



RELOCATIONS ORDERED BY AUTHORIZED GOVERNMENT AGENCIES FOR CODE VIOLATIONS

8300 Santa Monica Blvd., West Hollywood, CA 90069 p: (323) 848-6450 Email: rsd@weho.org

Tenants in the City of West Hollywood are protected from most evictions. However, a tenant can be evicted for certain specific causes such as nonpayment of rent, causing a nuisance, using the unit for illegal purposes, violating terms of the lease, etc. Landlords may also relocate tenants for no fault of their own. One form of relocation occurs when government agencies order that work be performed on a unit and determines that the tenant cannot stay in the unit in its current condition or during the work ([Section 17.52.010\[13\]](#) and [17.52.110](#)).

Can Landlords Evict Tenants in Order to Renovate a Unit?

No. Landlords may not relocate tenants simply in order to rehab or remodel a rental unit. Major remodeling or rehab projects that require a vacant unit would need to wait until the unit is voluntarily vacated. Landlords may only force a tenant to vacate a unit in order to repair or renovate it if:

a. The repairs were ordered by Building and Safety, Health Department, Fire Department or other authorized governmental agency to comply with existing codes **and**: the agency has determined that the repairs cannot be completed with the tenant in the unit or the unit has been ordered demolished or removed from residential use; the agency has determined that the required work will take more than six months; **and** the landlord has obtained all permits required to do the work from the City of West Hollywood and the County of Los Angeles;

or

b. The agency has determined that the unit must be eradicated or demolished because it is uninhabitable or not permitted and the landlord has obtained any required demolition permits.

The landlord cannot relocate the tenants without first obtaining the permits if the governmental agency has found that the conditions are a life-safety issue and ordered that tenants vacate immediately. In this case, the landlord must house the tenants temporarily.

What Notice Must the Landlord Give?

The landlord must give a 60-day written notice to the tenant. A copy of the notice from the authorized agency ordering that the unit be vacated must be attached to the 60-day notice. If Building and Safety, the Fire Department, the Health Department or other authorized agency red tags a unit or property or has ordered the unit(s) vacated in less than 60 days, the landlord must pay reasonable costs for temporary housing at a hotel or other vacant apartment until the end of the period for which the tenant has already paid rent and until the permanent relocation fee has been paid to the tenant.

If a tenant is relocated for this purpose, are they entitled to a relocation fee?

Yes, the relocation fee must accompany the notice to terminate the tenancy. The 60-day noticing period has not begun until the landlord pays the tenant the appropriate relocation fee. If the unit was red-tagged or ordered vacated by an authorized agency in less than 60 days, the landlord's responsibility to pay reasonable costs for hotel or other vacant apartment does not end until the relocation fees have been paid.

How much is the relocation fee?

Relocation fees must be paid at the time of notice when an owner is relocating a tenant because a government agency orders the unit eradicated, demolished or vacated for a period longer than six months. Refer to the attached relocation fee guide for information on the required fee amount.

What Happens to the Tenant After the Work Is Performed?

Once the work has been performed, the landlord must offer the relocated tenant the right of first refusal to move back into the unit. Only if the tenant refuses the offer, can the unit be rented to someone else.

Can the Rent Be Increased After the Landlord Completes the Work?

No. The rent remains at the Maximum Allowable Rent (MAR) that existed when the tenant was relocated plus any general adjustments that became available while the unit was not rented.

When the owner gives a notice to change the terms of tenancy by terminating it, the unit is not decontrolled during vacancy. So if the relocated tenant chooses not to move back into the unit, the landlord must charge the MAR plus annual general adjustments to the new tenant who moves in when the work is completed.

Must the Landlord File Anything with the City?

The landlord must submit to the Division a copy of the notice to the tenant. Additionally, landlords must file a "Tenant Relocation Counseling Assistance Form" with the Rent Stabilization Division.

What If the Tenant Refuses to Move Out After the Landlord Complies With All Requirements?

If the tenant does not vacate the unit within the sixty (60) day period, they may be taken to court for eviction. In addition, the tenant may have to refund the relocation fees paid by the landlord if ordered by the court.

What If the Work Will Take Less Than Six Months?

If the work ordered by a government agency as listed above will take less than six months or to fumigate for termites or other pests or vermin (if such fumigation cannot be completed while the unit is occupied), the landlord may take temporary repossession of the unit. To do so, the landlord must pay for reasonable costs for temporary housing in a hotel or a vacant apartment.

