CHAPTER XV
RENT STABILIZATION ORDINANCE
(Added by Ord. No. 152,120, Eff. 4/21/79, Oper. 5/1/79.)

ARTICLE I

SEC. 151.00. TITLE.

This chapter shall be known as the Rent Stabilization Ordinance of the City of Los Angeles.

SEC. 151.01. DECLARATION OF PURPOSE.

There is a shortage of decent, safe and sanitary housing in the City of Los Angeles resulting in a critically low vacancy factor.

Tenants displaced as a result of their inability to pay increased rents must relocate but as a result of such housing shortage are unable to find decent, safe and sanitary housing at affordable rent levels. Aware of the difficulty in finding decent housing, some tenants attempt to pay requested rent increases, but as a consequence must expend less on other necessities of life. This situation has had a detrimental effect on substantial numbers of renters in the City, especially creating hardships on senior citizens, persons on fixed incomes and low and moderate income households. This problem reached crisis level in the summer of 1978 following the passage of Proposition 13.

At that time, the Council of the City of Los Angeles conducted hearings and caused studies to be made on the feasibility and desirability of various measures designed to address the problems created by the housing shortage.

In August, 1978, pending development and adoption of measures designed to alleviate the City's housing crisis, Council adopted Ordinance No. 151,415 which temporarily rolled back recently imposed rent increases, and prohibited most rent increases on residential rental properties for six months. Ordinance No. 151,415 expires on April 30, 1979.

This ordinance has successfully reduced the rate of rent increases in the City, along with the concomitant hardships and displacements. However, a housing shortage still exists within the City of Los Angeles and total deregulation of rents at this time would immediately lead to widespread exorbitant rent increases, and recurrence of the crisis, problems and hardships which existed prior to the adoption of the moratorium measure.

Therefore, it is necessary and reasonable to regulate rents so as to safeguard tenants from excessive rent increases, while at the same time providing landlords with just and reasonable returns from their rental units. In order to assure compliance with the provisions of this chapter violations of any of the provisions of this chapter may be raised as affirmative defenses in unlawful detainer proceedings. **(Amended by Ord. No. 166,130, Eff. 9/16/90.)**

SEC. 151.02. DEFINITIONS.
(Amended by Ord. No. 165,251, Eff. 11/20/89.)

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section. Words and phrases not defined herein shall be construed as defined in Section 12.03 of this Code, if defined therein.

Average Per Unit Capital Improvement Cost. An amount determined by dividing the cost of the capital improvement by the total number of dwellings in a complex with respect to which the cost was incurred, irrespective of whether all such dwellings are subject to this chapter.

Average Per Unit Rehabilitation Cost. An amount determined by dividing the cost of the rehabilitation, less any offsetting insurance proceeds, by the total number of dwellings in a complex with respect to which the cost was incurred, irrespective of whether all such dwellings are subject to this chapter.

Capital Improvement. The addition or replacement of the following improvements to a rental unit or common areas of the housing complex containing the rental unit, providing such new improvement has a useful life of five (5) years or more: roofing, carpeting, draperies, stuccoing the outside of a building, air conditioning, security gates, swimming pool, sauna or hot tub, fencing, garbage disposal, washing machine or clothes dryer, dishwasher, children's play equipment permanently installed on the premises, the complete exterior painting of a building, and other similar improvements as determined by the Commission. Provided, however, that the complete exterior painting of a building shall only be considered as an eligible capital improvement once every ten (10) years. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)**

Collateral Work. **(Added by Ord. No. 165,251, Eff. 11/20/89.)**

Work of a non-structural, mechanical, electrical, or plumbing nature other than primary work. Collateral work includes, but is not limited to:

1. Carpeting, rugs, or other floor coverings;
2. Linoleum, tile or other flooring materials affixed to or laid upon existing subflooring;
3. Drapes, blinds, mini-blinds, shutters, and other window decorations or coverings;
4. Mirrors;
5. Replacement plumbing or electrical fixtures not installed as part of primary work;
6. Appliances not requiring a permit from the Department of Building and Safety to be installed, including, but not limited to, refrigerators, window air conditioners, replacement garbage disposals, replacement dishwashers, or ceiling fans;
7. Cabinets; or
8. Paint, tile, wallpaper, paneling or other wall coverings when applied to existing wall structures.

Commission. The Rent Adjustment Commission of the City of Los Angeles.

Department. The Los Angeles Housing Department. (**Amended by Ord. No. 168,842, Eff. 7/24/93.)**

Housing Services. Services connected with the use or occupancy of a rental unit including, but not limited to, utilities (including light, heat, water and telephone), ordinary repairs or replacement, and maintenance, including painting. This term shall also include the provision of elevator service, laundry facilities and privileges, common recreational facilities, janitor service, resident manager, refuse removal, furnishings, food service, parking and any other benefits privileges or facilities. **(Amended by Ord. No. 154,808, Eff. 2/13/81.)**

Landlord. An owner, lessor, or sublessor, (including any person, firm, corporation, partnership, or other entity) who receives or is entitled to receive rent for the use of any rental unit, or the agent, representative or successor of any of the foregoing.

Luxury Housing Accommodations. Housing accommodations wherein as of May 31, 1978 the rent charged per month was at least $302 for a unit with no bedrooms; $420 for a unit with one bedroom; $588 for a unit with two bedrooms; $756 for a unit with three bedrooms; and $823 for a unit with four bedrooms or more. This definition does not apply to mobile homes. **(Added by Ord. No. 154,237, Eff. 8/30/80, Oper. 9/1/80.)**

Maximum Adjusted Rent. The maximum rent plus any rent increases subsequently made or granted pursuant to Sections 151.06, 151.07, or 151.08 of this chapter and less any rent reductions required by regulations promulgated by the Commission pursuant to Section 151.08 of this chapter or imposed pursuant to Section 151.06.5 of this chapter; provided, however, as used in Section 151.06 of this chapter, this term shall not include (1) any increase for capital improvement work or rehabilitation work, if such rent increase was approved by the Department on or after January 1, 1981 and such work was begun prior to June 1, 1982, or (2) any increase for capital improvement work where the application for a rent increase is filed with the Department on or after October 1, 1989, or, (3) any increase for smoke detectors installed on or after January 1, 1981. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)**

Maximum Rent. The highest legal monthly rate of rent which was in effect for the rental unit during any portion of the month of April, 1979. If a rental unit was not rented during said month, then it shall be the highest legal monthly rate of rent in effect between October 1, 1978 and March 31, 1979. If a rental unit was not rented during this period, then it shall be the rent legally in effect at the time the rental unit was or is first re-rented after the effective date of this chapter. Where a rental unit was exempt from the provisions of this chapter under Subdivision 5 of the definition of "**Rental Units**" in this section, the maximum rent shall be the amount of rent last charged for the rental unit while it was exempt. **(Amended by Ord. No. 166,320, Eff. 11/22/90.)**

Preceding Tenant. The tenant who vacated the rental unit as the result of an eviction or termination of tenancy pursuant to Section 151.09 A9. **(Added by Ord. No. 165,251, Eff. 11/20/89.)**

Primary Work. Work of a structural, electrical, plumbing, or mechanical nature for which a permit is required under the Los Angeles Municipal Code. **(Added by Ord. No. 165,251, Eff. 11/20/89.)**

Qualified Tenant. Any tenant who satisfies any of the following criteria on the date of service of the written notice of termination described in California Civil Code Section 1946: has attained age 62; is handicapped as defined in Section 50072 of the California Health and Safe Code is disabled as defined in Title 42 United States Code §423; or is a person residing with and on whom is legally dependent (as determined for federal income tax purposes) one or more minor children. **(Amended by Ord. No. 162,743, Eff. 9/24/87.)**

Rehabilitation Work. Any rehabilitation or repair work done on or in a rental unit or common area of the housing complex containing the rental unit and which work was done in order to comply with an order issued by the Department of Building and Safety, the Health Department, or the Fire Department due to changes in the housing code since January 1, 1979, or to repair damage resulting from fire, earthquake or other natural disaster. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)**

Rent. The consideration, including any bonus, benefits or gratuity, demanded or received by a landlord for or in connection with the use or occupancy of a rental unit, including but not limited to monies demanded or paid for the following: meals where required by the landlord as a condition of the tenancy; parking; furnishings; other housing services of any kind; subletting; or security deposits. **(Amended by Ord. No. 154,808, Eff. 2/13/81.)**

Rent Increase. An increase in rent or any reduction in housing services where there is not a corresponding reduction in the amount of rent received. The Rent Adjustment Commission shall promulgate regulations as to what constitutes such "**corresponding reduction**".

Rental Complex. One or more buildings, used in whole or in part for residential purposes, located on a single lot, contiguous lots, or lots separated only by street or alley. **(Added by Ord. No. 160,791, Eff. 2/10/86.)**

Rental Units. **(Amended by Ord. No. 157,385, Eff. 1/24/83.)** All dwelling units, efficiency dwelling units, guest rooms, and suites, as defined in Section 12.03 of this Code, and all housing accommodations as defined in Government Code Section 12927, and duplexes and condominiums in the City of Los Angeles, rented or offered for rent for living or dwelling purposes, the land and buildings appurtenant thereto, and all housing services, privileges, furnishings and facilities supplied in connection with the use or occupancy thereof, including garage and parking facilities. **(First Sentence Amended by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)** This term shall also include mobile homes, whether rent is paid for the mobile home and the land upon which the mobile home is located, or rent is paid for the land alone. Further, it shall include recreational vehicles, as defined in California Civil Code Section 799.24 if located in a mobilehome park or recreational vehicle park, whether rent is paid for the recreational vehicle and the land upon which it is located, or rent is paid for the land alone. The term shall not include:

1. Dwellings, one family, except where two or more dwelling units are located on the same lot. This exception shall not apply to duplexes or condominiums. **(Amended by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)**
2. Housing accommodations in hotels, motels, inns, tourist homes and boarding and rooming houses, provided that at such time as an accommodation has been occupied by one or more of the same tenants for sixty (60) days or more such accommodation shall become a rental unit subject to the provisions of this chapter.
3. A dwelling unit in a nonprofit stock cooperative while occupied by a shareholder tenant of the nonprofit stock cooperative.
4. Housing accommodations in any hospital; state licensed community care facility; convent; monastery; extended medical care facility; asylum; fraternity or sorority house; or housing accommodations owned, operated or managed by an institution of higher education, a high school, or an elementary school for occupancy by its students.
5. Housing accommodations which a government unit, agency or authority owns, operates, or manages, or which are specifically exempted from municipal rent regulation by state or federal law or administrative regulation, or as to which rental assistance is paid pursuant to 24 CFR Section 882 (“HUD Section 8 Federal Rent Subsidy Program”). This exception shall not apply once the governmental ownership, operation, management regulation or rental assistance is discontinued. **(Amended by Ord. No. 166,320, Eff. 11/22/90.)**

6. Housing accommodations located in a structure for which a certificate of occupancy was first issued after October 1, 1978. This exception shall not apply to individual mobilehome coaches, mobilehome parks, individual recreational vehicles or recreational vehicle parks. **(Amended by Ord. No. 165,332, Eff. 12/13/89.)**

7. **Luxury Housing Accommodations**. This exemption shall only apply to housing accommodations which have been issued a certificate from the Department indicating that it has been proven to the Department's satisfaction that the subject housing accommodations were rented at the requisite rent levels on May 31, 1978.

8. **Substantial Renovation**. Housing accommodations for which renovation work was started and completed on or after September 1, 1980 which work cost at least $10,000 for a unit with no bedrooms; $11,000 for a unit with one bedroom; $13,000 for a unit with two bedrooms; $15,000 for a unit with three bedrooms; and $17,000 for a unit with four bedrooms or more. This exemption shall apply only to rental units which have submitted an application for a certification of exemption to the Department prior to October 4, 1989, and which have been issued a certificate from the Department indicating that it has been demonstrated to the satisfaction of the Department that the requisite renovation work has been completed. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)**

9. **Non-Profit Housing Accommodations. (Amended by Ord. No. 169,654, Eff. 4/2/94.)**

(a) Housing accommodations operated by an organization exempt from business taxes of the City of Los Angeles pursuant to a valid tax exempt registration certificate issued by the City Clerk under Section 21.22 of this Code, but only if the renting of the housing accommodations constitutes the exercise or performance of the charitable or religious functions which constitutes the basis for its exemption from said taxes.

