and enforcement procedures for properties subject to the Rent Escrow Account Program and Utility Maintenance Program.

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

Section 1. Paragraph (g) of Subdivision 2 of Subsection C of Section 151.06 in Article 1, Chapter XV of the Los Angeles Municipal Code is amended to read as follows:

(g) If the rental unit is the subject of a notice of acceptance into the Rent Escrow Account Program issued pursuant to Section 162.00, *et seq.*, of this Code, until the unit is removed from the Rent Escrow Account Program and for one year thereafter, or until expiration of the period called for under Section 161.807, if applicable, whichever is later, the property owner/landlord or any subsequent property owner/landlord shall not increase the rent for any current or any subsequent tenant except as provided by the *Costa Hawkins Rental Housing Act*, Civil Code Section 1954.50, *et seq.*, and/or any other applicable law.

Sec. 2. The title of Section 155.03 of Article 5, Chapter XV of the Los Angeles Municipal Code is amended to read as follows:

**SEC. 155.03. ACCEPTANCE INTO UMP.**

Sec. 3. Subsection D of Section 155.06 of Article 5, Chapter XV of the Los Angeles Municipal Code is amended to read as follows:

D. Funds returned to the property owner/landlord when the property has been removed from UMP pursuant to Section 155.07 of the Code.

Sec. 4. Subsection E of Section 155.06 of Article 5, Chapter XV of the Los Angeles Municipal Code is repealed.

Sec. 5. Subsections F and G of Section 155.06 of Article 5, Chapter XV of the Los Angeles Municipal Code are re-lettered to be Subsections E and F, respectively.

Sec. 6. Subsection A of Section 155.07 of Article 5, Chapter XV of the Los Angeles Municipal Code is amended in its entirety to read as follows:

A. The Department shall administratively remove buildings from UMP if the following conditions apply:

1. There are no delinquent DWP bills as reported to the Department by DWP; and
2. The building has not also been placed into REAP pursuant to Section 162.00, *et seq.*; or
3. If no tenant has made payments to the UMP account during the preceding 12 months.

Sec. 7. A new Section 155.10 is added to Article 5, Chapter XV of the Los Angeles Municipal Code to read as follows:

**SEC. 155.10. SEVERABILITY.**

If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance, which can be implemented without the invalid provisions, and to that end, the provisions of this ordinance are declared to be severable.

Sec. 8. A new Section 161.103 is added to Division 1, Article 1, Chapter XVI of the Los Angeles Municipal Code to read as follows:

**SEC. 161.103. SEVERABILITY.**

If any provision of this ordinance and Chapter is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance and Chapter, which can be implemented without the invalid provisions, and to this end, the provisions of this ordinance are declared to be severable.

Sec. 9. A new Section 161.356 is added to Division 3.5, Article 1, Chapter XVI of the Los Angeles Municipal Code to read follows:

**SEC. 161.356. SMALL OVERPAYMENTS AND UNDERPAYMENTS.**

If a discrepancy exists between the amount of the fee paid and the amount due under the provisions of this Chapter that results in an underpayment or overpayment of \$5.00 or less, the Department may accept and record such underpayment or overpayment without other notification to the property owner/landlord and shall reconcile such amounts in the next due bill.

Sec. 10. The first paragraph of Section 161.807 in Division 8, Article 1, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

If an order is made under Section 161.805, regardless whether the building or dwelling unit is subject to the RSO, the property owner/landlord, or any subsequent property owner/landlord, shall not increase the rent for any current or subsequent tenant until the Department determines that the property owner/landlord has complied with the order and for one year thereafter, except as provided by the *Costa Hawkins Rental Housing Act*, Civil Code Section 1954.50, *et. seq.*, and/or other law. The determination shall include the date of the property owner/landlord's compliance for the purposes of calculating rent increases.

Sec. 11. A new Section 161.901.3 is added to Division 9, Article 1, Chapter XVI of the Los Angeles Municipal Code to read as follows:

**SEC. 161.901.3. EXEMPTION FROM FEES.**

**A.** A property owner/landlord with units exempted from the scope of Section 161.301 shall provide the Department, on a form approved by the Department, and accompanied by supporting documentation, a written declaration stating the facts supporting the claim of exemption from the provisions of this chapter.

