

ANNUAL REPORT 2012



CITY OF
WEST HOLLYWOOD

Rent Stabilization and Housing





INTRODUCTION

Rent stabilization was a primary goal when the City of West Hollywood was incorporated in 1984. The City’s Rent Stabilization Ordinance was adopted in 1985 “to protect tenants from unreasonable and excessive rates, to protect tenants from involuntary displacement, to keep rents within the City at a moderate level and at the same time to ensure a just and reasonable return to landlords.”¹

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The City of West Hollywood publishes an Annual Report that summarizes the work of the Rent Stabilization and Housing Program with information about key programs, policies, and services provided to constituents. This 2012 Annual Report reflects the program’s continued emphasis on community involvement, education for tenants and landlords, and the creation of flexible responses to the needs of the City’s aging population. The Report includes detailed descriptions of services delivered by the Department during the past year and over a period of time. The Report also offers information about the administration of rent stabilization programs, and an update of affordable housing accomplishments and programs. The Report includes a summary of rent

stabilization-related legal services and mediation services for landlord and tenant disputes.

During 2012, the City of West Hollywood underwent a reorganization, and the Rent Stabilization and Housing Department is now incorporated into the Human Services and Rent Stabilization Department, further reflecting how rent stabilization services are closely connected to the provision of services that help people live in their homes with an improved quality of life.

If you have any questions, please contact Elizabeth Savage, Director of Human Services and Rent Stabilization, at (323) 848-6490.

¹ City of West Hollywood Municipal Code section 17.04.020.



Excerpt From the
City of West Hollywood

STRATEGIC PLAN VISION 2020

CORE VALUES

Respect and Support for People

We recognize and celebrate the diversity of our community by treating all individuals with respect for their personal dignity and providing a wide array of specialized services. We promote mutual respect, courtesy, and thoughtfulness in all interactions.

Responsiveness to the Public

We hold ourselves accountable to the members of our community and are committed to actively seeking public participation. We promote a public process whereby we can respond to the community's needs while balancing competing interests and diverse opinions.

Quality of Residential Life

We maintain a balanced sense of community by protecting quality of life, conserving our historic neighborhoods, safeguarding housing affordability, and proactively governing growth with care and thought.