(b) Housing accommodations owned and operated by a limited partnership in which the general partner is a non-profit organization exempted from City business taxes, subject to such accommodations being available to low income households as evidenced by a government imposed regulatory agreement, covenant agreement or like document which imposes conditions consistent with those contained in the Rent Stabilization Ordinance and is recorded against the property for a period of at least twenty years.

10. Recreational vehicles which are not occupied by a tenant who has continuously resided in the park for nine or more months. This exception shall not apply to a lot or space which becomes vacant as a result of the park operator's terminating the tenancy on grounds other than those specified in Section 151.09A of this chapter.

11. Housing accommodations in limited-equity housing cooperatives, as defined in Health and Safety Code Section 33007.5, 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. **(Added by Ord. No. 157,723, Eff. 7/1/83.)**

12. Any mobilehome park for which a permit to operate is defined in Chapter 4 of Part 2.1 of Division 13 of the California Health and Safety Code was first issued on or after the effective date of this amendment (hereafter "**existing park**"). If acreage is added to a mobilehome park which park obtained a permit to operate prior to the effective date of this amendment, then any site located on such additional acreage shall be exempt from the provisions of this chapter. Any new home sites created within the boundaries of an existing park through increased density or elimination of open space shall not be subject to this exception. **(Added by Ord. No. 160,791, Eff. 2/10/86.)**

Seismic Work. **(Amended by Ord. No. 165,501, Eff. 3/23/90.)** Work required for seismic repair, reinforcement, and rehabilitation which is shown on the plans approved by the Department of Building and Safety, as described in Section 91.8805 of this Code, and limited to the following:

1. tension wall anchors;
2. diaphragm strengthening or connections;
3. bracing of existing walls;
4. strengthening existing shear walls;
5. adding new lateral load resisting elements;
6. structural elements that provide a continuous stress path;
7. new footings;
8. removal, stabilization, or bracing of parapets or appendages;
9. structural repair work;
10. other work necessary to restore the rental unit to a completed and habitable condition.

Tenant. A tenant, subtenant, lessee, sublessee or any other person entitled to use or occupancy of a rental unit.

Unsafe Building or Structure. **(Added by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)** For the purposes of this chapter, the term "**unsafe building or structure**" shall be as defined in the California Building Code (Title 24, Part 2 California Code of Regulations, Section 203). It is defined as follows:

"**Sec. 203.**

"(a) **General**. All buildings or structures regulated by this code which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified in this code are hereby designated as unsafe building appendages.

"All such unsafe buildings, structures or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Buildings Code or such alternate procedures as may have been or as may be adopted by this jurisdiction. As an alternative, the building official, or other employee or official of this jurisdiction as designated by the governing body, may institute any other appropriate action to prevent, restrain, correct or abate the violation.

"(b) **Fire Hazard**. No person, including but not limited to the state and its political subdivisions, operating any occupancy subject to these regulations shall permit any fire hazard, as defined in this section, to exist on premises under their control, or fail to take immediate action or abate a fire hazard when requested to do so by the enforcing agency.

"**NOTE:**

'Fire hazard' as used in these regulations means any condition, arrangement or act which will increase, or may cause an increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing or extinguishing fire; or which may obstruct, delay or hinder, or may become the cause of obstruction, delay or hindrance to the prevention, suppression or extinguishment of fire."

SEC. 151.03. THE RENT ADJUSTMENT COMMISSION.

A. Creation and Organization of the Rent Adjustment Commission. (Amended by Ord. No. 154,237, Eff. 8/30/80, Oper. 9/1/80.) There is hereby created and established a commission to be known as the "Rent Adjustment Commission of the City of Los Angeles". The Commission shall consist of seven members comprised of individuals who are neither landlords nor tenants of residential rental property. Such members shall be appointed and removed by the Mayor, subject to the approval of the Council, as to both appointment and removal. If at any time during the term of a Commission member, such member should become a landlord or tenant of residential rental property, the office of that member shall immediately become vacant and a new appointment be made thereto.

The term of office of each member of the Commission shall be four years. The Commission shall elect one of its members chairperson and vice-chair, which officers shall hold office one year and until their successors are elected. **(Amended by Ord. No. 156,597, Eff. 5/20/82.)**

All members of the Commission shall be entitled to vote. Four members shall constitute a quorum for purposes of conducting a meeting. The decisions of the Commission shall be determined by a majority vote of the members present. Every three months the Commission shall render to the City Council a written report of its activities pursuant to the provisions of this chapter along with such comments and recommendations as it may choose to make. The Commission shall meet as often as necessary to perform its duties. Each member shall be paid $50 per Commission meeting attended, and $50 per day for each day the member sits as a member of an appeals board, not to exceed $750 per month, and may receive reimbursement for actual expenses incurred in the course and scope of the member's duties to the extent that the City Council has appropriated funds for such purpose. Compensation shall not be paid for more than one meeting per day.

B. Responsibilities of the Commission. The Commission shall be responsible for carrying out the provisions of this chapter.

It shall have the authority to issue orders and promulgate policies, rules and regulations to effectuate the purposes of this chapter. All such rules and regulations shall be published once in a daily newspaper of general circulation in the City of Los Angeles, and shall take effect upon such publication.

It may make such studies and investigations, conduct such hearings, and obtain such information as it deems necessary to promulgate, administer and enforce any regulation, rule or order adopted pursuant to this chapter.

C. The General Manager of the Los Angeles Housing Department shall designate Department employees to furnish staff support to the Commission. (**Amended by Ord. No. 168,842, Eff. 7/24/93.)**

SEC. 151.04. RESTRICTION ON RENTS.

It shall be unlawful for any landlord to demand, accept or retain more than the maximum adjusted rent permitted pursuant to this chapter or regulations or orders adopted pursuant to this chapter. **(Amended by Ord No. 154,237, Eff. 8/30/80, Oper. 9/1/80.)**

SEC. 151.05. REGISTRATION, NOTIFICATION OF TENANTS, AND PAYMENT OF FEES.

(Title Amended by Ord. No. 153,519, Eff. 4/18/80.)

A. (Amended by Ord. No. 157,572, Eff. 4/1/83.) On or after July, 1979, no landlord shall demand or accept rent for a rental unit without first procuring and serving on the tenant or displaying in a conspicuous place a valid written registration statement from the Department or its designee. On or after April 30, 1983, no landlord shall demand or accept rent for a rental unit without first serving a copy of a valid registration or annual registration renewal statement on the tenant of that rental unit.

1. Every rental unit registration and registration statement issued on or before April 29, 1980 shall expire at midnight April 30, 1980. Applications for registration renewal for a previously registered unit shall be made to the Department or its designee no later than June 15, 1980. However, a landlord may continue to accept or demand rent for a previously registered unit without a current registration statement until July 1, 1980.

2. For a rental unit which first becomes subject to this chapter between May 1, 1980 and December 31, 1980, inclusive, the landlord shall procure a registration statement.

3. The registration or registration renewal statement issued pursuant to Subdivision 1 or 2 above shall expire on March 31, 1981. A landlord who accepts or demands rent for a rental unit on or after January 1, 1981 shall procure a valid registration statement. Application for such registration statement shall be made to the Department or its designee no later than February 14, 1981.

4. The registration or registration statement issued pursuant to Subdivision 3 above shall expire on March 31, 1982. A landlord who accepts or demands rent for a rental unit on or after January 1, 1982 shall procure a valid registration statement. Applications for such registration statement shall be made to the Department or its designee no later than February 14, 1982 and any statement so issued shall expire on April 30, 1983.

5. On or after June 1, 1982 a landlord who accepts or demands rent for a rental unit on or after the first day of January of each year shall procure a valid registration or annual registration renewal statement. Application for a registration or annual registration renewal statement shall be made to the Department or its designee no later than the last day of February of each year, and the statement so issued shall expire on the last day of April of the following year.

B. The Department or its designee shall upon the payment of proper fees, and furnishing of an emergency phone number, register or renew the registration of a rental unit. The fees required hereunder shall be as follows: **(Amended by Ord. No. 166,130, Eff. 9/16/90.)**

1. For a rental unit for which a landlord accepts or demands rent between May 1, 1979 and April 30, 1980, inclusive, there shall be an initial registration fee of three dollars, and if rent for such rental unit is accepted or demanded between May 1, 1980 and December 31, 1980 inclusive, there shall also be paid a registration renewal fee of three dollars.

2. For a rental unit which first becomes subject to this chapter between May 1, 1980 and December 31, 1980 inclusive, there shall be an initial registration fee of three dollars; and

3. For any rental unit for which a landlord accepts or demands rent on or after January 1, 1981, there shall be a registration or registration renewal fee of four dollars.

4. For any rental unit for which a landlord accepts or demands rent between January 1, 1982 and December 31, 1982 inclusive, there shall be a registration or registration renewal fee of seven dollars. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

5. For any rental unit for which a registration or annual registration renewal statement is required, a registration or annual registration renewal fee shall be paid. This fee shall be due and payable on the first day of January of each year, and shall be deemed delinquent if not paid on or before the last day of the following month. The amount of this fee shall be fourteen dollars. **(Amended by Ord. No. 164,167, Eff. 12/12/88.)**

C. The landlord shall maintain records setting forth the maximum rent for each rental unit. Each landlord who demands or accepts a higher rent than said maximum rent shall inform the tenant or any prospective tenant of the rental unit in writing of the factual justification for the difference between said maximum rent and the rent which the landlord is currently charging or proposes to charge. **(Amended by Ord. No. 154,237, Eff. 8/30/80, Oper. 9/1/80.)**

D. For a rental unit for which a four dollar fee has been paid pursuant to Subdivision 3 of Subsection B of this section, the landlord, for the month of April, 1981, and on a one time basis only, may demand and collect a total of four dollars per rental unit from the tenant of the rental unit after serving the tenant with a thirty days written notice on a form provided by the Department explaining the nature of the onetime charge. **(Amended by Ord. No. 154,237, Eff. 8/30/80, Oper. 9/1/80.)**

E. For a rental unit for which a registration or registration renewal fee has been paid pursuant to Subdivision 4 of Subsection B of this section, the landlord, for the month of June, 1982, and on a one-time basis only may demand and collect a total of four dollars per rental unit from the tenant of the

rental unit after serving the tenant with a thirty days written notice on a form provided by the Department explaining the nature of the one-time charge. **(Added by Ord. No. 155,561, Eff. 8/9/81.)**

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 seven dollars from the tenant of the rental unit after serving the tenant with a 30-day written notice in a form prescribed by the Department. **(First Paragraph Amended by Ord. No. 164,167, Eff. 12/12/88.)**

The rental surcharge may only be collected in June of the year in which the registration or annual registration fee became due and payable, provided that the landlord is not delinquent in the payment of the registration or annual registration renewal fee. **(Added by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

G. The landlord of a rental unit which is not registered with the Department shall provide, upon written request from the Department, in the form, in the number and within 30 days of the Department's request, a written declaration stating the facts upon which the landlord bases the landlord's claim of exclusion from the provisions of this chapter. If a landlord fails to submit a written declaration and supporting documents within the time requested by the Department, then the Department may direct the landlord to register the unit. If a landlord fails to register the unit within 10 days, the landlord shall be subject to the penalty provisions for late registration under this section. Any fees collected after the Department has directed the landlord to register the unit shall be non-refundable. **(Added by Ord. No. 160,791, Eff. 2/10/86.)**

H. A landlord who demands or accepts rent for a rental unit shall give written notice to the tenant of the maximum number of occupants allowed under section 91.1207 of this Code for the tenant's rental unit. Such notice shall be required only if guidelines are promulgated by the Rent Adjustment Commission and shall be in accordance with such guidelines. This section shall not apply to mobilehomes where rent is paid only for the land upon which the mobilehome is located. **(Added by Ord. No. 166,865, Eff. 1/19/87.)**

SEC. 151.06. AUTOMATIC ADJUSTMENTS.

(Title Amended by Ord. No. 153,552, Eff. 5/1/80.) (Section Amended by Ord. No. 154,237, Eff. 8/30/80, Oper. 9/1/80.)

