



# City of Culver City

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## Staff Report

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**CC - Consideration of the Following Recommendations from the Landlord-Tenant Mediation Board (LTMB):** (1) Introduction of an Ordinance Amending Culver City Municipal Code Chapter 15.09, Rental Housing, Regarding the LTMB's Role and Duties, and Establishing Additional Notice Requirements for Landlords to Inform Tenants of the Availability of Mediation Services; and (2) Adoption of a Resolution Amending the LTMB Bylaws Regarding Mediation Scope and Procedures.

**Meeting Date:** June 10, 2019

**Contact Person/Dept:** Tevis Barnes/CDD

**Phone Number:** (310) 253-5782

**Fiscal Impact:** Yes ☐ No ☒

**General Fund:** Yes ☐ No ☒

**Public Hearing:** ☐ **Action Item:** ☒ **Attachments:** ☐

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

**Public Notification:** Citywide Mailing and Direct Mailing to all Multi-Family Property Owners with a Culver City Business Tax Certificate (05/21/2019); Publication of Public Notices in the Culver City New and Culver City Observer (05/23/2019, 05/30/2019 and 06/06/2019) Direct Mailing - Section 8 Owner and Program Participants (05/30/2019; Email Notice to Housing Developers; Supportive Service Providers; Apartment Association of Greater Los Angeles; Landlord-Tenant Mediation Board; and Committee on Homelessness (05/13/2019 and 06/03/2019)

**Department Approval:** Sol Blumenfeld, Community Development Director (06/03/19)

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### **RECOMMENDATION**

Staff recommends the City Council consider the following recommendations from the Landlord-Tenant Mediation Board (LTMB):

1. Expand the role of the LTMB to offer voluntary mediation for landlords and tenants on issues pertaining to the habitability of housing units; and
2. Establish notice requirements for landlords to inform their tenants of the City's LTMB mediation program; and

3. Introduce an Ordinance approving related amendments to Culver City Municipal Code (CCMC) Chapter 15.09, Rental Housing; and
4. Adopt a Resolution amending the LTMB Bylaws regarding mediation scope and procedure.

## **BACKGROUND**

On January 28, 2017, the City Council and the Committee on Homelessness hosted a “World Café” style Community Conversation on Affordable Housing. Seventy-six members of the community attended the event which included a panel that provided background on the following topics of discussion:

- Local Mechanism that Encourage Affordable Housing Production and Opportunity;
- How to address Homelessness in Our Community; and
- Expanding the Role of the Landlord Tenant Mediation Board.

At the conclusion of the panel discussion, the attending audience members broke into smaller group session discussions on the above topics. The thoughts and ideas gathered from the smaller table discussions were distilled by staff and compiled into a list of the top three pertinent ideas/suggestions/solutions for each of the topics of discussion. From this discussion came the following recommendations in the area of Expanding the Role of the Landlord Tenant Mediation Board:

- Tenant education to prevent homelessness to stay housed;
- Expand LTMB to any disagreement between residents of Culver City; and
- New tenants and new landlords need more information about the LTMB, its role and the value of using it. This information could be included in new leases.

To effectuate the ideas and solutions from the Community Conversation on Affordable Housing, the LTMB designated an Expansion of Duties Subcommittee on May 31, 2017 to determine methods to expand community education and awareness and expand its scope beyond mediating rent increases. This was followed by a meeting of the full body of LTMB met on November 7<sup>th</sup>, 2018 to consider the Subcommittee’s recommendations and provided preliminary recommendations. Housing Division Staff and the City Attorney’s Office met with the City Council Housing and Homelessness Subcommittee to receive input on the LTMB recommendations on proposed amendments to the CCMC and LTMB Bylaws. At its regular quarterly meeting of January 30, 2019, the LTMB unanimously recommended to present the LTMB’s recommendations to the City Council for consideration.

## **DISCUSSION**

A summary of the LTMB’s recommendations, including key changes to the existing CCMC Chapter

15.09 and the LTMB Bylaws, are set forth below:

*Community Outreach and Awareness of LTMB Mediation Services*

- Require landlords to add a provision to every lease, through amendment or addendum, informing tenants of the availability of mediation services provided by the LTMB. (Note: The City Council may wish to give a grace period within which to require landlords to accomplish this and staff is seeking direction in this regard. If a grace period is recommended, it will be added into Section 15.09.050.A of the proposed Ordinance.);
- Require landlords to include a notice of availability of mediation services, along with any notice of rent increase;
- Designate a Board Member to go out into the community and inform tenants of mediation services (this does not require an amendment, as the current Bylaws include a Community Outreach Coordinator, which may be designated by the Board on an as-needed basis, Bylaws Section V.C);
- Update the informational brochure of the program; and
- Better placement of mediation program on City's website.

*Mediation Scope and Procedures*

LTMB recommends a 6-12 month pilot program of voluntary mediation to address the following issues:

- Habitability issues
- Condition of property itself, i.e. repairs
- Responsibility for payment of utilities
- Housing-related issues
- Violations of lease

In addition, changes to the Bylaws are being recommended to modify and/or clarify the scope and procedures relating to the mediation process, including:

- Specifically identifying habitability issues as a matter that is eligible for voluntary mediation;
- Allowing for various compositions of a mediation panel, when one representative from each category is not feasible;
- Limiting the time period for a mediation session;
- Limiting the number of mediation sessions on the same matter; and
- Referring parties to the City of Los Angeles Mediation Program (which is open to all Los Angeles County residents), when parties do not agree on the composition or number of mediation panel members.

Further detail of the amendments to CCMC Chapter 15.09 are reflected in the proposed Ordinance (Attachment 1). With regard to the proposed Ordinance, staff recommends the Council provide direction with regard to any grace period relating to Section 15.09.050.A prior to introducing the

Ordinance.

The proposed amendments to the LTMB Bylaws are reflected in Attachment 2 (proposed Resolution with final Bylaws) and Attachment 3 (revised Bylaws in strike-through/underline).

### Community Outreach/Public Notification

Extensive public outreach was conducted to inform the community of the proposed amendment to CCMC Chapter and the LTMB Bylaws. A citywide mailing was transmitted on May 21, 2019. In addition, a direct mailing was sent on May 21, 2019 to all multi-family property owners with a Culver City business tax certificate. Quarter page public notices were placed in the May 23 and 30 and June 6, 2019 Culver City News and Culver City Observer. All Section 8 participating property owners and Section 8 Program participants were transmitted public notices on May 30, 2019 and an email blast was sent to local housing developers, supportive service providers and the Apartment Association of Greater Los Angeles (AAGLA) on May 13<sup>th</sup> and June 3, 2019. In addition, notice was transmitted to the LTMB and the COH on May 13, 2019 and June 3, 2019.

### FISCAL IMPACT

There is no fiscal impact related to the discussion of this matter, the introduction of the proposed Ordinance or the adoption of the proposed Resolution. In the event the City Council approves the LTMB's recommended pilot program, as described above, there will be costs associated with additional staff time and resources, which are difficult to predict at this time.

### ATTACHMENTS

1. Proposed Ordinance
2. Proposed Resolution
3. Strike-through/underlined LTMB Bylaws

### MOTION

That the City Council:

1. Discuss the recommendations of the LTMB as set forth in the staff report; and
2. Introduce an Ordinance amending Culver City Municipal Code Chapter 15.09, Rental Housing, regarding the LTMB's role and duties, and establishing additional notice requirements for landlords to inform tenants of the availability of mediation services; and

3. Adopt a Resolution amending the LTMB Bylaws regarding mediation scope and procedures;