**B.** If the property owner/landlord fails to submit the form(s) and information required in Subsection A of 161.901.3 by the last day of the month of January of each year, the involved unit(s) shall be subject to the provisions of this chapter and any fines, fees, interest and penalties collected may be non-refundable.

**C.** If a property owner/landlord declares that a rental unit is exempt from this article by the provisions of Section 161.301 because it is vacant, the property owner/landlord shall provide the Department with a copy of a notice recorded with the County Recorder of the County of Los Angeles declaring that the unit is and shall remain vacant, and shall secure the unit against unauthorized entry.

**D.** If the status of a unit exempted from this article as provided in Section 161.301 changes so that the unit is no longer exempt, the property owner/landlord shall notify the Department within 45 calendar days of the change of status.

Sec. 12. A new Section 161.901.4 is added to Division 9, Article 1, Chapter XVI of the Los Angeles Municipal Code to read as follows:

**SEC. 161.901.4. NEW PROPERTY OWNER.**

**A.** After a change of ownership of a property subject to the provisions of this Chapter, the new property owner/landlord shall notify the Department of the ownership change, on a form approved by the Department; provide legal documentation verifying the ownership change; furnish the Department with an

emergency contact, including the contact's name, address and phone number; and submit to the Department payment for all current annual fees; or timely request an exemption, if applicable.

**B.** If a new property owner/landlord fails to submit a written declaration and supporting documents as provided in Section 161.901.3 within 45 calendar days of the date that the sale was recorded with the County Recorder of the County of Los Angeles, the unpaid fees will be assessed a delinquent penalty for the non-payment.

Sec. 13. Subsection A of Section 162.01 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

**A. Purpose.** It is the purpose of the provisions of this article to provide a just, equitable and practical method, to be cumulative to and in addition to any other remedy available at law, to enforce the purposes of the Housing Code set forth in Section 161.102, and to encourage compliance by property owners/landlords with respect to the maintenance and repair of residential buildings, structures, premises and portions of those buildings, structures and premises.

Sec. 14. The following definition is added in alphabetic order to Section 162.02 of Article 2, Chapter XVI of the Los Angeles Municipal Code to read as follows:

**DEPARTMENT.** Refers to the Los Angeles Housing Department (LAHD); Housing and Community Investment Department (HCID); and all other successor entities.

Sec. 15. The definition for "**ENFORCEMENT AGENCY**" in Section 162.02 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

**ENFORCEMENT AGENCY.** The Department of Health Services of the County of Los Angeles, Los Angeles Department of Building and Safety, Los Angeles Fire Department, Housing and Community Investment Department, California Department of Housing and Community Development, and all their successors, and/or any other governmental agency that inspects rental units for the purpose of compliance with health, safety and/or housing laws.

Sec. 16. Subsection D of Section 162.04 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**D.** If the Department accepts the building or unit into REAP, it shall issue a Decision ("Department's Decision") setting forth:

1. The date of the Order that has not been complied with and the citing agency;

2. The outstanding violations;
3. The units affected by the Department's Decision;
4. The amount of the rent reduction, following the RAC schedule adopted pursuant to Section 162.05. If the rent reduction calculation exceeds the cap set by the RAC schedule, the Department's Decision shall describe the calculation and shall state that the rent reduction is limited by the schedule;
5. The date on which the rent reduction will be in effect. That date shall be the date of the General Manager Hearing Officer Decision;
6. The date on which an escrow account will be established. The Department will not accept payments into the escrow account until the rent reduction effective date;
7. Notice that the Department will collect a non-refundable administrative fee of \$50.00 per residential unit accepted into REAP per month that will be collected in accordance with Section 161.12 and become a personal obligation of the property owner/landlord, and that the Department may pursue all other remedies provided by law and may collect any judgment, fee, cost, or charge, including any permit fees, fines, late charges, or interest, incurred in relation to the provisions of this Article as provided in Los Angeles Administrative Code Sections 7.35.1 through 7.35.8.
8. A statement describing the tenant protections set forth in Section 162.09; and
9. The date on which the General Manager's Hearing will be held, including a statement that enforcement will be stayed until a final administrative decision is issued; that the General Manager Hearing Officer Decision will be the final administrative decision unless appealed pursuant to Section 162.06.C; and that additional rent reductions may be imposed at the Hearing as set forth in Section 162.06.

Sec. 17. Subsection E of Section 162.04 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

**E.** The Department's Decision shall be served on the property owner/landlord by certified United States mail, postage prepaid and shall be served on all affected tenants by First Class mail as set forth in Section 161.409.