The maximum rent or maximum adjusted rent for a rental unit may be increased without permission of the Rent Adjustment Commission or the Department, as follows:

A. For a rental unit which has not had a rent increase since May 31, 1976 (other than one imposed pursuant to Section 3B(5) or (6) of Ordinance No. 151,415, as amended and/or Section 151.07 of this chapter:

Prior to any increase pursuant to Subsection D of the section, a landlord may increase the maximum rent by an amount not to exceed 19%, but if the landlord pays all the costs of electricity and/or gas services for a rental unit, then the maximum or maximum adjusted rent may be increased an additional 1% for each such service paid by the landlord. Thereafter, the rent may be adjusted automatically only in accordance with Subsections C and D.

B. For a rental unit which has not had a rent increase since May 31, 1977 (other than one imposed pursuant to Section 3B(5) or (6) of Ordinance No. 151,415, as amended, and/or Section 151.07 of this chapter) but which did have a rent increase within one year prior to that date:

Prior to an increase pursuant to Subsection D of this section, a landlord may increase the maximum rent by an amount not to exceed 13%, but if the landlord pays all the costs of electricity and/or gas services for a rental unit, then the maximum or maximum adjusted rent may be increased an additional 1% for each such service paid by the landlord. Thereafter, the rent may be adjusted automatically only in accordance with Subsections C and D below.

C. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)** For a rental unit vacated by all the tenants after the operative date of this chapter:

Except as otherwise provided in this subsection, if the rental unit was vacated voluntarily or as a result of an eviction or termination of tenancy based on one or more of the grounds described in Section 151.09 A1, A2 or A9, the maximum rent or maximum adjusted rent may be increased to any amount upon the re-rental of the rental unit. Thereafter, as long as the rental unit continues to be rented to one or more of the same persons, no other rent increase shall be imposed pursuant to this subsection.

With respect to an eviction or termination of tenancy based on one or more of the grounds described in Section 151.09 A3 or A4, the maximum rent or maximum adjusted rent may be increased to any amount upon the re-rental of the rental unit only in those cases where 1) the notice of intent to terminate tenancy is served on the tenant by the landlord prior to the City Attorney commencing a court action against him or her pursuant to Section 47.50 of this Code; and 2) the eviction or termination of tenancy is based upon information provided by a law enforcement agency or prosecution agency that the tenant is committing or permitting to exist any drug-related nuisance, illegal drug activity or gang-related crime as those terms are defined in Section 47.50 A of this Code. Thereafter, so long as the rental unit continues to be rented to one or more of the same persons, no other rent increase shall be imposed pursuant to this subsection. **(Paragraph Added by Ord. No. 171,442, Eff. 1/19/97.)**

However, this subsection shall not apply in the following circumstances:

1. If a rental unit is vacated as a result of termination of rental assistance paid for the tenant with federal aid pursuant to a Housing Assistance Payments Contract between the landlord and the City of Los Angeles Housing Authority when such contract was cancelled or not renewed by the landlord;

2. The vacation of a rental unit by a tenant as a result of a landlord giving notice of intent to terminate tenancy on any ground other than those set forth in Section 151.09 A1, A2 or A9 of this chapter, or the landlord creating an unreasonable interference with the tenant's comfort, safety, or enjoyment of the rental unit;

3. If a rental unit is vacated as a result of an eviction or termination of tenancy based on the grounds described in Section 151.09 A9 and a re-rental certificate is not granted as provided in Section 151.07 A7. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)**

4. If the tenant voluntarily vacating the rental unit was the next tenant after an eviction pursuant to Section 151.09 A8; or

5. If a rental unit is vacant as a result of the termination of the regulation of the rental unit under any local, state or federal program. **(Added by Ord. No. 166,320, Eff. 11/22/90.)**

6. If the rental unit is the subject of a notice of noncompliance sent to the Franchise Tax Board pursuant to Section 17274 of the Revenue and Taxation Code, and the violations that were the subject of the notice have not been corrected. **(Added by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)**

7. If the rental unit is the subject of a notice of rent reduction or a notice of acceptance issued pursuant to this chapter, and the conditions that caused the placement have not been corrected. **(Added by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)**

8. If the rental unit is the subject of a criminal conviction related to the landlord's failure to comply with a citation or order issued by the Department of Building and Safety, Fire Department, or Department of Health with respect to the subject rental unit, and the conditions that caused the conviction have not been corrected. **(Added by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)**

9. **(Added by Ord. No. 171,442, Eff. 1/19/97.)** The vacation of a rental unit by a tenant as a result of a landlord giving notice of intent to terminate tenancy on any ground set forth in Section 151.09 A3 or A4 unless the notice of intent to terminate is based upon information provided by a law enforcement agency or prosecution agency that the tenant is committing or permitting to exist a drug-related nuisance, illegal drug activity or gang-related crime as those terms are defined in Section 47.50A of this Code;

D. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)** 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 twelve 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:

The maximum rent or maximum adjusted rent may be increased in an amount based on the Consumer Price Index – All Urban Consumers averaged for the twelve (12) month period ending September 30, of each year, as determined and published by the Department on or before May 30, of each year, pursuant to Section 151.07A6 of this chapter. This annual adjustment may be applied to any annual rent increase which first becomes effective on or before July 1, through June 30, of each year. If the landlord pays all the costs of electricity and/or gas services for a rental unit then the maximum rent or maximum adjusted rent may be increased an additional one percent (1%) for each such service paid by the landlord, not to exceed a total of two percent (2%). If a rent increase had been imposed pursuant to Subsection A, B, C or F1, of this section, then no rent increase may be imposed pursuant to this subsection until twelve (12) consecutive months or more have elapsed since such rent increase. **(Amended by Ord. No. 159,908, Eff. 6/30/85 Oper. 7/1/85.)**

EXCEPTION: (Amended by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)

This subsection shall not apply in the following circumstances:

If the rental unit is the subject of a notice of noncompliance sent to the Franchise Tax Board pursuant to Section 17274 of the Revenue and Taxation Code, and the violations that were the subject of the Notice have not been corrected; or

If the rental unit is the subject of a notice of rent reduction or a Notice of Acceptance issued pursuant to this chapter, and the conditions that caused the placement have not been corrected; or

If the rental unit is the subject of a criminal conviction related to the landlord's failure to comply with a citation or order issued by the Department of Building and Safety, Fire Department, or Department of Health with respect to the subject rental unit, and the conditions that caused the conviction have not been corrected.

E. (Amended by Ord. No. 154,808, Eff. 2/13/81.) For a rental unit which had an automatic rent adjustment between May 1, 1980 and August 31, 1980, inclusive, and for which the landlord pays all the costs of electricity and/or gas services for a rental unit:

The maximum rent or maximum adjusted rent may be increased 1% for each such service paid by the landlord. A landlord may not increase rent pursuant to this subsection on or after May 1, 1981.

F. (Added by Ord. No. 158,891, Eff. 6/4/84.) For a rental unit, which is the site within a mobilehome park (hereafter "site") on which a mobilehome is located and is vacated by all the tenants after the operative date of this subsection;

1. Except as otherwise provided in this subsection, if the mobilehome on the site is vacated voluntarily or as a result of an eviction or termination of tenancy based on one or more of the grounds described in Section 151.09A1, A2 or A9, and the mobilehome is permanently removed from the site, then the maximum rent or maximum adjusted rent may be increased to any amount upon the re-rental of the site. Thereafter, as long as the site continues to be rented to one or more of the same persons, no other rent increase shall be imposed pursuant to this subdivision.

However, this subdivision shall not apply in the following circumstances:

a. If the mobilehome has been temporarily removed for repairs; or

b. If the mobilehome has been replaced with a new mobilehome that one or more of the same tenants will occupy.

2. If the site is voluntarily vacated by all the tenants as a result of a sale of the mobilehome, and the mobilehome is not removed from the site, then the maximum rent or maximum adjusted rent may be increased by an amount not to exceed the rent on any existing comparable site in the park, or ten percent (10%), whichever is the lower. A comparable site for the purposes of this subdivision shall be a site within the same park which has a mobilehome located on it which is substantially the same size (single, double or triple wide) as the mobilehome that was sold. Thereafter, as long as the site continues to be rented to one or more of the same persons, no other rent increase shall be imposed pursuant to this subdivision. The rent may only be increased pursuant to this subdivision once in any twelve consecutive month period.

G. (Added by Ord. No. 166,373, Eff. 12/8/90.) For a rental unit which has an additional tenant joining the occupants of the rental unit thereby resulting in an increase in the number of tenants existing at the inception of the tenancy.

(a) The maximum rent or maximum adjusted rent may be increased by an amount not to exceed 10% for each additional tenant that joins the occupants of the rental unit, except that:

The rent may not be increased for the first minor dependent child (multiple births shall be considered as one child) added to an existing tenancy of a tenant of record.

(b) The rental unit shall not be eligible for a rent increase until the additional tenant shall have maintained residence in the rental unit for a minimum of thirty days.

(c) The provisions of this subsection shall apply only to any additional tenant who first occupies a rental unit after the effective date of this subsection, except that the minor dependent children already residing in the unit for which no increase has been imposed, at the time this subsection takes effect, there shall be no allowable increase.

SEC. 151.06.02. PAYMENT OF INTEREST ON SECURITY DEPOSITS.

(Added by Ord. No. 166,368, Eff. 12/6/90.)

A. Security deposit is defined in Section 1950.5 of the California Civil Code.

B. A landlord who is subject to the provisions of Section 1950.5 of the California Civil Code shall pay a 5% simple interest per annum on all security deposits held for at least one year for his/her tenants.

C. Interest shall begin accruing on November 1, 1990, on a monthly basis. A tenant shall be given the unpaid accrued interest in the form of either a direct payment or a credit against the tenant's rent. The landlord shall choose between these two methods of payment and notify the tenant in writing of his choice. The landlord may elect to pay the accrued interest on a monthly or yearly basis, but in no event less than once every five years.

D. Upon termination of tenancy, only the tenant whose security deposit has been held for one year or more shall be entitled to payment of any unpaid accumulated interest on the security deposit. Such payment shall be made at the same time and in the same manner as required for return of security deposits in California Civil Code Section 1950.5(f).

E. Upon termination of a landlord's interest in a property, all accumulated interest on security deposits shall be disposed of in the same manner as required for security deposits by California Civil Code Sections 1950.5(g) and (h).

F. Nothing herein shall preclude a landlord from exercising his or her discretion in investing security deposits.

G. In the event the landlord fails to pay interest on the security deposit as provided in this section, the tenant may bring an action for recovery of the amount owed in a court of the appropriate jurisdiction including, but not limited to, small claims court.

H. The provisions of this section shall not govern mobile home parks.

SEC. 151.06.1 SMOKE DETECTORS.

(Added by Ord. No. 154,808, Eff. 2/1/81.)

A. For a rental unit in which the landlord installs smoke detectors pursuant to Los Angeles Municipal Code Section 91.1304 or Section 91.1403 on or after April 16, 1980:

> The rent may be increased 50 cents ($.50) per month for each battery operated smoke detector installed in the rental unit, or three dollars ($3) per month for each permanently installed smoke detector in the rental unit, or the landlord may apply for a rent adjustment pursuant to Subsection A of Section 151.07 of this chapter. This surcharge shall not constitute a rent increase for purposes of Section 151.06 of this chapter.

B. This rent surcharge may be collected at the above rate until the actual cost to the landlord of purchase and installation has been recovered. This subsection shall not apply to a rental unit which becomes eligible for a rent increase pursuant to Section 151.06C of this chapter subsequent to the installation of the smoke detector. The Commission shall promulgate regulations on what constitutes eligible expenses in computing such actual cost.

C. Within two months after installation, or by May 31, 1981, whichever is later, the landlord must give written notice to the tenant paying the surcharge of the actual purchase and installation costs of the smoke detector and the month and year when said costs will have been completely amortized.

SEC. 151.06.2. SURCHARGE FOR WATER CONSERVATION ASSESSMENT.

(Added by Ord. No. 166,707, Eff. 4/1/91.)

If a landlord is assessed financial penalties pursuant to the Emergency Water Conservation Plan of the City of Los Angeles, the landlord is entitled to partially pass through those penalties to tenants in the form of a temporary rent surcharge. This surcharge shall not constitute a rent increase for purposes of Section 151.06 of this chapter.