If the tenants have been relocated because a unit has been "red-tagged" and ordered vacated immediately by Building and Safety, the Fire or Health Department or any other authorized governmental agency and the relocation exceeds seven days, the landlord must notify the Division with the name(s) of the tenant(s) and the location of the temporary housing.

Need Further Assistance?

If you have any questions please contact the Rent Stabilization Division by calling (323)848-6450 during normal business hours: Monday - Thursday, 8:00 a.m. to 5:00 p.m. and Fridays 8:00 a.m. to 4:30 p.m., or visit the City's website at www.weho.org.

The Rent Stabilization Ordinance is amended periodically. Tenants and landlords are encouraged to contact the West Hollywood Rent Stabilization Division for the most current version of the Ordinance.



60-DAY NOTICE TO TERMINATE TENANCY FOR CORRECTION OF VIOLATION(S)

8300 Santa Monica Blvd., West Hollywood, CA 90069 p: (323) 848-6450 Email: rsd@weho.org

Pursuant to the City of West Hollywood Rent Stabilization Ordinance Section 17.52.010(13) an owner may permanently relocate a tenant if Building and Safety, Fire Department, the Health Department or other authorized governmental agency has determined in writing that the rental unit: (1) must be eradicated or demolished because the unit is uninhabitable, not permitted or cannot be occupied in its present state; or (2) may not be inhabited while work is performed to correct a violation noticed by a governmental inspection agency and the required work will take more than six months to complete. If eligibility is met, the landlord must provide the tenant with a 60-Day Notice to Terminate Tenancy pursuant to the following requirements:

- ✓ The landlord **must** issue a “60-Day Notice to Terminate Tenancy for Code Violations” to the tenant, only on the form approved by the City (see reverse side). This notice must be accompanied with a copy of the government agency’s written notice. The tenant may not waive the noticing requirement.
- ✓ The landlord **must** pay the relocation fee at the time the “60-Day Notice to Terminate Tenancy” is served to the tenant. The 60-Day noticing period will not start until the appropriate fees have been paid to the tenant and all required documents are submitted to the City.

Any inquiries regarding this form may be directed to a Rent Stabilization Division Information Coordinator by calling (323)848-6450.

60-Day Notice to Terminate Tenancy for Correction of Violation(s)

To: _____

Tenant(s) in possession of the premises at, _____,

in the City of West Hollywood, County of Los Angeles, California.

Our records show that the current rent for this unit (without the \$6 reg. Fee) is: \$ _____

The current tenancy's move-in date was: _____ (month/year)

You are hereby notified that effective 60 DAYS from the date of service on you of this notice the tenancy by which you hold possession of the premises is terminated for the purpose of Correction of Violation(s) in accordance with Section 17.52.010(13) of the Rent Stabilization Ordinance of the City of West Hollywood. Upon the date of termination, you are required to vacate and surrender possession of the premises.

This notice has been served along with payment of \$ _____ in check/ money order/ cashier's check/ cash, as relocation fees in accordance with Rent Stabilization Ordinance Sections 17.52.010(13) and 17.52.020.

I (we) declare under penalty of perjury under the laws of the State of California that the foregoing and all attached pages, including documentation, are true, correct and complete.

Date

Owner's Signature

Address

City/State/Zip

Phone Number

A copy of this notice must be submitted to the Rent Stabilization Division (RSD). RSD will notify the tenant and the landlord that it has received the notice and that the notice meets or does not meet the standards of the Rent Stabilization Ordinance (RSO) based on Division records. If the RSD finds that the notice meets the RSO based on its records, it will inform the tenant of the RSO requirements and how to notify RSD and the landlord if the tenant has evidence of records to show that the relocation does not comply with the Ordinance.