Sec. 18. Section 162.05 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended in its entirety to read as follows:

## **SEC. 162.05. RENT REDUCTION.**

**A. Rent Reduction Schedule.** The RAC shall adopt by regulation a schedule setting forth the amount by which the rent shall be reduced, taking into account the nature of the violation, the severity of the conditions, and the history of past untenable conditions. The RAC may set a maximum rent reduction if necessary to prevent abandonment of the property or exacerbation of health and safety violations. The Department, in accordance with such regulations and guidelines as the RAC may establish, shall have the authority to grant adjustments in rent.

**B. Effective Date.** The rent reduction effective date shall be the date of the General Manager Hearing Officer Decision affirming the placement into REAP.

Sec. 19. Section 162.06 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended in its entirety to read as follows:

## **SEC. 162.06. REAP HEARING.**

### **A. Hearing.**

1. The General Manager's Hearing shall be set and held following the procedures set forth in Division 8 of Article 1 of Chapter XVI of this Code. To the extent feasible, the Hearing shall be coordinated with any General Manager's Hearing scheduled under Section 161.801, *et seq.* The Department shall investigate whether there are other outstanding Orders against the building(s), structure(s) and/or premises, and, if so, shall provide notice of the Hearing to any additional tenants affected by those Orders.

2. Tenants or Enforcement Agencies may present proof that the violations specified in the Order, at the time the Order was issued, affected additional units that have not been inspected, or that there are additional outstanding Orders affecting the same or different units of the building, structure and/or premises that were not included in the original Decision of the Department.

3. The property owner/landlord may present proof that a rent reduction is not appropriate because the violations were caused by the tenants. The burden shall be on the property owner/landlord to prove that the tenants caused the violations.

4. The property owner/landlord and any tenant or Enforcement Agency may present proof that, due to extreme circumstances, acceptance into REAP or the rent reduction would jeopardize the health or safety of the tenants. The property owner/landlord has the burden of demonstrating unique, extreme circumstances that make any requested relief appropriate. The Department

shall scrutinize such a request with particular caution when it is not supported by the tenants or the Enforcement Agency.

5. Before the General Manager's Hearing begins, the property owner/landlord shall complete and submit a form provided by the Department that sets forth the names and current rents of all of the tenants in units subject to REAP.

**B. General Manager Hearing Officer Decision.**

1. The General Manager shall issue a Decision, as set forth in Division 8 of Article 1 of Chapter XVI of this Code, within ten working days of the hearing.

2. The General Manager may affirm, modify, or reverse the determination of the Department. The General Manager shall find that each of the factors set forth in Section 162.03 exists in affirming the acceptance of a building into REAP. The General Manager may modify or reverse the determination of the Department only upon making written findings setting forth specifically either:

(i) that the action of the Department was in error or constituted an abuse of discretion, or

(ii) there is new, relevant information which was not previously submitted either at the time of the referral to REAP due to mistake, surprise, inadvertence, lack of notice, or excusable neglect, which information supports a modification or reversal.

3. If the property owner/landlord was already in compliance with the Order before the date of General Manager's Hearing, the Department's Decision shall be reversed. If the Department's Decision is affirmed in the General Manager Hearing Officer Decision, the rent reduction effective date shall be the date of the General Manager Hearing Officer Decision. The General Manager Hearing Officer Decision shall be the final administrative decision unless appealed to the RAC Appeals Board pursuant to Section 162.06.C.

4. If during the General Manager's Hearing, a tenant or Enforcement Agency presents proof that the violations specified in the Order, at the time the Order was issued, affected additional units that had not been inspected, or that there are additional outstanding Orders affecting the building, structure and/or premises that were not included in the original Decision of the Department, the General Manager may order further rent reductions or include additional units in REAP.

Prior to determining that additional units not included in the original Decision of the Department pursuant to Section 162.04.D will be subject to inclusion in REAP or rent reductions, the General Manager shall, if requested by the property owner/landlord, continue the hearing as to the additional units in order to provide an opportunity to be heard. The General Manager may issue a decision as to the rental units included in the original Decision of the Department prior to the continued hearing date or may wait and issue one General Manager Hearing Officer Decision covering all of the units. The effective date of rent reductions as to units included in the original Decision of the Department is identified in Sections 162.04.D.5 and 162.05.B. If the hearing is continued, the effective date of rent reductions as to additional units not included in the original Decision of the Department, will be the date of the General Manager Hearing Officer Decision issued after the hearing.