A. A landlord may partially pass through the financial penalties assessed by the Department of Water and Power under the Emergency Water Conservation Plan in the following amount and manner, and in accordance with the regulations adopted by the Rent Adjustment Commission.

1. The landlord shall be entitled to a rent increase in the form of a surcharge of fifty percent (50%) of the penalties assessed.

2. For mobilehome parks that are not separately submetered, the owner of the mobilehome park shall be entitled to pass through seventy-five percent (75%) of the assessed penalties. For mobilehome parks that are submetered, the owner of the park may apportion any assessed penalties in accordance with Rent Adjustment Commission regulations.

B. A landlord shall not close on-premises coin operated laundry facilities during the duration of the Emergency Water Conservation Plan.

SEC. 151.06.5. REDUCTIONS IN RENT.

(Added by Ord. No. 164,496, Eff. 4/6/89, Oper. 7/5/89.)

A. Notification of Noncompliance.

The Department shall review a building for a proposed rent reduction after receiving notification from the Department of Building and Safety, Fire Department or Department of Health, that the period allowed for compliance with an order or citation issued by the citing department has expired without such compliance, that such noncompliance has persisted for a period of not less than thirty (30) days, and that such noncompliance renders the building, or a portion thereof, untenantable as set forth in California Civil Code Section 1941.1. This section shall only apply where the citing department has informed the landlord that failure to comply with the order or citation will result in notification of noncompliance being given to the Department.

The Department may also review a building for a proposed rent reduction, or for participation in REAP pursuant to an application setting forth facts demonstrating that a building or portion thereof has been rendered untenantable because it satisfies the requirements of California Civil Code Section 1941.1, or that it is an unsafe building or structure as defined herein; or that the building is the subject of a citation or order issued by the Department of Building and Safety, Fire Department, or Department of Health. **(Para. Added by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)**

A mobile home is untenantable if park management has breached its responsibilities as described in Civil Code Section 798.15(d). **(Para. Added by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)**

A building or rental unit is also untenantable if any building, health or fire official has issued a repair or vacate order, but the landlord has refused to correct the violations set forth in that order. A building or rental unit is also untenantable if it is the subject of an order to comply with safety related standards and the violations have not been corrected. These safety related standards include sprinkling, seismic retrofit, impact hazard glazing, smoke detectors, unvented heating devices, and quick-release latches discussed in Section 91.1204(d). **(Para. Added by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)**

In the case of mobile homes, an application also may be filed by any coach owner or any tenant of a mobile home. **(Para. Added by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)**

B. Notice of Proposed Rent Reduction. (Amended by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)

If the Department determines that the violations identified by the citing department, or that the conditions described in an application for rent reduction cause the rental unit to be untenantable, then the Department may find that there has been a reduction in housing services. If the Department determines that there has been a reduction in housing services, then it shall propose that the rent be reduced in accordance with the Commission's rent reduction schedule.

The Department shall give written notice of the proposed rent reduction and shall describe with particularity the nature of the violations identified by the citing department (including a reference to the provision of law that has been violated), and/or the conditions which rendered the rental unit, building or portions thereof untenantable. The notice shall set forth the amount of the proposed rent reduction and inform the landlord of when the rent reduction is to take effect.

The notice shall be served upon the landlord by deposit in the United States mail in a sealed envelope, postage prepaid to the addresses disclosed by the landlord pursuant to Civil Code Sections 1962 and 1962.5. If the landlord has failed to comply with these Civil Code provisions, then service may be made by registered or certified mail sent to the address at which the rent is paid, and then the provisions of Section 1013 of the Code of Civil Procedure shall apply. A copy of the notice of proposed rent reduction shall be served on tenants of the affected rental units.

The notice shall also set forth the landlord's right to a hearing as described in Subsection C below.

The Commission shall adopt a schedule, giving due consideration to the appropriateness of the amount of rent reduction with respect to the following factors:

1. The nature of the violation(s) and/or other conditions rendering the rental unit untenantable;
2. The severity of the violation(s) and/or other conditions rendering the rental unit untenantable;
3. The duration of the violation(s) and/or other conditions rendering the rental unit untenantable; and
4. The history of previous violations or complaints concerning conditions rendering the building or rental unit untenantable.

This schedule shall be approved by the City Council prior to becoming effective.

C. Right to Hearing.

Any landlord served with a notice of proposed rent reduction may apply in writing to the Rent Adjustment Commission for a hearing with respect to the violations identified and the amount of the rent reduction. This request shall be filed within 15 days of the date of mailing of the proposed notice.

If the landlord does not request a hearing in writing within the prescribed time, then the rent reduction shall be final, and the rent shall be reduced by the amount indicated.

D. Time of Hearing; Notice. (Amended by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)

If the landlord requests a hearing, the Department shall cause the matter to be set for hearing before a designated hearing officer, in accordance with such guidelines as the Commission may establish. Written notice shall be given by mail as to the date, time and place of the hearing to the landlord and all affected tenants.

The hearing shall be scheduled not later than 20 days after the date of the application for hearing. The hearing officer shall make a determination within 10 days after the hearing, or within such extended period of time as may be mutually agreed upon by the landlord and the hearing officer. However, if a building or rental unit is cited for specific, imminent life threatening hazards, the Department may direct that the required hearing be conducted on shortened notice.

A copy of the determination shall be mailed to the applicant and all affected tenants. The decision of the hearing officer shall be final. If the hearing officer affirms the imposition of a rent reduction, then the determination shall set forth the amount of the rent reduction, the units affected by the rent reduction and when the rent reduction becomes effective.

E. Notification to Citing Departments.

A copy of the notice of rent reduction shall be sent to the citing department. The citing department shall inform the Department when all of the violations have been corrected.

F. Rent Reduction.

Once the proposed rent reduction becomes final, then the tenant of the rental unit shall have the right to pay the reduced rent until all of the violations have been corrected. The Department shall notify the landlord and the affected tenants when all of the violations have been corrected and that the rent may be increased to the amount that existed prior to the reduction. The landlord must serve the tenant with a 30-day notice before the rent may be increased.

SEC. 151.07. AUTHORITY OF THE DEPARTMENT AND THE COMMISSION TO GRANT INDIVIDUAL RENT ADJUSTMENTS.

A. Authority of the Department.

1. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)** The Department, in accordance with such guidelines as the Commission may establish, shall have the authority to grant adjustments in the rent for a rental unit or units located in the same housing complex upon receipt of an application for an adjustment filed by the landlord of the unit or units if it finds that one or more of the following grounds exist:

a. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)** That on or after April 1, 1978, the landlord has completed a capital improvement with respect to a rental unit and has not increased the rent to reflect the cost of such improvement. If the Department so finds, the landlord shall be entitled to a permanent monthly rent increase of 1/60th the average per unit capital improvement cost; provided, however, any rent adjustment for a capital improvement granted by the Department between February 13, 1981, and May 31, 1982, shall terminate after five (5) years.

Except that, for any capital improvement work for which a rent increase application is filed with the Department on or after October 1, 1989 the landlord shall only be entitled to a temporary monthly rent increase of 1/60th of fifty percent (50%) of the average per unit capital improvement cost for a period not to exceed six (6) years.

This temporary monthly surcharge shall not exceed $55.00 per month for each rental unit unless agreed upon in writing by a landlord and a tenant. If the surcharge, as calculated under the above formula, would exceed $55.00 per month, then the surcharge period of six (6) years may be extended until the allowable capital improvement expenses are recovered. This surcharge shall not be included as part of the Maximum Adjusted Rent for purposes of calculating the automatic rent adjustment pursuant to Section 151.06 D.

Any capital improvement rent increase or surcharge approved by the Department shall terminate if the Department determines that there has been a complete failure of a capital improvement. The Commission may adopt regulations to implement this provision.

For the purposes of this provision, seismic work shall not be eligible as a capital improvement. **(Added by Ord. No. 165,501, Eff. 3/23/90.)**

EXCEPTION: (Added by Ord. No. 170,445, Eff. 5/6/95, Oper. 7/5/95.)

This paragraph shall not apply in the following circumstances:

If the rental unit is the subject of a notice of noncompliance sent to the Franchise Tax Board pursuant to Section 17274 of the Revenue and Taxation Code, and the work is to correct the violations that were the subject of the Notice.

If the rental unit is the subject of a notice of rent reduction or a Notice of Acceptance issued pursuant to this chapter, and the work is to correct the conditions that caused the placement.

If the rental unit is the subject of a criminal conviction related to the landlord's failure to comply with a citation or order issued by the Department of Building and Safety, Fire Department, or Department of Health with respect to the subject rental unit, and the work is to correct the conditions that caused the conviction.

b. That on or after April 1, 1978 the landlord has completed rehabilitation work with respect to a rental unit and has not increased the rent to reflect the cost of such improvement. If the Department so finds, the landlord shall be entitled to a permanent monthly rent increase of 1/60th of the average per unit rehabilitation cost; provided, however, any rehabilitation work begun prior to June 1, 1982 shall be entitled to rent increases of 1/36 of the average per unit rehabilitation cost. Moreover, any rental adjustment for rehabilitation work granted by the Department between February 13, 1981 and May 31, 1982 shall terminate after 3 years.

For the purposes of this provision, seismic work shall not be eligible as rehabilitation work. **(Added by Ord. No. 165,501, Eff. 3/23/90.)**

c. **(Added by Ord. No. 165,501, Eff. 3/23/90.)** That on or after April 1, 1978, the landlord has completed seismic work with respect to a rental unit and has not increased the rent to reflect the cost of such improvement. If the Department so finds, the landlord shall be entitled to a rent increase not to exceed $75.00 per month.

For the purposes of this provision, eligible costs include, but are not limited to, seismic work and actual finance costs incurred by the landlord. However, any portion of seismic work paid for with public funds is not eligible for this monthly rent increase until the landlord is immediately obligated to repay the public funds. This monthly rent increase shall continue until the landlord has recovered all eligible costs of the seismic work performed on the building. The Commission may adopt regulations to implement this provision.

2. **Procedures for Departmental Review of Adjustment Requests**.

a. **Applications. (Amended by Ord. No. 160,791, Eff. 2/10/86.)** An application for a rent adjustment under this subsection shall be made within twelve months after the completion of the work. The application shall be filed with the Department upon a form and with the number of copies prescribed by the Department and shall include among other things the addresses and unit numbers of the unit or units for which an adjustment is requested. If the rent adjustment request is a result of the same improvement or rehabilitation work, circumstances, transaction or occurrence, such application may include all rental units in a housing complex for which a rent increase is applied for.

The applicant shall produce at the request of the Department such records, receipts or reports as the Department may deem necessary to make a determination on the adjustment request. Failure to produce requested items shall be sufficient basis to terminate the rent adjustment proceedings. All applications shall be accompanied by a declaration stating that the above information is true and correct.