WEST HOLLYWOOD: DEDICATED TO PRESERVING OUR RESIDENTIAL COMMUNITY

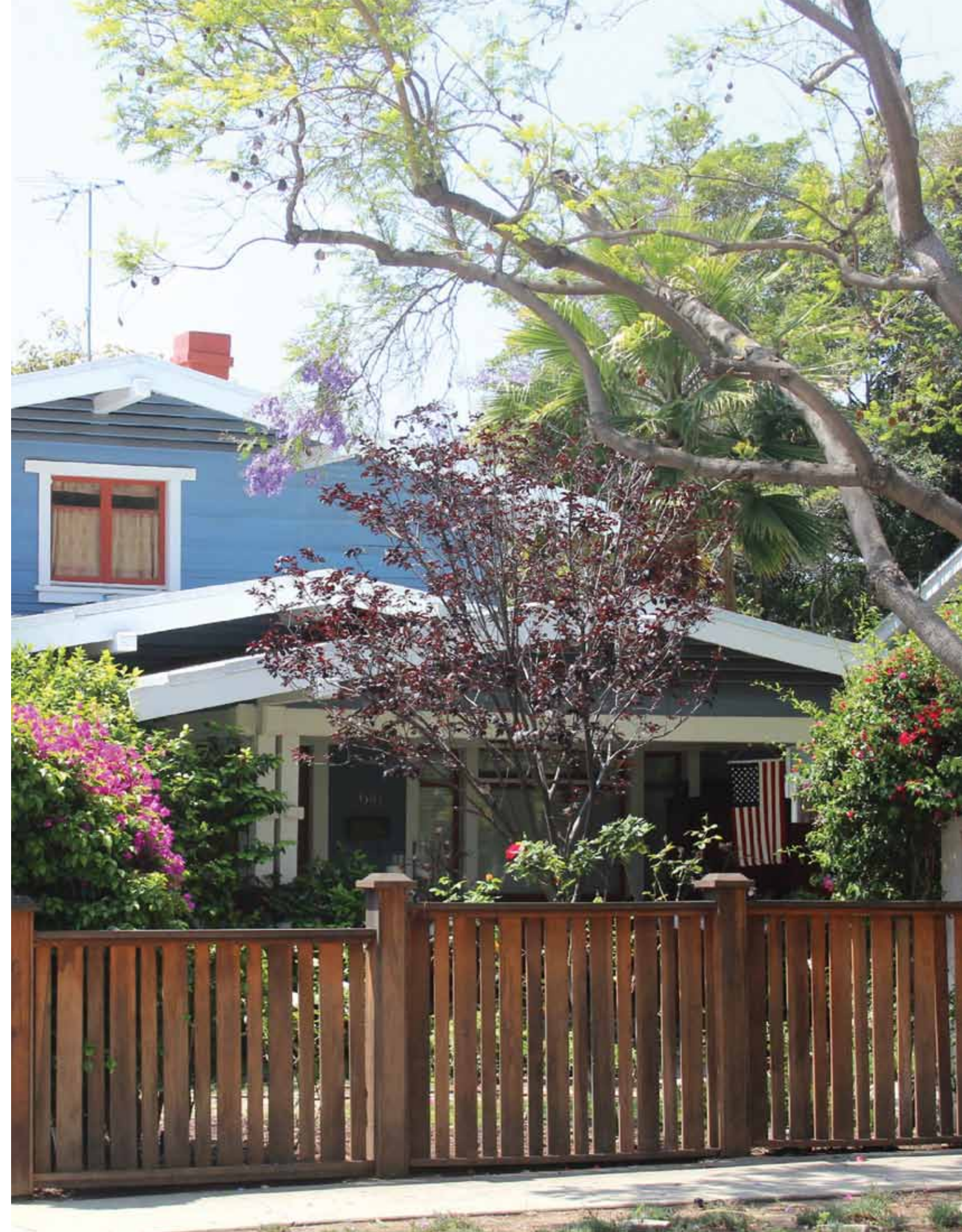
Less than 30 years ago, West Hollywood was an unincorporated area in the midst of a highly urban area of Los Angeles. Decisions were made by the Los Angeles County Board of Supervisors, only one member of which represented West Hollywood. More than three out of four residents lived in rental housing, and real estate speculation led to evictions of long-time neighbors, including many seniors living on fixed incomes. The solution was to create a new City of West Hollywood, overwhelmingly approved by voters in 1984.

Stabilization of rental housing was an immediate priority for the new City Council. One of its first acts was to adopt an urgency measure requiring rent rollbacks and limiting evictions to certain specified reasons, with a system to ensure that tenants are protected and the apartments in West Hollywood are properly maintained. The Department

also has programs such as landlord/tenant mediation, the hearings process and staff who provide information and referrals to community members to help in the fair administration of the Rent Stabilization Ordinance.

The Rent Stabilization program is the cornerstone of West Hollywood's efforts to support a diverse and stable community of 34,000 residents of all ages, ethnicities, and incomes. Fully 78% of West Hollywood residents are renters, and over 80% of residents have lived in their housing unit for at least a year.

The City also invests in the creation of new affordable housing opportunities through its partnership with the West Hollywood Community Housing Corporation, a non-profit organization that builds and manages housing that is affordable to low-, moderate-, and middle-income households.



POLICY TRENDS INFLUENCE HOUSING COST AND AVAILABILITY

Local Redevelopment Programs Dismantled by State Legislation

The end of the state-authorized local redevelopment program, which has been an important source of funding for the production of affordable housing by non-profits including the West Hollywood Community Housing Corporation, will affect the availability of new affordable rental housing in West Hollywood. As a strategy for increasing state revenues, the Governor proposed and the Legislature adopted legislation in 2011 that eliminated the system of local redevelopment agencies. Formerly, redevelopment captured newly generated local property taxes which were used to eliminate blight, improve the local economy, provide jobs and build new affordable housing. The West Hollywood City Council, which was also the West Hollywood Community Development Commission (its Redevelopment Agency), established a successor agency in 2012 to arrange for the fulfillment of the Redevelopment

Agency's obligations and dispose of the Agency's assets. Over the years, redevelopment funds supported the acquisition, development and renovation of 164 apartments that are permanently dedicated to the housing needs of low-, moderate- and middle-income people. The end of this funding vehicle for affordable, subsidized housing is a constraint in how much housing will be in the development pipeline that will be able to serve very low-, low-, special needs and moderate-income households.