5. If the General Manager finds that the violations are of such a nature or extent that they are likely to be found in or affect several units, the General Manager may order the rent reduction extended to additional units that were not included in the original Decision of the Department without proof of an outstanding Order for those units. The General Manager Hearing Officer Decision shall state the findings justifying extending the rent reduction to additional units.

Prior to determining that additional units not included in the original Decision of the Department pursuant to Section 162.04.D will be subject to rent reduction, the General Manager shall, if requested by the property owner/landlord, continue the hearing as to the additional units in order to provide an opportunity to be heard. The General Manager may issue a Decision as to the rental units included in the original Decision of the Department prior to the continued hearing date or may wait and issue one General Manager Decision covering all of the units.

6. The General Manager may refer the building for a periodic inspection pursuant to Section 161.602.1. If the building has already had a periodic inspection within the past three years, the General Manager may order the property owner/landlord to pay an inspection fee pursuant to Section 161.901.2.

7. Under extraordinary circumstances, the Department may delay, reduce, stay or deny the rent reduction or escrow account, notwithstanding that the conditions set forth in Section 162.03 have been met, when to do otherwise would jeopardize the health or safety of the tenants or would violate the constitutional rights of any person. The mere reduction of income available to make repairs shall not constitute extraordinary circumstances. If the Department grants that relief, the General Manager Hearing Officer Decision shall state in detail the circumstances supporting the relief.

8. If the General Manager Hearing Officer Decision is to affirm the placement of the property into REAP, the property owner/landlord shall attend a REAP workshop provided by the Department within six months of the issuance of the Decision. There shall be no fee assessed to attend this workshop.

**C. Appeal of the General Manager Hearing Officer Decision.** The property owner/landlord, any tenant or the Enforcement Agency may appeal to the RAC Appeals Board within ten calendar days after service of the General Manager Hearing Officer Decision, following the procedures set forth in Division 10 of Article 1 of Chapter XVI. If a General Manager Hearing Officer Decision to place a property into REAP is appealed, enforcement of REAP will be stayed until the appeal is final. An application fee required pursuant to Section 161.1002.2 may be waived by the Department in accordance with the standards and procedures set forth in Section 151.14.C.

If the appeal is denied, the rent reduction shall be applied retroactively to the date of the General Manager Hearing Officer Decision pursuant to Section 162.06.B.3.

If the General Manager Hearing Officer Decision imposed additional rent reductions that were not included in the original acceptance into REAP, and if the violations on which those reductions were based have not been corrected by the time the appeal was filed, then the rent reduction(s) shall be applied retroactively to the date of the General Manager Hearing Officer Decision pursuant to Section 162.06.B.3.

Sec. 20. Subdivision 1 of Subsection A of Section 162.07 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

1. Within five business days after the decision accepting a building into REAP has become final, the Department shall establish as part of the REAP Trust Fund an account for the building into which tenants may deposit rent payments. The Department shall mail notification to all affected tenants of the existence of the escrow account, including an explanation of how payments may be deposited into the account and when the Department will begin to accept payments. The Department shall provide a receipt to each tenant making a deposit. The Department shall provide, at least once a month, a periodic report to the property owner/landlord concerning the activity in the escrow account. The records of the escrow account shall be made reasonably available to the property owner/landlord or any interested party, or their representatives, in accordance with the RAC Regulations, including the provision for payment of reasonable fees, as the RAC may promulgate.

Sec. 21. Subdivision 2 of Subsection B of Section 162.07 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

2. A property owner/landlord, any tenant, any Enforcement Agency, any interested party, and any creditor may apply to the General Manager for a

release of funds from the escrow account, in accordance with the regulations the RAC shall enact. Withdrawals may be for the following reasons, in addition to other reasons adopted by regulation:

Sec. 22. Subdivision 4 of Subsection B of Section 162.07 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

4. If a building is in more than one escrow program of the Department (including REAP, UMP, URP or HEP) or if there are insufficient funds to address one or more requests for release of funds, the disbursement of funds in excess of the \$50.00 administrative fee to make repairs and/or address the health and safety of the occupants, and/or to preserve essential services, shall be given priority over expenditures for other purposes.