An application for a rent adjustment under this subsection shall be accompanied by a $25.00 filing fee. The landlord shall not recover this filing fee from any tenant. The requirement to pay this fee shall not apply to the first application for the housing complex made by a landlord within a calendar year pursuant to this subsection.

b. **Notice**. Upon receipt of an adjustment application, the Department shall notify the tenant or tenants of the subject unit or units by mail of the receipt of such application, the amount of the requested rent increase, the landlord's justification for the request, a tenant's right to submit written objections to the adjustment request within 10 days of the date of mailing such notice, and of the address to which the objections may be mailed or delivered.

c. The Department shall, within 45 days of the receipt of a completed application, make a determination on the application for rent adjustment. The determination shall be either to approve or disapprove the requested rent adjustment. If the adjustment is approved, then it must be for the amount requested. Copies of the findings and determination of the Department shall be mailed by the Department to the applicant and all affected tenants. Said findings and determination shall provide that any rent increases approved on or after January 1, 1981 for capital improvements or rehabilitation work begun prior to June 1, 1982 shall not be included as part of the maximum adjusted rent for purposes of computing rent increases pursuant to Section 151.06 of this chapter. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

3. **Requests for Hearing**.

a. The determination of the Department shall be final unless a request for hearing is filed by or on behalf of the applicant or an affected tenant, and such request is received by the Department within 15 days after the mailing of the findings and determination. A request for hearing shall be in writing and filed in the office of the Department upon a form and with the number of copies required by the Department. Each request for hearing shall be accompanied by a filing fee in the amount of $35.00. **(Amended by Ord. No. 164,167, Eff. 12/12/88.)**

b. A request for hearing shall set forth specifically, wherein the requesting party believes there was error or abuse of discretion by the Department in ruling on the application for a rent increase. Additionally, a request for hearing may be made based on new, relevant information which was not submitted to the Department at the time of the initial determination due to mistake, surprise, inadvertence, or excusable neglect, and which information would have affected the determination of the Department if it had been submitted earlier. The filing of a request for hearing by a tenant or tenants will not stay the effect of the determination of the Department. However, any increase collected by the landlord pursuant to the Department's determination but not approved by the hearing officer shall be forthwith refunded by the landlord to the tenant or tenants from whom such rent increases were collected, or offset by the landlord against the next legally due rental payment. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

c. If a request for hearing is received by the Department within the 15 day period, then the requested hearing shall be held within 30 days of the receipt of the request by a hearing officer designated by the Department. Notice of the time, date and place of the hearing shall be mailed by the Department to the applicant and tenants of the subject rental units at least 10 days prior to the hearing date. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

d. The hearing shall be conducted by a hearing officer designated by the Department. At the time of the hearing the landlord and/or any affected tenant may offer such documents, testimony, written declarations or evidence as may be pertinent to the proceedings.

e. In making a determination on an application for rent increase, the designated hearing officer shall make a written determination upholding, reversing or modifying the determination of the Department. If the determination is to reverse or modify the determination of the Department, the hearing officer shall specifically set forth the reasons or such reversal or modification.

f. **Time Limit**. A final decision shall be made by the hearing officer within 45 days of the termination of the time for filing of a request for hearing. The Department shall mail copies of the findings and determination of the hearing officer to the applicant and all affected tenants. Said findings and determination shall provide that any rent increases approved on or after January 1, 1981 for capital improvements or rehabilitation work begun prior to June 1, 1982 shall not be included as part of the maximum adjusted rent for purposes of computing rent increases pursuant to Section 151.06 of this chapter. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

4. **Limitation on Rent Adjustment. (Added by Ord. No. 154,808, Eff. 2/13/81.)**

a. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)** For every rental unit which experiences a rent increase based on capital improvement and/or rehabilitation work begun prior to June 1, 1982 and also approved by the Department after February 13, 1981:

The Department shall mail a notice to the landlord of the rental unit indicating that the Department will issue a written order to the landlord requiring the termination of the rent increase after the cost of the work has been fully recovered, unless it determines that the rental unit became eligible for a rent increase pursuant to Section 151.06 C or that a reduction in rent would work an undue hardship on the landlord.

b. An application for relief from the proposed order may be made within 30 days after the mailing of the notice in accordance with such procedures as the Commission may establish.

c. For any rental unit for which a capital improvement rent adjustment was granted by the Department between February 13, 1981 and May 31, 1982, and for which a hardship exemption was granted pursuant to Section 151.07A4a, said capital improvement rent adjustment shall terminate upon the effective date of this amendment. The landlord shall, within ten days of the effective date of this amendment, serve a written notice of termination of the capital improvement rent adjustment to all affected tenants setting forth the amount of increase which is to be terminated. **(Added by Ord. No. 163,832, Eff. 8/25/88.)**

5. The Department in accordance with such guidelines as the Commission may establish, shall have the authority to grant certificates of exemptions for luxury housing accommodations and substantial renovation work In processing an application for exemption, the Department shall afford both landlords and tenants notice and an opportunity to be heard prior to the issuance of a certificate of exemption. An application for a certificate of exemption shall be accompanied by a $25.00 filing fee. After August 31, 1982, no unit shall be exempt pursuant to Sections 151.02 M7 or M8 without first obtaining a certificate of exemption. Pending completion of the processing of an application for a certificate of exemption, the Department may issue a temporary certificate of exemption for housing accommodations. **(Amended by Ord. No. 164,167, Eff. 12/12/88.)**

6. **(Subdiv. 6 Added by Ord. No. 159,908, Eff. 6/30/85, Oper. 7/1/85.)** On or before May 30, of each year, the Department shall publish in a newspaper of general circulation the annual rent increase adjustment for any rent increase imposed pursuant to Section 151.06D of this chapter for the following twelve (12) month period beginning on July 1 and ending on June 30. The Department shall calculate this adjustment as follows:

The annual rent increase adjustment shall be based on the Consumer Price Index – All Urban Consumers for the Los Angeles-Long Beach-Anaheim-SMSA averaged for the previous twelve (12) month period ending September 30 of each year. It shall reflect the change in the Consumer Price Index over the previous consecutive twelve (12) month period expressed as a percentage and rounded off to the nearest whole number. If the calculated adjustment is three percent (3%) or less, the Department shall set the annual rent increase adjustment at three percent (3%) but, if the calculated adjustment is eight percent (8%) or greater, the Department shall set the annual rent increase adjustment at eight percent (8%).

7. **Re-rental Certificates**. **(Added by Ord. No. 165,251, Eff. 11/20/89.)**

a. **Certificates**. The Department, in accordance with such guidelines as the Commission may establish, shall have the authority to grant a re-rental certificate for a rental unit vacated as a result of an eviction or termination of tenancy based on the grounds described in Section 151.09 A9. Any re-rental certificate granted by the Department shall be effective only for the first re-rental following the eviction or the termination of tenancy based on the grounds described in Section 151.09 A9.

b. **Application**. The application shall be on a form prescribed by the Department and shall contain any additional information required by the Department. The application shall also be accompanied by a $25.00 filing fee and the landlord shall not recover this fee from any tenant. The declaration required by Section 151.09 I2, together with any additional information required by the Department, may be used as an application for a re-rental certificate if it clearly specifies that it is also an application. The application shall be filed with the Department no later than thirty (30) calendar days after the re-rental of the rental unit. A late application may be accepted by the Department only if the landlord demonstrates to the satisfaction of the Department that good cause exists for such late filing. The Commission shall promulgate guidelines on what constitutes good cause for such late filing.

c. **Notice**. Upon receipt of an application for a re-rental certificate, the Department shall afford notice and an opportunity to be heard to the tenant and the preceding tenant, if a mailing address has been supplied to the Department. Such notice shall include a copy of the application, and shall inform the interested parties of their right to submit written objections to the application within ten (10) calendar days of the date of mailing of such notice at an address specified in the notice.

d. **Departmental Review**. The Department shall, within forty-five (45) calendar days from receipt of a completed application, make a determination on the application for a re-rental certificate. The determination shall be either to grant or deny the requested re-rental certificate. In granting a re-rental certificate, the Department, or the hearing officer on appeal, shall find that the landlord has complied with all of the provisions of this chapter and the requirements of Section 151.09 A9. The determination of the Department shall be mailed to the landlord and all affected tenants. Unless otherwise stated in this subdivision, the provisions of Section 151.07 A2 and any guidelines promulgated by the Commission shall be applicable to review of the application by the Department.

The Department shall deny any application if:

1. The Department is unable to complete its review within ninety (90) calendar days from the date of mailing of a notice by the Department to an applicant of an incomplete application for a re-rental certificate and the review is unable to be completed due to the failure of the landlord to provide all the information requested by the Department in its notice; or

2. The landlord has increased the maximum rent or the maximum adjusted rent of a rental unit pursuant to Section 151.06 C to four (4) or more rental units subsequent to an eviction pursuant to Section 151.09 A9 within a two (2) year period and failed to maintain at least twenty-five (25) percent of the rehabilitated rental units at the prior rent level plus allowable annual increases for a period of thirty (30) years, and that these rehabilitated rental units shall be offered by the right of first refusal to the prior tenants in order of longest tenure.

e. **Rent Levels**. If the rental unit is re-rented prior to the granting of a re-rental certificate, then the landlord may temporarily increase the maximum rent or maximum adjusted rent to any amount.

Notwithstanding the above provision to the contrary, the maximum rent or the maximum adjusted rent shall be the maximum rent or maximum adjusted rent applicable to the rental unit immediately prior to the eviction or termination of the tenancy based on the grounds described in Section 151.09 A9 plus any allowable rent adjustment if any of the following occur:

1. The application for a re-rental certificate is denied; or

2. The landlord fails to apply for a re-rental certificate within thirty (30) calendar days from the rental of the rental unit.

Within thirty (30) calendar days of the occurrence of either (1) or (2) above, the landlord shall refund to the current tenants all excess rent. The treble damage provision of Section 151.10 A shall not apply where a landlord refunds the excess rent in accordance with this paragraph. If a re-rental certificate is granted subsequent to any rent reduction or refund required by this paragraph, the maximum rent or maximum adjusted rent may be raised to the previous re-rental level after at least thirty (30) days notice to the tenant. The tenant shall retain any refund and may offset any unpaid refund against future rental payments.

f. **Alternative Rent Adjustment**. If a re-rental certificate is denied by the Department on the grounds that the landlord has failed to comply with the requirements of Section 151.09A9 and if the procedures otherwise required have been complied with, then the application for a re-rental certificate, shall subsequently be considered by the Department as an application for a rent adjustment pursuant to Section 151.07A1. When a re-rental certificate is denied by the Department on grounds other than those listed in this subsection, the landlord shall submit a separate application for any rent adjustment under this chapter.

g. **Hearings**. The determination of the Department shall be final unless a request for hearing is filed by the landlord or a tenant, and such request is received by the Department within fifteen (15) calendar days after the mailing of the determination by the Department. Each request for a hearing shall be accompanied by a filing fee in the amount of $35.00 and the landlord shall not recover this fee from any tenant. Unless otherwise stated in this subdivision, the provisions of Section 151.07 A3 and any guidelines of the Commission shall be applicable to the review of the determination of the Department. At the option of the landlord, and if the procedures otherwise required pursuant to Section 151.07 A2 have been satisfied, the hearing officer may jointly consider whether the landlord is entitled to a re-rental certificate or a rent adjustment pursuant to Section 151.07 A1 if the re-rental certificate application is denied as specified in Section 151.07A7.

8. The Commission shall promulgate regulations to establish the health, safety, and habitability standards which shall be followed for any capital improvement or rehabilitation work performed while a tenant is residing in the rental unit. These regulations shall include, but not be limited to, provisions regarding advance notification, security, fire standards, pest control, the operation of dangerous equipment, utility interruptions, the use of potentially dangerous construction materials, and the protection of tenants from exposure to natural elements. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)**

B. Authority of the Commission and Hearing Officers.

1. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)** A designated hearing officer shall have the authority, in accordance with such guidelines as the Commission may establish, to grant increases in the rent for a rental unit, or for two or more rental units located in the same housing complex, upon receipt of an application for adjustment filed by the landlord and after notice and hearing, if the hearing officer finds that such increase is in keeping with the purposes of this chapter and that the maximum rent or maximum adjusted rent otherwise permitted pursuant to this chapter does not constitute a just and reasonable return on the rental unit or units. The following are factors, among other relevant factors as the Commission may determine, which may be considered in determining whether a rental unit yields a just and reasonable return:

a. property taxes;

b. reasonable operating and maintenance expenses;

c. the extent of capital improvements made to the building in which the rental unit is located as distinguished from ordinary repair, replacement and maintenance;

d. living space, and the level of housing services;

e. substantial deterioration of the rental units other than as a result of ordinary wear and tear;

f. failure to perform ordinary repair, replacement and maintenance; and

g. financing costs on the property if such financing was obtained prior to June 1, 1978 and if it contains either a balloon payment or variable rate provision.

2. **Anti-Speculation Provision**. If the only justification offered for the requested rent increase on the landlord's application is an assertion that the maximum rents or maximum adjusted rents permitted pursuant to this chapter do not allow the landlord a return sufficient to pay both the operating expenses and debt service on the rental unit or units or on the housing complex containing the rental unit or units, a rent adjustment will not be permitted pursuant to this subsection to a landlord who acquired an interest in the rental unit or units after October 1, 1978.