The California Homes and Jobs Act of 2013 (SB 391), supported by the City of West Hollywood along with businesses, labor unions, and affordable housing advocates, is designed in response to the end of redevelopment. If adopted by the California Legislature, it will help create more affordable housing by raising \$500 million annually through a small real estate transaction fee. These funds will leverage over \$2 billion in federal, state and bank investment in

building new homes and apartments. West Hollywood is an active supporter of state and federal efforts to finance new apartments that have long-term requirements for affordability for low- and moderate-income households. New construction of affordable housing is a way for our City to maintain its economic diversity and provide quality housing to residents at all income levels

West Hollywood's Housing Element Update in 2013

All cities in California are required to adopt a General Plan that establishes policy about land use, traffic and circulation, noise, safety, open space, conservation, and housing. The housing section, known as the Housing Element, must be updated periodically. West Hollywood will update its housing plan in 2013, setting out the goals and activities that will project the housing production and meet the needs for housing in the City.

During 2013, West Hollywood will hold community meetings, focus groups, Planning Commission study sessions

and conduct research to determine the housing needs for the City, including how to preserve existing housing, what kind of new housing could be built, who will need housing, and what kind of housing they will need. The City will hold a community conversation event to encourage public participation in developing the strategies to achieve the City's strategic goal of **"affordable housing"**, adopted by the City Council in the Vision 2020 process. The planning process will look at age and income trends in West Hollywood, special needs of City residents, who is at risk of losing their housing, resources available for building additional housing as needed, and opportunities for energy conservation. The City Council is expected to approve the Housing Element Update during 2013.

Rehabilitation of Older Housing Stock an Ongoing Challenge

An important component of West Hollywood's rent stabilization and housing programs is the requirement that property owners continue to maintain the apartments they own and keep their property in good repair.

**RENT STABILIZATION ORDINANCE
CITY OF WEST HOLLYWOOD**

BUILDING BLOCKS

**A Rent Stabilization & Housing Educational Series
for West Hollywood Tenants, Landlords and Others**

The Rent Stabilization and Housing Division presented the curriculum to the Rent Stabilization Commission for a series of educational seminars for property owners, managers and tenants. The seminars explain the West Hollywood Rent Stabilization Ordinance, and also help people in the City to learn about why rent stabilization came about, what role it serves now, how it is relevant to you as a landlord, tenant or broker, what responsibilities you have as a tenant or landlord and what the City offers to help further, such as information and referrals, hearings and mediation. The series includes seminars on:

- Rent Stabilization Ordinance Overview
- Emergency Preparedness in Multi-Family Residential Units
- Evictions and Relocations: A Primer
- Tenants' 101 Workshop
- Mediation
- Basic Property Maintenance
- First-Time Homebuyer
- Understanding the Rent Stabilization Ordinance Hearings and Appeals Process
- Calculating Rent Increases

Each attendee receives a Certificate of Completion. The presenters each receive a thank you acknowledgement. Also, the seminars have participant feedback forms which will help staff shape topics and improvements for the next year's series.

As the rent stabilization program nears thirty years in place, there is a growing need for property owners to replace major systems such as plumbing and electricity, and make the major renovations that older buildings sometimes need. The City of West Hollywood is beginning to study ways to provide incentives or technical assistance to landlords to rehabilitate existing multi-family housing stock. The goal is to provide ways to keep existing apartment buildings in good condition, address seismic issues and to help owners upgrade to current energy- and water-saving systems that will increase efficiency and decrease operating costs.