Sec. 23. Subsection B of Section 162.08 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

**B.** The Department may review an application from a property owner/landlord to terminate the rent reduction for certain units, notwithstanding the continuation of violations affecting other units, if the conditions set forth in Subsection A are met for those units. The property owner/landlord may only submit one application for each property. The Department shall review any application and recommend termination only if it finds that only minor violations remain in the other units.

Sec. 24. Subsection D of Section 162.08 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**D.** If the City Council terminates the escrow account, any funds in that account shall be paid in the following order:

1. Any administrative fees authorized in Sections 162.07.B.1 and 162.12 that have not yet been collected. Before funds in the escrow account are paid for administrative fees, the Department shall process all applications for release of funds from the escrow account as described in Section 162.07.B.2.

2. Any outstanding fees, fines and penalties imposed pursuant to Article 1 of Chapter XVI of this Code.

3. Any outstanding rent registration fees or fines in an RSO building and any penalties pertaining thereto pursuant to Sections 151.05 and 151.15.

4. If applicable, pursuant to Section 161.901.2, prepayment of two annual inspection fees, beyond the initial inspection and re-inspection fee set

forth in the Systematic Code Enforcement Program and Section 161.352, to the Department for each property that was included in REAP.

If there are insufficient funds in the escrow account to pay the outstanding fees, fines and penalties in this Subsection, the property owner/landlord at the time City Council removes the property from REAP shall be responsible for payment of these fees, fines, and penalties. The Department may follow City guidelines for collections of any outstanding fees, fines and/or penalties.

Any escrow funds remaining after the expenditures as provided herein, and upon City Council removing the Property from REAP, shall be returned to the property owner who owned the property at the time the City Council authorizes the termination of the escrow account. The Department shall refund any remaining escrow account balance to the property owner recorded with the Los Angeles County Recorder's Office.

Sec. 25. Subsection E of Section 162.08 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

**E.** As a condition of terminating the escrow account, the City Council may order an expedited systematic inspection pursuant to Section 161.805(6) and impose inspection fees, administrative costs and interest pursuant to Sections 161.901.1 through 161.903.1. The City Council may also condition termination of the escrow account on payment of those fees or any other unpaid fees under Subsection D.

Sec. 26. Subdivisions 1, 2 and 3 of Subsection G of Section 162.08 of Article 2, Chapter XVI of the Los Angeles Municipal Code are repealed, and Subsection G is amended to read as follows:

**G. Monitoring Program.** The City Council by resolution may release a building from REAP with the condition that the property owner/landlord prepay for two annual inspection as provided in Subsection D herein for the purposes of monitoring the property.

Sec. 27. Subsection A of Section 162.09 of Article 2, Chapter XVI of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**A. Evictions.**

1. The gross amount of payment made into the escrow account by or on behalf of a tenant shall be deemed as a payment in the same amount to the property owner/landlord, including, but not limited to, for the purpose of determining whether a tenant has paid rent as provided in Section 151.09 A.1 of this Code and/or state law. In any action by a property owner/landlord to recover possession of a residential unit, the tenant may raise the fact of payments into a REAP escrow account as an affirmative defense in the same

manner as if the payments had been made to and accepted by the property owner/landlord.

2. While a unit is in REAP, before bringing an action to recover possession on the basis of nonpayment of rent, the property owner/landlord shall have a duty to verify in writing with the Department that the tenant has not paid his or her rent to a Department escrow account. The Department shall respond within three business days to any request for verification. The property owner/landlord shall not bring an action to recover possession on the basis of nonpayment of rent without making this inquiry or if the tenant or the Department presents proof that the tenant has paid the rent demanded to the Department. The violation of this section shall not be a misdemeanor.

3. Regardless whether the unit is covered by the RSO, until the unit is removed from REAP and for 180 days thereafter, or until expiration of the period called for under Section 161.806, if applicable, whichever is later, the property owner/landlord may bring an action to recover possession of the unit only upon the grounds set forth in Section 151.09 A.

4. If the intent of a property owner/landlord in seeking to recover possession of a rental unit is retaliation against a tenant or Enforcement Agency's exercise of rights and/or duties under this Article, and if the tenant is not in default as to the payment of rent, then the property owner/landlord may not recover possession of a rental unit in any action or proceeding or cause the tenant to quit voluntarily. Until the unit is removed from REAP and for one year thereafter, the property owner/landlord shall have the burden of proving that any action to recover possession, other than one based on nonpayment of rent, is not brought for the purposes of retaliation.