3. **Procedures**.

a. An application for rent adjustment shall be submitted on a form and with the number of copies prescribed by the Department and shall include among other things the addresses and unit numbers of the unit or units for which an adjustment is requested. Such application may include all rental units in a housing complex for which a rent increase is requested. Each application shall be accompanied by a $25.00 filing fee. An applicant shall produce at the request of the Department or hearing officer to whom the matter is assigned such records, receipts or reports as the Department or hearing officer may deem necessary to make a determination on the adjustment request. Failure to produce such requested items shall be sufficient basis for the Department or hearing officer to terminate the rent adjustment proceeding. All applications shall be accompanied by a declaration stating that the above information is true and correct. **(Amended by Ord. No. 164,167, Eff. 12/12/88.)**

b. Upon receipt of a completed application, the application shall be referred by the Department to a hearing officer for processing and determination. The Department shall notify by mail the tenant or tenants of the subject unit or units of the receipt of such application, the amount of the requested rent increase, the landlord's justification for the request, and the place, date and time of the hearing on the adjustment request. The hearing shall be set no less than 10 days nor more than 45 days after the date of mailing such notice.

c. The hearing shall be conducted by a hearing officer designated by the Department. At the time of the hearing the landlord and/or any affected tenant may offer such documents, testimony, written declarations or evidence as may be pertinent to the proceedings.

d. A determination with written findings in support thereof shall be made by the assigned hearing officer within 75 days from the date of the filing of the application. A rent adjustment may be granted for less than, but for no more than the amount requested.

e. Copies of the findings and determination of the hearing officer shall be mailed by the Department to the applicant and all affected tenants. The determination shall become final 15 days from the date of mailing unless an appeal is filed with the Commission within such period. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

4. **Appeals**.

a. **Time and Manner**. An appeal to the Commission from the determination of a hearing officer may be filed by the applicant or any affected tenant pursuant to this subsection within 15 days after mailing of such determination. Such appeals shall be in writing and shall be filed in the office of the Department upon a form and with the number of copies required by the Commission. Each appeal shall be accompanied by a $50.00 filing fee. An appeal shall set forth specifically wherein the appellant believes there was an error or abuse of discretion by the hearing officer. Additionally, an appeal may be made based on new, relevant information which was not submitted to the hearing officer at the time of the initial determination due to mistake, surprise, inadvertence, or excusable neglect, and which information would have affected the determination of the hearing officer if it had been submitted earlier. The filing of an appeal will not stay the effect of the hearing officer's determination. However, any rent increases collected by the landlord pursuant to the hearing officer's determination but not approved on appeal shall be forthwith refunded to the tenant or tenants from whom such rent increases were collected or offset against the next legally due rental payment. **(Amended by Ord. No. 164,167, Eff. 12/12/88.)**

b. **Record on Appeal**. Upon receipt of an appeal, the entire administrative record of the matter, including the appeal, shall be filed with the Commission. At any time prior to action on the appeal, the hearing officer may submit to the Commission written comments pertaining to the appeal.

c. **Hearing Date and Notice**. Upon receipt of the appeal, the Commission shall cause the matter to be set for hearing before three or more Commissioners acting as an appeals board, and notice shall be given by mail of the date, time, place and purpose thereof to the applicant and all affected tenants. Such notice shall be in writing and mailed at least 10 days prior to said hearing. The appeals board shall make its determination within 60 days after the expiration of the appeal period or within such extended period of time as may be mutually agreed upon by the appellant and the designated appeals board. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

d. **Determination**. If the appeals board fails to act within the time limits specified in this section, the determination of the hearing officer shall become final. The decision on appeal shall be concurred in by a majority of the appeals board. The appeals board may affirm, modify or reverse the determination of the hearing officer. It may modify or reverse such determination only upon making written

findings setting forth specifically either (i) wherein the action of the hearing officer was in error or constituted an abuse of discretion, or (ii) the new information not available at the time of the hearing upon which the appellant relies, and supporting its own determination. A copy of the findings and determination shall be mailed to the applicant and to affected tenants. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

SEC. 151.08. AUTHORITY OF COMMISSION TO REGULATE BY CLASS.

A. In addition to the authority contained in Section 151.07, the Rent Adjustment Commission may make such adjustments, either upward or downward, of the maximum rent or maximum adjusted rent for any class of rental units as it determines are appropriate to carry out the purposes of this chapter. For the purposes of this section, the phrase "**class of rental units**" may include all rental units or certain categories of rental units based on such common characteristics as the Commission may determine, including size, age, construction, rent, or geographic area.

B. The Commission shall promulgate regulations on what constitutes corresponding reductions in rents in those instances where there is a reduction of housing services, and on permissible rent increases where a rental unit regularly experiences a seasonal fluctuation in rents.

C. For the purpose of adjusting rents under the provisions of this section, the Commission may promulgate by regulation a schedule of standards for permissible rental increases, or required decreases related to the improvement, reduction, or deterioration in housing services or facilities, or to increases or decreases in operating expenses and taxes. A decrease in operating expenses shall include a reclassification of the rate of the sewer service charge from commercial rates to residential rates for master metered mobilehome park residents. **(Amended by Ord. No. 168,353, Eff. 1/3/93.)**

D. The Commission may promulgate regulations extending the amortization period for rent adjustments granted by the Department pursuant to Section 151.07A of this chapter, where the capital improvement and/or rehabilitation work has been funded or subsidized through a federal, state or City housing program. **(Added by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

E. The Commission shall promulgate regulations to determine the appropriate maximum adjusted rent on a rental unit when the tenant of a rental unit was, but no longer is, the resident manager, and when a rental unit, formerly occupied by a resident manager, is offered for rent to another person. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

SEC. 151.09. EVICTIONS.

(Amended by Ord. No. 154,237, Eff. 8/30/80, Oper. 9/1/80.)

A. A landlord may bring an action to recover possession of a rental unit only upon one of the following grounds:

1. The tenant has failed to pay the rent to which the landlord is entitled, including amounts due under Subsection D of Section 151.05.

2. **(Amended by Ord. No. 166,373, Eff, 12/8/90.)** The tenant has violated a lawful obligation or covenant of the tenancy and has failed to cure such violation after having received written notice thereof from the landlord, other than a violation based on:

(a) The obligation to surrender possession upon proper notice, or

(b) The obligation to limit occupancy, provided that the additional tenant who joins the occupants of the unit thereby exceeding the limits on occupancy set forth in the rental agreement is either the first or second dependent child to join the existing tenancy of a tenant of record or the sole additional adult tenant. For purposes of this section, multiple births shall be considered as one child. The landlord, however, has the right to approve or disapprove the prospective additional tenant, who is not a minor dependent child, provided that the approval is not unreasonably withheld.

3. **(Amended by Ord. No. 171,442, Eff. 1/19/97.)** The tenant is committing or permitting to exist a nuisance in or is causing damage to, the rental unit or to the appurtenances thereof, or to the common areas of the complex containing the rental unit, or is creating an unreasonable interference with the comfort, safety, or enjoyment of any of the other residents of the rental complex or within a 1,000 foot radius extending from the boundary line of the rental complex.

The term "**nuisance**" as used in this subdivision includes, but is not limited to, any gang-related crime, any documented activity commonly associated with illegal drug dealing, such as complaints of noise, steady traffic day and night to a particular unit, barricaded units, sighting of weapons, drug loitering as defined in Health and Safety Code Section 11532, or other drug related circumstances brought to the attention of the landlord by other tenants, persons within the community, law enforcement agencies or prosecution agencies. For purposes of this subdivision, gang-related crime is any crime in which the perpetrator is a known member of a gang, or any crime motivated by gang membership in which the victim or intended victim of the crime is a known member of a gang.

4. **(Amended by Ord. No. 171,442, Eff. 1/19/97.)** The tenant is using, or permitting a rental unit, the common areas of the rental complex containing the rental unit, or an area within a 1,000 foot radius from the boundary line of the rental complex to be used for any illegal purpose.

The term "**illegal purpose**" as used in this subdivision includes, but is not limited to, violations of any of the provisions of Chapter 6 (commencing with Section 11350) or Chapter 6.5 (commencing with section 11400) of the Health and Safety Code.

5. The tenant, who had a written lease or rental agreement which terminated on or after the effective date of this chapter, has refused, after written request or demand by the landlord to execute a written extension or renewal thereof for a further term of like duration with similar provisions and in such terms as are not inconsistent with or violative of any provision of this chapter or any other provision of law.

6. The tenant has refused the landlord reasonable access to the unit for the purpose of making repairs or improvements, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee.

7. The person in possession of the rental unit at the end of a lease term is a subtenant not approved by the landlord.

8. **(Amended by Ord. No. 166,130, Eff. 9/16/90.)** The landlord seeks in good faith to recover possession of the rental unit for use and occupancy by:

a. The landlord, or the landlord's spouse; children, or parents, provided the landlord is a natural person. However, a landlord may use this ground to recover possession for use and occupancy by the landlord, landlord's spouse, child or parent only once for that person in each rental complex of the landlord; or

b. A resident manager, provided that: no alternative vacant unit is available for occupancy by a resident manager; except that where a building has an existing resident manager, the owner may only evict the existing resident manager in order to replace him/her with a new manager.

9. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)** The landlord seeks in good faith to recover possession so as to:

a. demolish the rental unit; or

b. perform work on the building or buildings housing the rental unit or units; and

(1) such work costs not less than the product of $10,000 times the number of rental units upon which such work is performed; and

(2) the primary work costs not less than the product of $9,000 times the number of rental units upon which such work is performed; and

(3) the primary work necessitates the eviction of the tenant because such work will render the rental unit uninhabitable for a period of not less than forty-five (45) calendar days, except that if the landlord seeks to recover possession for the purpose of converting the rental unit into a condominium, cooperative, or community apartment, the landlord must have complied with the notice requirements of Government Code Section 66427.1.

10. The landlord seeks in good faith to recover possession in order to remove the rental unit permanently from rental housing use.

11. The landlord seeks in good faith to recover possession of the rental unit in order to comply with a governmental agency's order to vacate the building housing the rental unit as a result of a violation of the Los Angeles Municipal Code or any other provision of law. **(Added by Ord. No. 164,685, Eff. 5/11/89.)**

B. If the dominant intent of the landlord in seeking to recover possession of a rental unit is retaliation against the tenant for exercising his or her rights under this chapter or because of his or her complaint to an appropriate agency as to tenantability of a rental unit, and if the tenant is not in default as to the payment of rent, then the landlord may not recover possession of a rental unit in any action or proceeding or cause the tenant to quit involuntarily. **(Amended by Ord. No. 161,865, Eff. 1/19/87.)**

C. **(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)** Prior to or at the same time as the written notice of termination described in Civil Code Section 1946, or the three days' notice described in Code of Civil Procedure Sections 1161 and 1161a, is served on the tenant of a rental unit:

1. The landlord shall serve on the tenant a written notice setting forth the reasons for the termination with specific facts to permit a determination of the date, place, witnesses and circumstances concerning the reason. This notice shall be given in the manner prescribed by Code of Civil Procedure Section 1162.

2. When the termination of tenancy is based on the ground set forth in Subdivision 8 of Subsection A of this section, then the landlord shall file with the Department a declaration on a form and in the number prescribed by the Department stating the name of the family member to be moved into the rental unit, identification of the family relationship, the date when the family member will move in, the rent presently being charged for the rental unit and the date of the last rent increase. This declaration shall be served on the tenant in the manner prescribed by Code of Civil Procedure Section 1162 in lieu of the notice required in Subdivision 1 of this subsection.