Ways for Seniors to Age in Place in West Hollywood

The ability of seniors to remain in their homes as they age is a priority for the City of West Hollywood. The City has 6,859 residents over 60 years old². Rent stabilization, along with supportive services including the City's Dial-a-Ride program and Senior Center, allows elders to "age in place" by keeping their

apartments affordable, and their trusted local services accessible.

During 2012, West Hollywood asked our state legislators to look at this issue. The City brought the ideas forward for the legislators and policy offices to consider some amendments to state law to provide incentives for landlords to allow for "unit swapping" and rehab improvements for exterior accessibility. Under Costa-Hawkins which instituted vacancy decontrol, this may also require a change to state law so that elderly and disabled residents can stay in their same building but move to a more accessible apartment without causing a "vacancy," thus losing their stabilized rent. The Rent Stabilization and Housing Division is also weighing options for helping property owners build ramps and make other minor alterations to their buildings that will allow residents to remain in their apartments as their mobility becomes impaired.

² U.S. Census 2010.



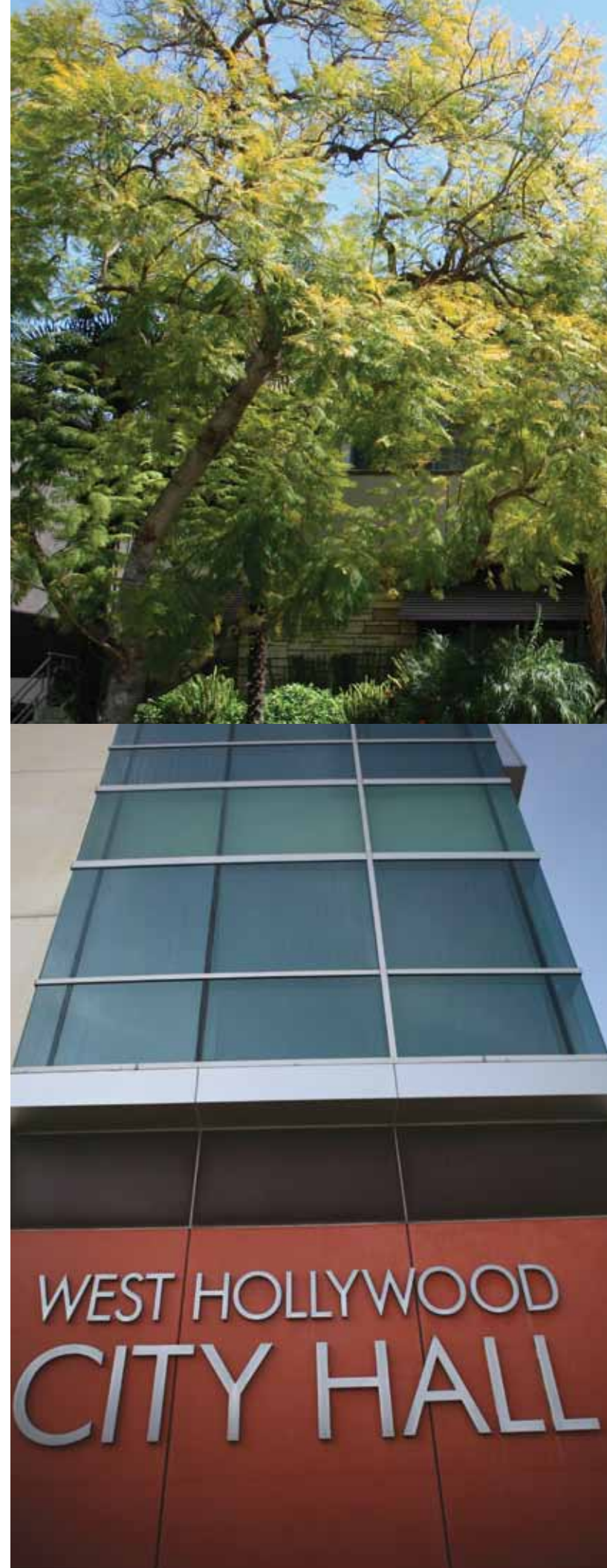
PROGRAMS AND ADMINISTRATION

Rent Stabilization and local control was a central reason for West Hollywood's incorporation. Also, the preservation and development of affordable housing is an ongoing, critical and strategic goal of the City.