5. In any action by a property owner/landlord to recover possession of a rental unit, the tenant may raise as a defense any grounds set forth in this Section. If the tenant is the prevailing party, he or she shall be entitled to recover reasonable attorneys' fees and expenses.

Sec. 28. Subsections B and C of Section 162.09 of Article 2, Chapter XVI of the Los Angeles Municipal Code are amended to read as follows:

**B. Rent Increases.**

1. Until the unit is removed from REAP and for one year thereafter, or until expiration of the period called for under Section 161.807, if applicable, whichever is later, the landlord or any subsequent landlord shall not increase the rent for any current or subsequent tenant except as provided by the *Costa Hawkins Rental Housing Act*, Civil Code Section 1954.50, *et. seq.*, and/or applicable state law.

2. If the unit is covered by Article XV of the Los Angeles Municipal Code (Rent Stabilization Ordinance), no rent increase shall be allowed pursuant to Section 151.07 for reimbursement of costs for any corrections necessary to comply with the Order that resulted in the placement into REAP or any additional Orders issued while in REAP.

**C. Civil Actions.** Any property owner/landlord who violates any of the provisions of this section or who retaliates against a tenant or an Enforcement Agency for the exercise of rights and/or duties under this article shall be liable in a civil action for damages and a penalty of \$1,000 per violation, together with reasonable attorneys' fees and expenses. Any judgment awarded in such an action may be collected from the escrow account upon application as set forth in Section 162.07 B.

Sec. 29. Subsections A, B and C of Section 162.12 of Article 2, Chapter XVI of the Los Angeles Municipal Code are amended to read as follows:

**A. REAP Administrative Fees:** For each individual rent payment made into the escrow account, the administrative fee of \$50.00 per unit per month shall be collected from the escrow account in accordance with Section 162.07 B.1. For units in which the tenant has not made individual rent payments into the escrow account, the administrative fee of \$50.00 per unit shall be billed to the property owner/landlord by the Department. If administrative fees are unpaid, they may be collected from the escrow account.

**B. Collection of Fees:** For units in which the \$50.00 administrative fee has not been paid, the fee may be collected from the escrow account in accordance with Section 162.08.D.

**C. Collection Remedies:** All fees and costs incurred pursuant to Section 162.12 shall be a personal obligation against the property owner/landlord that owned the property on the date that City Council removes the property from REAP, recoverable by the City in an action before any court of competent jurisdiction. In addition to the personal obligation and all other remedies provided by law, the City may collect any judgment, fee cost, penalty, or charge, including any permit fees, fines, late charges, or interest, incurred in relation to the provisions of this Section 162.12 as provided in Los Angeles Administrative Code Sections 7.35.1 through 7.35.8.

Sec. 30. A new Section 162.13 of Article 2, Chapter XVI of the Los Angeles Municipal Code is added as follows:

#### **SEC. 162.13. SEVERABILITY.**

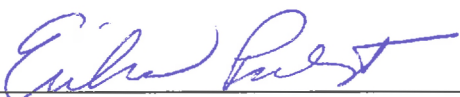
If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the

remaining provisions of this ordinance, which can be implemented without the invalid provisions, and to that end, the provisions of this ordinance are declared to be severable.

Sec. 31. 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 AUG 09 2016.

HOLLY L. WOLCOTT, City Clerk

By   
Deputy

Approved AUG 17 2016

  
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By   
DEBORAH BREITHAUPT  
Deputy City Attorney

Date 6-15-16

File No. 14-0268-52

## 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.

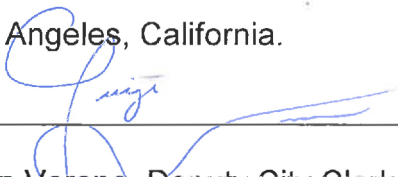
**Ordinance No. 184446 – Making technical amendments to Chapters XV (Rent Stabilization Ordinance) and XVI (Housing Regulations) of the Los Angeles Municipal Code to clarify compliance and enforcement procedures for properties subject to the Rent Escrow Account**

**Program and Utility Maintenance Program** – a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **August 9, 2016**, 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 **August 19, 2016** 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 **August 19, 2016** 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 **19th** day of **August 2016** at Los Angeles, California.

  
\_\_\_\_\_  
Juan Verano, Deputy City Clerk