3. When the termination of tenancy is based of the ground set forth in Subdivision 9 of Subsection A of this section, then the landlord shall file with the Department a declaration on a form prescribed by the Department setting forth the address of the rental unit, the date of the vacancy, the name of the tenant, the current amount of rent charged for the rental unit, a description of the work to be performed, and such further information as requested. The description of work to be performed shall be in detail sufficient to demonstrate that such work will reasonably meet the requirements of Subdivision 9 of Subsection A of this section, including, but not limited to, a description of each item of primary work and the cost for each item, a description of each item of collateral work and the cost for each item, and, for each item which will make the rental unit uninhabitable, a good faith estimate of the period of uninhabitability resulting from such item. Items of work to common areas or attributable to more than one rental unit shall also state the rental units involved. This declaration shall be served on the tenant in the manner prescribed by Code of Civil Procedure Section 1162 in lieu of the notice required in Subdivision 1 of this subsection. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)**

4. When the termination of tenancy is based on the ground set forth in Subdivision 10 of Subsection A of this section, then the landlord shall file with the Department a notice on the form and in the number prescribed by the Department that the landlord intends to evict in order to remove the rental unit permanently from rental housing use. This notice shall be served on the tenant in the manner prescribed by Code of Civil Procedure Section 1162 in lieu of the notice required in Subdivision 1 of this subsection. **(Added by Ord. No. 160,791, Eff. 2/10/86.)**

5. When the termination of tenancy is based on the ground set forth in Subdivision 11 of Subsection A of this section, then the landlord shall file with the Department a declaration on the form and in the number prescribed by the Department stating that the landlord intends to evict in order to comply with a governmental agency's order to vacate the building housing the rental unit. The landlord shall attach a copy of the order to vacate to this declaration. This notice shall be served on the tenant in the manner prescribed by Code of Civil Procedure Section 1162 in lieu of the notice required in Subdivision 1 of this subsection. **(Added by Ord No, 164,685, Eff. 5/11/89.)**

6. When the termination of tenancy is based on the ground set forth in Subdivision 3 or 4 of Subsection A of this section because of alleged illegal drug activity, then the landlord shall file with the Department a declaration on a form and in the number prescribed by the Department setting forth the reasons for the termination with specific facts to permit a determination of the date, place, witnesses and circumstances concerning the reason. **(Added by Ord. No. 164,781, Eff. 6/5/89.)**

7. **(Amended by Ord. No. 171,442, Eff. 1/19/97.)** When the termination of tenancy is based on the grounds set forth in Subdivision 3 or 4 of Subsection A of this section because of alleged drug-related nuisance, illegal drug activity or gang-related crime as those terms are defined in Section 47.50 A of this Code, and the landlord desires to raise the rent upon re-rental of the rental unit pursuant to Section 151.06 C of this Chapter, then the landlord shall file with the Department a declaration on a form and in the number prescribed by the Department setting forth the reasons for the termination with specific facts to permit a determination of the date, place, witnesses and circumstances concerning the reason, including the name of the person and/or the organizational affiliation of the law enforcement or prosecution agency that provided the landlord with the information upon which the notice of intent to terminate the tenancy will be based.

D. A landlord shall not change the terms of a tenancy to prohibit pets and then evict the tenant for keeping a pet which was kept and allowed prior to the change, unless the landlord can establish that the pet constitutes a nuisance and the nuisance has not been abated upon proper notice to the tenant. **(Amended by Ord. No. 154,736, Eff. 1/9/81.)**

E. In any action by a landlord to recover possession of a rental unit, the tenant may raise as an affirmative defense any violation of the provisions of this chapter. Violation of Subsections A, B or D of this section shall not constitute a misdemeanor. **(Amended by Ord. No. 166,130, Eff. 9/16/90.)**

F. In any action by a landlord to recover possession of a rental unit the tenant may raise as an affirmative defense the failure of the landlord to comply with Section 151.05A of this chapter. **(Added by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

G. If the termination of tenancy is based on the grounds set forth in Subdivisions 8, 9, 10 or 11 of Subsection A of this section, then the landlord shall pay a relocation fee of $5,000 to qualified tenants and a $2000 fee to all other tenants. **(Amended by Ord. No. 164,685, Eff. 5/11/89.)**

1. This payment shall be made as follows:

a. The entire fee shall be paid to a tenant who is the only tenant in a rental unit;

b. If a rental unit is occupied by two or more tenants, any one of whom is a qualified tenant, then each tenant of the unit shall be paid a pro-rata share of the $5,000 fee;

c. If a rental unit is occupied by two or more tenants, none of whom is a qualified tenant, then each tenant of the unit shall be paid a pro-rata share of the $2,000 fee.

In no event shall the landlord be liable to pay more than $5,000 to all tenants residing in a unit in which at least one qualified tenant lives, or to pay more than $2,000 to all tenants residing in a unit in which, no tenant is a qualified tenant.

Nothing in this subsection relieves the landlord from the obligation to provide relocation assistance pursuant to City administrative agency action or any other provision of local, state or federal law. If a tenant is entitled to monetary relocation benefits pursuant to City administrative agency action or any other provision, of local, state or federal law, then such monetary benefits shall operate as a credit against monetary benefits required to be paid to the tenant under this subsection. The monetary relocation benefits paid to a tenant under this subsection may not be applied as a credit against the monetary requirements of Subdivision 9 of Subsection A of this section or as a credit against the monetary requirements for renovation work under Subdivision 8 of the definition of "**Rental Units**" in Section 151.02 of this Code.

2. The landlord shall perform the acts described in this subsection within fifteen days of service of a written notice of termination described in California Civil Code Section 1946; provided, however, the landlord may in its sole discretion, elect to pay the monetary relocation benefits to be paid to a tenant pursuant to this subsection to an escrow account to be disbursed to the tenant upon certification of vacation of the rental housing unit. The escrow account shall provide for the payment prior to vacation of all or a portion of the monetary relocation benefits for actual relocation expenses incurred or to be incurred by the tenant prior to vacation, including but not limited to security deposits, moving expense deposits and utility connection charges. Escrow accounts shall provide that, in the event of disputes between the landlord and the tenant as to the release of funds from escrow, the funds in dispute shall be released to the Department for final determination. The Rent Adjustment Commission shall establish guidelines for the establishment of such escrow accounts, the certification of vacation and pre-vacation disbursement requests.

3. The requirement to pay relocation assistance is applicable to all rental units, regardless of whether the rental unit was created or established in violation of any provision of Law. **(Added by Ord. No. 164,679, Eff. 5/7/89.)**

4. **Exceptions**. This subsection shall not apply in any of the following circumstances: **(Former Subdiv. 3, Renumbered by Ord. No. 164,679, Eff. 5/7/89.)**

a. (**None**)

b. The tenant received actual written notice, prior to entering into a written or oral tenancy agreement, that an application to subdivide the property for condominium, stock cooperative or community apartment purposes was on file with the City or had already been approved, whichever the case may be, and that the existing building would be demolished or relocated in connection with the proposed new subdivision, and the termination of tenancy is based on the grounds set forth in Subdivision 9 or 10 of Subsection A of this section.

c. The tenant received actual written notice, prior to entering into a written or oral agreement to become a tenant, that an application to convert the building to a condominium, stock cooperative or community apartment project was on file with the City or had already been approved, whichever the case may be, and the termination of tenancy is based on the grounds set forth in Subdivision 9 or 10 of Subsection A of this section.

d. The landlord seeks in good faith to recover possession of the rental unit for use and occupancy by a resident manager, provided that the resident manager is replacing the existing resident manager in the same unit. For the purposes of this exception, a resident manager shall not include the landlord, or the landlord's spouse, children or parents. **(Amended by Ord. No. 166,130, Eff. 9/16/90.)**

e. The landlord seeks in good faith to recover possession of the rental unit in order to comply with a governmental agency's order to vacate the building housing the rental unit due to hazardous conditions caused by a natural disaster or act of God. **(Added by Ord. No. 164,685, Eff. 5/11/89.)**

H. In any action by a landlord to recover possession of a rental unit, the tenant may raise as an affirmative defense the failure of the landlord to comply with Subsection G of this section. In addition, any landlord who fails to provide monetary relocation assistance as required by Subsection G of this section shall be liable in a civil action to the tenant to whom such assistance is due for damages in the amount the landlord has failed to pay, together with reasonable attorney fees and costs as determined by the court. **(Added by Ord. No. 160,791, Eff. 2/10/86.)**

I. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)** If the termination of tenancy was based on the grounds set forth in Subdivisions 8, 9, or 10 of Subsection A of this section:

1. The landlord shall file with the Department a declaration on the form prescribed by the Department within ten (10) calendar days of the re-rental of the rental unit. This declaration shall indicate the address of the rental unit, the date of the re-rental, the amount of rent being charged to the current tenant, the name of the current tenant and such further information as requested by the Department.

2. If the termination of tenancy was based on the ground set forth in Subdivision 9 of Subsection A of this section, in lieu of the declaration required in Subdivision 1 of this subsection, the landlord shall file with the Department a declaration on the form prescribed by the Department within thirty (30) calendar days of the re-rental of the rental unit. This declaration shall state the address of the rental unit, the date of the re-rental, the date that the rental unit was vacated by the preceding tenants, the names of the current and preceding tenants, the amount of rent charged to the current tenants and last charged to the preceding tenants, and such further information as requested. The declaration shall also set forth in detail the actual cost for each item of the work performed, separated into primary and collateral work. For those items which resulted in the uninhabitability of the rental unit, there shall be a statement of the beginning and ending dates of uninhabitability for each item and an explanation of the necessity for the periods of uninhabitability. The declaration shall also set forth the actions taken by the landlord in order to comply with the right of first refusal required by Section 151.09 K.

This declaration is required irrespective of whether the landlord is seeking a re-rental certificate pursuant to Section 151.07 A7.

J. If the notice served pursuant to Section 151.09C1 of this Code indicates that the landlord seeks to recover possession of the rental unit because the number of occupants exceeds the standards set forth in Section 91.1207 of this Code, then the landlord in good faith shall offer to the tenants a comparable rental unit which would resolve the overcrowding problem, in accordance with such guidelines as may be promulgated by the Rent Adjustment Commission. Further the written notice of termination described in Civil Code Section 1946 or the three days' notice described in Code of Civil Procedure Section 1161, shall give the tenant the opportunity to comply with the requirements of Section 91.1207 of this Code, also in accordance with such guidelines as may be promulgated by the Rent Adjustment Commission. **(Added by Ord. No. 161,865, Eff. 1/19/87.)**

K. Right of First Refusal. (Added by Ord. No. 165,251, Eff. 11/20/89.) If a rental unit is vacated as a result of an eviction or termination of tenancy based on the grounds described in Subdivision 9 of Subsection A of this section, the landlord must, at the same time and in the same manner as the notices required in Subsection C of this section, serve on the tenant a written notice informing the tenant that the tenant has the right of first refusal when the rental unit is first re-rented. Such notice shall conform to any guidelines which the Commission may promulgate.

Before the landlord offers the rental unit for re-rental to any other person, the landlord shall first offer the rental unit for re-rental to the preceding tenant. In order to receive this offer, the tenant shall advise the landlord within thirty (30) calendar days from the eviction or termination of the tenancy that the tenant requests the offer to renew the tenancy and has furnished the landlord with a current address to which that offer is to be directed. That tenant may advise the landlord at any time of a change of address to which an offer can be directed. The tenant may also furnish a current mailing address or change of address to the Department.

The renewal offer shall be on the same terms and conditions as the prior rental agreement, except that the amount of the maximum rent or maximum adjusted rent may in good faith be increased to any amount, subject to the requirements of Section 151.07 A7. The offer shall be sent by certified mail addressed to the tenant at the address given to the landlord and shall describe the terms of the offer. The tenant shall have thirty (30) calendar days from the date of mailing, or the date that the rental unit first becomes available, if such date is specified in the offer and is more than thirty (30) calendar days from the deposit of the offer in the mail, to accept the offer by either personal delivery or by certified mail.

Any landlord who fails to comply with this subsection shall be liable in a civil action to the tenant denied the right of first refusal for any damages, reasonable attorney fees, and any costs as determined by a court.

L. Other Displacements. (Added by Ord. No. 169,372, Eff. 3/1/94.)

1. Notwithstanding any provision of the Los Angeles Municipal Code to the contrary, if a tenant of a unit subject to the City's Rent Stabilization Ordinance is forced to vacate her/his unit as a result of the January 17, 1994 earthquake and aftermath, and if the landlord desires to re-rent that unit, then, prior to offering the unit to any other tenant and within 30 days after completion of repairs to the unit, the landlord shall offer in writing to the tenant the same unit under the same terms and conditions as existed prior to her/his displacement, except that the landlord may apply for a rent increase as may be approved by the City's Rent Stabilization Division, or by the Rent Adjustment Commission on appeal, pursuant to the City's Rent Stabilization Ordinance.

2. The tenant shall have five days after receipt of the landlord's offer to inspect the unit and accept or reject the offer. If accepted, the tenant shall occupy the unit within 30 days from the date of acceptance of the offer.

3. The tenant shall, within 45 days of the effective date of the ordinance, provide written notice to the landlord of the tenant's interest to reoccupy the rental unit once all necessary repair work has been completed. The tenant who desires to reoccupy the rental unit shall furnish the landlord with the tenant's current address and shall notify the landlord in writing of any change of address. If a tenant is unable to ascertain an address of the landlord to which the notice can be sent, the tenant may file a copy of the notice with the City's Rent Stabilization Division, and this notice shall constitute compliance by the tenant with the obligation to notify the landlord. Upon request by the landlord, the Rent Stabilization Division shall provide the landlord with any copies of any written notices received by the Rent Stabilization Division.