One of five goals of the City's **Vision 2020 Strategic Plan**, "Protect and enhance affordable housing opportunities, with emphasis on Rent Stabilization laws," is a foundation of City programs and policies.

Implementation of the rent stabilization program is assigned to the Rent Stabilization and Housing Division, which develops programs and recommends policies for the City Council's approval. The main goals of the division are:

- Preservation and improvement of the existing housing infrastructure,
- Fair regulation of rental housing; and
- Creation of new market-rate and affordable housing.



Department of Human Services and Rent Stabilization
Rent Stabilization and Housing Division

SUMMARY OF 2012 ACCOMPLISHMENTS

PRESERVATION OF EXISTING AFFORDABLE HOUSING

Housing Policy

The City Council provides direction on housing policy issues in the General Plan's Housing Element. Staff implements the Goals of the Housing Element as detailed in the Housing Programs, also included in the Housing Element.

Staff facilitates close collaboration between the City and non-profit affordable housing providers, including West Hollywood Community Housing Corporation (WHCHC), the City's lead affordable housing partner. The Division also assists policymakers in connecting social services and housing issues, such as identifying the needs of the City's aging population, and those of individuals living with physical disabilities.

The Division administrated the dissolution of the City's redevelopment agency through the City's Successor Agency and its Oversight Board meetings. Each successor agency is responsible for drafting a Recognized Obligation Payments Schedule (ROPS) delineating the enforceable obligations of the former RDA payable through June 30, 2012 and their source of payment, and then additional ROPS every six months thereafter. ROPS are subject to the approval of the local oversight board and, then, the State of California's Department of Finance determinations on the ROPS. Staff assisted Assembly member Richard Bloom's office with key points of reform for redevelopment proceeds including issued bonds. In 2013, the further wind-down of redevelopment will be administrated by the City's Finance Department.

Housing Element Update

The City adopted its Housing Element 2008-2014 on September 6, 2011 as part of the General Plan Update. State law requires the recently adopted Housing Element to be updated for the next planning period of October 15, 2013 through October 15, 2021, in order to effectively meet the anticipated housing demand for the time period.

During 2012, the Rent Stabilization and Housing Division engaged a housing element consultant to assist with updating the Housing Element for the next planning period. Housing Element update process includes preparation of the Technical Background Report, which contains data on topics such as demographics, household characteristics; special needs populations, and housing trends. The process also includes community outreach and public participation in an effort to include and receive input from all segments of the community. Public meetings regarding the Housing Element Update are expected to begin in 2013.

Housing Element Programs – Progress in 2012 and Looking Forward

The Housing Element is consistent with the City's Core Values and General Plan, specifically the goals of providing affordable housing to all segments of the community and maintaining and enhancing the existing housing stock. The Housing Programs that are outlined in the Housing Element detail the actions that the City takes to meet these goals. The Housing Programs are broken up into the following categories: preservation of existing housing, preservation of affordability, production of housing, removal of governmental constraints, and equal housing opportunities. In the Housing Element update process, the City has evaluated the following programs and recognized potential progress for the future:

- ***Incentives for Rehabilitation*** – Following the completion of the soft-story survey, the program will be modified to include drafting a programmatic response for properties with soft-story vulnerability, seeking to design a multi-

family housing rehabilitation program including accessibility upgrades for seniors aging in place, and pursuing financial resources to assist nonprofit housing providers in upgrading the City's affordable housing stock with green building improvements.

- ***Workforce Housing, Family Housing, and Ownership Housing Opportunities and Zoning Ordinance*** – Modify objectives of these two programs to include exploration of creative housing types to increase opportunities for affordable homeownership and studying development standards to encourage diverse housing models including micro-units, granny flats, and other flexible housing types.
- ***Rent Stabilization Ordinance*** – New objectives include reviewing the Net Operating Income mechanism and continuing to conduct educational workshops for landlords and tenants.
- ***Mills Act Contracts and Historic Preservation*** – Expand program to include completing a study on historic preservation rehabilitation incentives.

