



City of Culver City

Staff Report

File #: 21-820, **Version:** 1

Item #: C-8.

CC - Consideration of a Support Position on AB 854 - Residential Real Property: Withdrawal of Accommodations.

Meeting Date: April 12, 2021

Contact Person/Dept: Shelly Wolfberg/City Manager's Office

Phone Number: (310) 253-6000

Fiscal Impact: Yes No

General Fund: Yes No

Public Hearing: **Action Item:** **Attachments:**

Commission Action Required: Yes No **Date:**

Public Notification: (E-Mail) The offices of Assembly Members Alex Lee, David Chiu, Richard Bloom, and Philip Ting; Meetings and Agendas - City Council (04/07/2021).

Department Approval: John M. Nachbar (04/07/2021)

RECOMMENDATION

Staff recommends the City Council consider a "Support" position on AB 854 - residential real property: withdrawal of accommodations.

BACKGROUND/ DISCUSSION

At the March 22, 2021 City Council meeting, the City Council reached consensus to discuss whether to take a support position on AB 854 (Attachment 1).

Current law, commonly known as the Ellis Act, generally prohibits public entities from adopting any statute, ordinance, or regulation, or taking any administrative action, to compel the owner of residential real property to offer or to continue to offer accommodations, as defined, in the property for rent or lease. AB 854 would prohibit an owner of accommodations from filing a notice with a public entity of an intent to withdraw accommodations or prosecuting an action to recover possession of accommodations, or threatening to do so, if not all the owners of the accommodations have been owners of record for at least five continuous years, or with respect to property that the owner acquired within 10 years after providing notice of an intent to withdraw accommodations at a different

property.

Assemblymember Alex Lee (D-San Jose), Author of AB 854, states this bill seeks to stop speculator evictions by requiring five years of ownership before the Ellis Act can be invoked. The Ellis Act allows a property owner to get out of the rental business and evict all tenants from the rental property, notwithstanding any local rent control laws (Attachment 2).

According to the City's Legislative and Policy Platform, the City Council would need to provide direction to staff at a City Council meeting, if the item is not addressed in the City's Platform. Currently, the City's Platform does not have a position on the Ellis Act.

On March 22, 2021, AB 854 was re-referred to the Assembly Committee on Housing and Community Development. If the City Council takes a position of Support on AB 854, staff will transmit a position letter signed by the Mayor to the bill's author, co-sponsors, and appropriate committees in the State Legislature. Staff will evaluate any future amendments to AB 854 to determine if the City can continue to support AB 854 and send additional letters of support based on the updated version of the bill.

FISCAL ANALYSIS

Taking a position on AB 854 does not create a fiscal impact on the City.

ATTACHMENTS

2021-04-12__ATT__AB 854 as amended on March 18, 2021

2021-04-12__ATT__AB 854 Fact Sheet

MOTION

That the City Council:

1. Take a "Support" position on AB 854; or
2. Provide alternate direction as deemed appropriate.