4. The costs of rehabilitation which are necessary before re-renting a unit which was damaged as set forth in Subdivision 1 above, which costs were not reimbursed by insurance proceeds, or by Federal, State, or local grant funds, or by any other means (such as a satisfied judgment), may be passed through to the tenant by utilization of the process set forth in the Rent Stabilization Ordinance. The landlord may serve a 30-day notice (as required by state law) of a proposed rent increase on the tenant 15 days after the landlord has applied to the Rent Stabilization Division for such an increase. The landlord shall not accept or demand a rent increase from the tenant until the landlord receives the City's approval of the rent increase. The Rent Stabilization Division shall inform the landlord and tenant of all their rights regarding the proposed rent increase as currently required by the City's Rent Stabilization Ordinance.

5. If a tenant either fails to accept the offer, give notice, or take possession of the rental unit, within the applicable time periods described, the landlord shall be free to offer the unit to any tenant, subject to the requirements of the Rent Stabilization Ordinance.

6. A landlord who attempts to re-rent a unit, but refuses to allow a tenant to return to her/his home under this subsection shall be guilty of a misdemeanor. Any person who violates this subsection shall also be liable in a civil action for damages and/or injunctive relief, if appropriate, together with reasonable attorneys' fees and costs as determined by the court.

7. The landlord's offers and notices required shall be given in the manner prescribed by Code of Civil Procedure Section 1162 or by certified mail. The tenant shall give any acceptance or notice by first class mail or by utilizing the procedures set forth in Section 1162 at the tenant's option. If any notice, offer, or acceptance is given by mail, then the postmark date shall be deemed the date of that notice, offer, or acceptance.

8. The Rent Stabilization Division shall attempt to notify affected tenants and landlords of the provisions of the ordinance and may devise any forms it deems necessary to implement the ordinance for use by landlords and tenants. The Rent Adjustment Commission shall have the authority to promulgate any rules and regulations it deems necessary to implement the ordinance.

9. The provisions of this subsection shall apply to tenants regardless of whether or not their security deposits were returned in accordance with state law.

10. The provisions of this subsection shall not apply to any tenant whose tenancy was the subject of a judicial proceeding to terminate the tenancy prior to January 17, 1994, if that proceeding results in a final judgment terminating the tenancy.

SEC. 151.10. REMEDIES.

A. Any person who demands, accepts or retains any payment of rent in excess of the maximum rent or maximum adjusted rent in violation of the provisions of this chapter, or any regulations or orders promulgated hereunder, shall be liable in a civil action to the person from whom such payment is demanded, accepted or retained for damages of three times the amount by which the payment or payments demanded, accepted or retained exceed the maximum rent or maximum adjusted rent which could be lawfully demanded, accepted or retained together with reasonable attorneys' fees and costs as determined by the court.

B. **(Amended by Ord. No. 160,791, Eff. 2/10/86.)** Any person violating any of the provisions, or failing to comply with any of the requirements of this chapter shall be guilty of a misdemeanor except that violation of Subsections A, B or D of Section 151.09 shall not constitute a misdemeanor.

Any person who willfully or knowingly with the intent to deceive, makes a false statement or representation, or knowingly fails to disclose a material fact, in a notice or declaration required under Subsection C or I of Section 151.09 or in any declaration, application, hearing or appeal permitted under this chapter, including any oral or written evidence presented in support thereof, shall be guilty of a misdemeanor.

Any person convicted of a misdemeanor under the provisions of this chapter shall be punished by a fine of not more than $1,000.00 or by imprisonment in the County Jail for a period of not more than six months or both. Each violation of any provision of this chapter and each day during which such violation is committed, or continues, shall constitute a separate offense. **(Amended by Ord. No. 161,865, Eff. 1/19/87.)**

Any person who willfully or knowingly with the intent to deceive, makes a false statement or representation, or knowingly fails to disclose a material fact, in a notice or declaration required under 153.03A(2)(a) of the Los Angeles Municipal Code, shall be guilty of a misdemeanor. **(Added by Ord. No. 171,074, Eff. 6/23/96.)**

SEC. 151.11. REFUSAL OF A TENANT TO PAY.
(Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)

A. A tenant may refuse to pay any rent in excess of the maximum rent or maximum adjusted rent permitted pursuant to this chapter or regulations or orders adopted hereunder or as further permitted by this chapter or by ordinance. The fact that such rent is in excess of maximum rent or maximum adjusted rent shall be a defense in any action brought to recover possession of a rental unit or to collect the illegal rent. This subsection shall not be applicable to any rental unit not subject to the restrictions on rent set forth in this chapter.

B. A tenant may withhold the payment of any rent otherwise lawfully due and owing after July 1, 1979 until such time as the landlord has complied with Section 151.05A of this chapter. Once the landlord has complied with Section 151.05A of this chapter the tenant becomes obligated to pay the current rent and any back rent withheld pursuant to this subsection.

SEC. 151.12. OPERATIVE DATE.

This chapter shall become operative on May 1, 1979.

SEC. 151.13. MINOR ERRORS IN PAYMENT.

If a discrepancy exists between the amount of the registration fee paid and the amount due under this chapter which results in the underpayment or overpayment of the fee in an amount of $5.00 or less, then the Department may accept and record such underpayment or overpayment without other notification to the landlord. **(Title and Section Amended by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

SEC. 151.14. FILING OF APPLICATION FOR RENT ADJUSTMENTS, REQUESTS FOR HEARING, AND APPEALS.

A. Filing Date. **(Amended by Ord. No. 165,251, Eff. 11/20/89.)** An application for rent adjustment, request for hearing, appeal or re-rental certificate shall be considered as filed on the date it has been completed in accordance with the applicable rules and regulations, and received together with any required filing fee by the Department. If at any time during the processing of an application it is determined that an application has been improperly prepared, or requires additional information not submitted in accordance with the rules and regulations, the time limits specified within this chapter shall be suspended and not continue to run until the application has been rectified or the omitted information furnished upon written notification to the applicant.

B. **Place of Filing**. Whenever the provisions of this chapter provide that applications or requests for hearing or appeals be filed in the office of the Department, such applications or requests for hearing or appeals may be filed in any of the branch offices of the Department.

C. An application fee required under this section may be waived by the Department for any individual who files a declaration stating that he or she annually earns no more than 50% of the median income for the Los Angeles area. The declaration shall state the above information is true and correct. The median is to be determined by the standards utilized by the Housing Authority of the City of Los Angeles acting pursuant to HUD relations. **(Amended by Ord. No. 160,791, Eff. 2/10/86.)**

D. If a hearing officer determines, based on clear and convincing evidence, that an applicant has willfully or knowingly with the intent to deceive, made or caused to be made a false statement or representation, or knowingly failed to disclose a material fact, in connection with any application under consideration by the hearing officer, then the hearing officer may deny the application. Any determination by the hearing officer based on this subsection shall be appealable to the Rent Adjustment Commission. **(Added by Ord. No. 160,791, Eff. 2/10/86.)**

E. For purposes of this chapter, if an application, request for appeal or request for hearing is mailed to the Department, it is deemed to be received as established by the date of the postmark affixed on an envelope properly addressed to the Department. **(Added by Ord. No. 160,791, Eff. 2/10/86.)**

SEC. 151.15. PENALTIES FOR LATE REGISTRATION.

Any landlord who fails to pay the fee for registration or registration renewal in accordance with the provisions of Section 151.05 of this chapter shall pay a penalty of $6.00 for a delinquency incurred prior to January 1, 1989, and a penalty of $14.00 for a delinquency incurred subsequent to that date per subject rental unit in addition to the amount of the fee. Provided, however, that any landlord who pays a fee after the Department has notified the landlord of the landlord's delinquency in failing to comply with the registration requirements of this chapter shall pay a penalty of $15.00 for a delinquency incurred prior to January 1, 1989, and a penalty of $28.00 for a delinquency incurred subsequent to that date per subject rental unit in addition to the amount of the fee. **(Amended by Ord. No. 164,559, Eff. 5/4/89.)**

Provided, however, that the penalty fees as required herein may be waived by the Department if the Department determines that good cause exists for the landlord's failure to pay the registration fee in a timely manner. The Department may make such rules and regulations as may be necessary to carry out the provisions of this subsection. Such rules and regulations shall be approved by the City Attorney prior to becoming effective. **(Added by Ord. No. 155,243, Eff. 6/22/81.)**

SEC. 151.16. RESEARCH SERVICES.

(Added by Ord. No. 161,704, Eff. 11/28/86.)

Upon request by any member of the public, the Department may provide non-confidential statistical information compiled from various data sources maintained by the Department.

The Department may recover the cost of providing such services by charging $100.00 per hour for the first hour or portion thereof and $50.00 for each subsequent hour or portion thereof.

Any monies collected pursuant to this section shall be deposited by the General Manager or his designee into the Rent Stabilization Trust Fund.

SEC. 151.18. ADDITIONAL SERVICES CONTRACTS.

A landlord and tenant may enter into a contract for the provision of any housing service which was not a part of the original terms of the tenancy. A valid additional services contract must be written, and must describe each additional service, specify the period of time for which the additional service will be provided, and the monthly charge for the service. Termination of the tenancy shall also terminate the additional services contract. Any monies paid pursuant to an additional services contract shall not be considered rent for any purpose under this chapter. Neither the refusal of a tenant to enter into an additional services contract, nor the breach of such contract shall be a ground for termination of the tenancy. **(Added by Ord. No. 156,597, Eff. 5/20/82, Oper. 5/15/82.)**

SEC. 151.19. REVIEW OF ORDINANCE.

During the period beginning on January 1, 1988 and ending June 30, 1988, the City Council, based on a report from the Community Development Department, shall undertake a detailed review of the Rent Stabilization Ordinance. The review shall include public hearings on the operation of the Rent Stabilization Ordinance and the impact of the ordinance on the existing rental housing stock, the rental housing market and production of new rental housing units in the City. **(Amended by Ord. No. 160,791, Eff. 2/10/86.)**

Additionally, the City Council shall review the dollar amount requirements of Section 151.09A9 on or before October 1, 1992 and at least once every three (3) years thereafter. **(Added by Ord. No. 165,251, Eff. 11/20/89.)**

SEC. 151.20. TEMPORARY EVICTION CONTROLS AND RENT REDUCTIONS FOR MOBILE HOMES DAMAGED IN THE JANUARY, 1994 EARTHQUAKE.

(Added by Ord. No. 169,363, Eff. 3/1/94.)

A. Notwithstanding any provision of the Rent Stabilization Ordinance or any provision of the Los Angeles Municipal Code to the contrary, the following provisions shall apply to any mobile home, which is subject to the provisions of the City's Rent Stabilization Ordinance, rendered untenantable, as a result of the January 17, 1994 earthquake and its aftermath:

> The ground for eviction set forth in Section 151.09 A 1 (non-payment of rent) of the Los Angeles Municipal Code shall not apply if a mobile home within a mobile home park was made untenantable on or after January 17, 1994, because of damage to utility-related facilities on a mobile home pad or a shut off of any utility to the mobile home pad as a result of the earthquake and its aftermath, where park management has the obligation to effect the necessary repairs to the utility system or facilities. A tenant is not required to pay the rent otherwise allowed pursuant to the Rent Stabilization Ordinance for those days that the utility was or is not provided. Once the utility facilities or services to the pad have been repaired, replaced or restored, the tenant shall be required to pay the rent allowed pursuant to the Rent Stabilization Ordinance for the period after that repair, replacement or restoration.

B. The provisions of this section shall remain in effect for a period of 90 days from the effective date of the ordinance adding the section and shall apply to any proceeding which has not resulted in a final judgment on or before the effective date of that ordinance. This section shall apply to mobile homes, as provided in Section 151.02 of the Los Angeles Municipal Code, regardless of whether rent is paid for the mobile home and the land upon which the mobile home is located or rent is paid for the land alone. The Rent Adjustment Commission shall have the authority to promulgate any regulations or guidelines it deems necessary to implement this amendment to the Los Angeles Municipal Code.