- ***Homes and Gardens Program*** – This program provided financial and technical assistance to address code violations and make façade improvements in the Eastside Redevelopment Area. With the elimination of Redevelopment, the Homes and Gardens Program has been discontinued. Implementation of previous program components will be considered if/when new funding sources are identified.

More detail on these programs, including progress, funding sources, the lead City Division and the Housing Element program for 2014-2021 can be obtained in the Housing Element Update, which will be reported and completed in 2013.

Several studies were initiated in 2012 regarding the preservation of housing. The studies included an examination of potential barriers to rehabilitation of multi-family, residential buildings, a citywide inventory of residential buildings including an exterior assessment and geographical information system mapping, drafting of a possible municipal code and program

to address soft story construction and seismic retrofitting alternatives, and recommendations for updating plumbing, electrical and mechanical building systems. The studies are expected to be completed in 2013.

The Zoning Ordinance was amended on July 2, 2012 to include a procedure for reasonable accommodations.

The Rent Stabilization and Housing Division engaged a public/private real estate development consultant to assist in evaluating the affordable housing In-Lieu fee structure of the City's Inclusionary Housing Ordinance. The ordinance allows developers of projects with between two and 10 residential units to produce the number of units required by the ordinance or to pay a fee in-lieu of providing the affordable units. The analysis is expected to be completed in 2013.

City Website and Social Media

The City's website continues to be an important source for information and contact from community members about rent stabilization issues. The Division's web page was revised to reflect the new placement of the Division in



Public Advocacy

The Rent Stabilization and Housing Division worked with the City's Sacramento legislative advocate on housing and rent stabilization issues to monitor legislation that would impact West Hollywood's rent stabilization program, and to preserve protections for tenants.

Photograph by Tom Trevor

the Department of Human Services and Rent Stabilization. The site features rent stabilization factsheets, forms, calendars, links to affordable housing opportunities, and general information.

The Rent Stabilization and Housing Division added a section to the City's website of its key materials that are translated into Russian. A Spanish language section will follow in 2013.

During 2012, all press releases such as those regarding the Annual General Adjustment are posted regularly on Facebook (www.facebook.com/wehocity) and Twitter (@wehocity).

Residential Rental Referral List

The Division has a program that allows any West Hollywood landlord to advertise available units for rent without charge for the advertisement. The Residential Rental Referral List is updated weekly and shows an available unit's address, number of bedrooms/bathrooms, asking rent, and who to contact for more information or to lease.

A brief description of desirable amenities or the landlord's willingness to accept Section 8 vouchers can also be included. In addition to being available at City Hall, the Rental Referral List is distributed to local colleges and universities, community organizations, and published on the City's website, www.weho.org. It is one of the most frequently accessed points of information on the City's website.

Housing Information Center

The Rent Stabilization and Housing Division provides a centralized information kiosk on affordable housing in the City Hall lobby and on the City's website. The kiosk contains a variety of information for prospective tenants, current tenants, developers and affordable housing providers about affordable housing programs, including referral information for Section 8 vouchers, housing rights information and information from the Department of Consumer Affairs on how to become "tenant ready," that is, how to improve one's credit and rental history.

FAIR REGULATION OF RENTAL HOUSING

General Adjustment and Interest Rate for Security Deposits

The Rent Stabilization Commission sets the Annual General Adjustment in rents each year. The Rent Stabilization Ordinance also requires that tenants be paid interest on their security deposits by January 31 of each year in an amount determined by the City based on prevailing interest rates. The rate is determined by averaging the interest percentage paid by five local banks to their customers for regular savings accounts. Based on the Division's staff analysis, the Rent Stabilization Commission set the Annual General Adjustment at 1.25% starting September 1, 2012, and the security deposit interest rate for 2012 at 0%.

Hearings on Maximum Allowable Rent, Rent Decreases, etc.

The Division held 75 hearings in 2012 on rent-stabilized rental units in the City. Most cases before the hearing

officer request a determination of the maximum allowable rent, either by examining the methodology used to compute the rent, or by consideration of tenant evidence concerning housing services and maintenance issues. For example, a tenant might believe that his or her lease includes exclusive use of a parking space that is not currently available, or the use of amenities such as a laundry room that may have become inoperative. If there is a disagreement between the parties over the hearing finding, either of the parties can file an appeal, which is taken to the Rent Stabilization Commission for a final resolution. The resolution of the Commission is final and can be overturned only by a judgment in Superior Court.

