

TENANT PROTECTIONS PROGRAM ORDINANCE CHECKLIST

The following Checklist presumes regulations as set forth in the Interim Rent Control Ordinance (IRCO), and identifies areas of potential modification or variation for consideration by the City Council for the permanent Tenant Protection Program. Items identified with a indicate provisions that are already included in the IRCO. Items identified with indicate provisions/issues on which staff is seeking direction. If there is a consensus by the City Council to retain a particular provision that is in the IRCO, the City Council may choose to dispense with discussion on the other options. Additionally, for those items included in the IRCO, City Council could choose to delete them from the permanent Tenant Protection Program.

Types of Units Subject to Eviction Protections:

- Rent controlled units only
- All rental units

Grounds – For Cause Termination:

- Non-payment of rent
- Violation of a material rental agreement term
- Reasonable access to rental unit
- Use of unit to create nuisance or for an illegal purpose
- Unauthorized subletting
- Adding additional occupant without permission
- Refusal to renew rental agreement with similar provisions
- Recovery of manager unit because of termination of manager
- Failure to comply with habitability or relocation plan
- Recovery of unit when tenant no longer meets qualifications for unit (i.e. covenanted affordable housing) [NOTE: This is included in IRCO as No Fault Termination)

Grounds – No Fault Termination:

- Demolition of unit
- Permanently remove from rental housing use (Ellis Act)
- Recovery of unit for manager
- Recovery of unit for immediate family
- Recovery for special occupancy (i.e. intake, case management, etc.)
- Recovery for compliance with government or court order
- Recovery when tenant no longer meets qualifications for unit (i.e. covenanted affordable housing)

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- Recovery for substantial renovation
 - If recovery not grounds for no fault eviction, mandatory relocation assistance during temporary vacation of unit
- Recovery to convert to affordable housing

Protected Tenants Not Subject to No Fault Termination:

- Long-term tenants who are 62 years or older
- Long-term tenants who are disabled
- Terminally ill tenant
- Low-income tenants
- Tenant household with minor child(ren)

Relocation Assistance:

- Amount of relocation assistance payment:***
 - Three (3) times actual monthly rent, plus \$1,000
 - Some other fixed amount, which could include:
 - Another formula based on tenant's actual monthly rent (i.e. 2x month rent, etc.)
 - Average or median market rent in Culver City
 - Some other amount based on multiple factors, which could include:
 - Tenant income
 - Length of tenancy
 - Estimated moving expenses
 - Number of bedrooms in unit
 - Additional amount for tenant households with at least one member of a special population (This issue need only be considered if tenant is not protected from eviction, as discussed above.)
 - 62 years or older
 - Disabled
 - Terminally ill
 - Low income
 - Minor dependents
- Deductions from relocation assistance:***
 - Extraordinary wear and tear, damage, cleaning, etc. not otherwise covered by tenant's security deposit
 - Other relocation assistance required by local, state or federal law

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- Timing of payment:**
 - 50% within 5 days after notice of termination; 50% within 5 days after tenant's vacation of the unit
 - Other specified time period
- Exceptions to the payment of relocation assistance:**
 - Tenant on notice prior to occupancy of application for condominium, stock cooperative or community apartment purposes on file with or approved by City
 - Landlord recovery of unit of existing resident manager for new resident manager in same unit.
 - Landlord recovery of unit in order to comply with a government order to vacate due to hazardous conditions caused by natural disaster or act of God
 - Tenant receives relocation assistance from another government agency, which is equal to or greater than assistance provided under City regulations
 - "Mom and Pop" properties: *(See below for policy consideration of definition of "Mom and Pop".)*
 - Exempt from payment of relocation assistance
 - Reduced payment of relocation assistance
- Notice:** Notice of entitlement to relocation assistance provided at the same time as notice of termination

Other Provisions:

- Voluntary Tenant Buyouts:** (Voluntary tenant buyouts are permissible. The issue is whether to establish regulations governing them.)
 - Yes
 - No – not currently included in the IRCO
- Local anti-harassment provisions:** (State law contains tenant anti-harassment regulations, which, in summary, prohibit a landlord from retaliation and harassment of a tenant for exercising any legal right.)
 - Yes
 - No – not currently included in the IRCO
- 12-Month Vesting Period** (Eviction protections would not vest until 12-months after commencement of tenancy.)
- Definition of "Mom and Pop":**
 - Owner-occupied with set maximum number of units.
 - Non-owner-occupied with set maximum number of units.
 - Property owned by non-corporate entity