RELOCATION COUNSELING ASSISTANCE

Parcel Identification Number: _____ - _____ - _____ TR# _____

Property Address: _____
(Street Number) (Street Name) (Number of Units)

Landlord Information:

Name: _____ Phone: (____) _____

Mailing Address: _____

City, State, & Zip Code: _____

(Office Use Only)
Date Received:

Tenant Information: (If additional space is required use reverse side of this form)

Name: _____ Phone: (____) _____

Name: _____ Phone: (____) _____

Address: _____
(Street Number) Street Name (Unit #)

Low-Income Tenant Moderate-Income Tenant Qualified Tenant - Specify: _____

Purpose of Eviction(s): Owner/Relative Occupancy Ellis Act Correction of Violation(s)
 Foreclosure Other - Specify: _____

Calculation of Fees Owed:

Total number of units being evicted with Low/Moderate Income & Qualified* Tenant(s):

*Qualified Tenant = Senior citizen, disabled, minor dependent(s), and/or terminally ill _____ x \$800 = \$ _____

Total number of units being evicted with Standard Tenant(s) _____ x \$500 = \$ _____

Total Amount of Relocation Counseling Fees Owed to the City of West Hollywood:
\$ _____

FINANCE CODE: RELO

Declaration

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attached pages, including documentation, are true correct and complete.

Signature: _____ Date: _____

Print Name: _____

NOTICE: Acceptance of fees shall not constitute approval by the City of the applicant's compliance with the tenant relocation assistance provisions of the West Hollywood Rent Stabilization Ordinance or other legal requirements. Fees shall be non-refundable.

OFFICE USE ONLY

APPROVED _____ DATE _____ COMMENTS: _____

DENIED _____ DATE _____

AMOUNT PAID: _____ CHECK NO. _____



EXEMPTION Unit(s) Deemed Uninhabitable

8300 Santa Monica Blvd., West Hollywood, CA 90069 p: (323) 848-6450 Email: rsd@weho.org

Parcel Identification Number: _____ - _____ - _____

Property Address: _____
(Street Number) (Street Name) (No. of Units)

Landlord/Agent Information:

Name: _____ Phone: (_____) _____

Name: _____ Date of ownership: _____

Mailing Address: _____

City, State, & Zip Code: _____

To Add an Exemption: Latest date unit(s) listed were vacated: _____

(Please check one category, and provide additional documentation and information as requested.)

The following rental unit(s) has/have undergone structural or fire damage:

(provide copy of written notification issued by an authorized governmental agency)

The following rental unit(s) may not be inhabited in its present condition or while work is being performed:

(provide copy of written notification issued by an authorized governmental agency)

Pursuant to the Rent Stabilization Ordinance Section 17.24.010(14), this exemption status is valid for a maximum of twelve months on the next year's registration fees.

Declaration:

I (we) declare under penalty of perjury under the laws of the State of California that the foregoing and all attached pages including documentation, are true correct and complete.

Signature: _____ Date: _____

Print Name: _____

Office Use Only		
APPROVED _____	DATE _____	COMMENTS: _____
DENIED _____	DATE _____	_____
ENTERED _____	DATE _____	_____

Instructions for Applications Regarding Exemptions for Unit(s) Deemed Uninhabitable

Exemptions are *not* automatic. Landlords must apply and submit proof acceptable to the Rent Stabilization Division. The exemption is not effective until approved by the Division. According to Regulation 50003, an exemption may be revoked if it is determined that the exemption was obtained through misrepresentation of the facts by the landlord, or if the use entitling a landlord to an exemption for a particular property or unit has changed

When to Submit This Form?

1. Submit this form to establish an exemption for those units that have undergone structural or fire damage.
2. Submit this form to establish an exemption for units that may not be inhabited in its present condition or while work is being performed.

Who Should Not Use This Form?

Landlords applying for exemptions for individual units (owner/relative occupancy, non-rental use, Ellised properties, etc.).

How to Complete this Form:

Property Address:

Print or type the address and total number of units on the property in question.

Landlord/Agent Information:

Print or type the mailing address of the landlord or agent, including a daytime phone number where the landlord or agent may be reached and date of ownership.

To Add an Exemption:

Print or type the date the unit or the whole property was vacated. Then check the box that indicates the reason why the unit(s) was/were vacated. You **must** attach a copy of the written notice issued by an authorized governmental agency (Building & Safety, Fire Department, Health Department, Code Compliance or other authorized governmental agency) declaring the unit(s) uninhabitable. Absence of this notification will render this application as incomplete.

Declaration:

Read the declaration carefully, and sign and date the form. Print or type your name below the signature. This form will not be processed without the signature of the landlord or the landlord's designated agent.

If you have any questions, please contact the Rent Stabilization Division at (323) 848-6450 during normal business hours: Monday through Thursday, 8 a.m. to 5 p.m.; Fridays 8 a.m. to 4:30 p.m. or visit the City's website at www.weho.org. Our office is located at 8300 Santa Monica Boulevard, West Hollywood, CA, 90069.