Public Outreach

The Division has daily contact with members of the public who have questions or problems, but works to

ensure that all City residents are aware of rent stabilization services and feel comfortable using the Department's services when they are needed. A strong public outreach program, evaluated regularly for its effectiveness in reaching City residents, ensures that tenants and property owners know how to use City services they need to resolve housing-related issues.

Public Inquiries

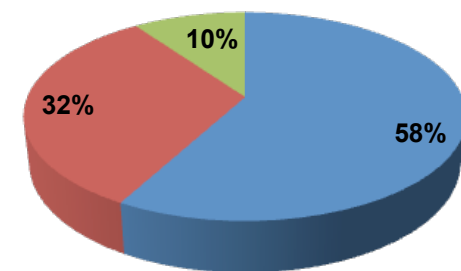
The Division serves the public on a daily basis by responding to telephone and in-person inquiries about the Ordinance and landlord/tenant issues in general. During calendar year 2012, staff members spoke with 8,252 individuals. Persons contacting the Department include landlords, tenants, real estate brokers, prospective renters and buyers. The most common topics of concern were evictions, maintenance requests, and lease issues.

How many contacts/questions were received about rent in 2012?

There were 8,252 total

Who made inquiries?

4,781 - Tenants
2,658 - Landlords
813 - Brokers, or others



CONTACTS

- Tenants 58%
- Landlords 32%
- Brokers, other 10%

Top Seven Reasons Constituents Contacted Rent Stabilization

1. Eviction
2. Maintenance
3. Lease
4. Hearing
5. General
6. Security
7. Residential code

Newsletters for Tenants and Landlords

Every year the Division sends newsletters to all tenants and landlords subject to rent stabilization announcing the allowed annual general adjustment (AGA) for the upcoming year and providing important, practical information about landlord/tenant issues. The AGA effective September 1, 2012 was an increase of 1.25%. The Division sent newsletters to landlords and tenants in July 2012 and December 2012, announcing the general adjustment and security deposit interest rates, and publicizing the Division's new seminar series, Building Blocks. Newsletters are sent in English, with Russian versions available for those who prefer to have information in that language.

New Property Owner and New Tenant Mailings

All new owners and new tenants receive a mailing introducing them to the Rent Stabilization program. A packet of general information containing factsheets, a Guide to Rent Stabilization

and a welcome letter goes out to all new owners and new tenants of rent stabilized buildings each month. In 2012, approximately 126 new landlord and/or property manager and 2,392 new tenant packets were mailed.

Prospective Buyer Assistance for West Hollywood Multi-Family Housing

Whether rental property in West Hollywood is purchased or inherited, the new owners will need to become familiar with the City's rent stabilization requirements, including registering the property, paying fees, maintenance standards, and complying with rent stabilization laws. Rent Stabilization staff members meet with prospective or new property owners to review rent stabilization and other City ordinances, including those concerning re-registration after a vacancy, code compliance issues or provide information about how to deal with rehab when there are tenants-in-place. These meetings provide an opportunity for prospective owners or their broker to have answers to their questions.

Group Meetings with Landlords and/or Tenants

In addition to providing information to constituents individually at City Hall or on the telephone, the Division also holds group meetings with landlords and tenants from properties with ongoing problems or special issues. Typically, it is Division staff that identifies the need for such a meeting when questions and concerns regarding a certain situation are received repeatedly. When a problem is identified, staff proposes a group meeting to the appropriate individuals, coordinating logistics to maximize effectiveness. In 2012, these meetings addressed topics that included removing a property from the rental market under the California Ellis Act, the impact of a new owner on residential renters and ways to get recalcitrant landlords to maintain their property.

Tenant Registration Fee Rebate

Very low income tenants who are over 62 years of age or disabled may obtain a rebate for the rent stabilization registration fee they paid to their landlord for their apartment. Tenants pay \$5 monthly as part of their rent, which may be refunded through a \$60 annual rebate. Tenants may apply to be reimbursed retrospectively for up to three years of paid registration fees. Application forms are on the Division's web page. For the year September 2011 through August 2012, 335 tenants were granted rebates. For the two previous terms, September 2009 through August 2010, and September 2010 through August 2011, the number of tenants who received rebates with the retroactive payments was increased to 431 and 433, respectively.

CREATION OF NEW MARKET-RATE AND AFFORDABLE HOUSING

New Market-Rate Housing

West Hollywood has seen little new market-rate housing development during 2012, primarily due to the recession of 2008 and the subsequent, ongoing difficulty in obtaining financing for new housing production. Two apartment projects under construction on La Brea Avenue will bring a total of 350 new apartments to the eastern edge of the City in 2014, along with retail space and restaurants for a mixed-use environment.

New Affordable Housing

The Rent Stabilization and Housing Division works closely with the non-profit West Hollywood Community Housing Corporation (WHCHC), the City's affordable housing partner, to produce affordable housing in the City. In 2012, WHCHC completed the renovation of an abandoned 48-unit apartment house at 1234 Hayworth Avenue, which is now permanent affordable housing for seniors. The

Housing Division also facilitated acquisition of a property on La Brea Avenue planned for 32 units of very low income and extremely low income households, which started construction in 2012.

In partnership with Affordable Living for the Aging (ALA), the Rent Stabilization and Housing Division in 2012 assisted with funding for a new 17-unit affordable apartment building at 937 N. Fairfax Avenue. A tribute to ALA founder Janet L. Witkin, the Witkin Center will allow low-income seniors at risk of homelessness or who have become homeless to be safe and secure in the West Hollywood community.

Building Affordable Housing and Leveraging In-Lieu Fees

The City of West Hollywood's Inclusionary Housing Ordinance provides developers of new projects between two and 10 units the option to pay a fee, in-lieu of providing the otherwise required affordable unit



on-site. The fees paid to fulfill this requirement are placed in the City's Affordable Housing Trust Fund. This fund is then used for projects in the City that provide affordable units to low and moderate income households.

With the loss of the California redevelopment agencies, there are fewer sources for funding of affordable housing units. The mechanism for very low income housing construction through tax credits is an extremely competitive process and continues to become more competitive as funding for projects becomes scarcer.

Through the use of the Affordable Housing Trust Fund, the City has been able to leverage funding with nonprofit developers for several projects that are recently completed or are currently under construction. Four developments – Janet Witkin Center, Sierra Bonita, Courtyard at La Brea, and Hayworth House – are examples of such projects. For these projects, the City provided an average of about \$187,000 per affordable unit, or 44 percent of the total cost per unit. This leveraging of in-lieu

fees allows for the City to provide more affordable units at a reduced overall subsidy.

Despite these funding challenges, the City works closely with the West Hollywood Community Housing Corporation and other nonprofit housing providers to produce affordable housing. The City and its nonprofit affordable housing providers continue to seek funding opportunities through the California Housing & Community Development Department and the Los Angeles Community Development Commission's HOME or other programs.

In the wake of the dissolution of redevelopment, the City has focused more efforts on legislative advocacy to help further housing policy. Specifically, the City has supported AB 981 – a bill that allows redevelopment successor agencies to expend proceeds from bonds issued prior to June 28, 2011 – and SB 391 – the California Homes & Jobs Act, which would create a permanent funding source for affordable housing.

How to Apply for City-Supported Affordable Housing Opportunities

WHCHC and ALA are required by federal law to use a lottery-based system for selecting tenants for their buildings. Visit the WHCHC or ALA websites for information about how to apply.

WHCHC | www.whchc.org

ALA | www.alaseniorliving.org

Inclusionary Housing

The goal of the City's inclusionary housing program is to encourage the production of low and moderate income housing. The moderate income housing is workforce housing, with the rent for a one bedroom unit at \$937 in 2012. The low income housing is for people with lower, fixed incomes. The rent for a one bedroom is \$676 in 2012. These amounts are in contrast to the average rent for a vacant rent stabilized apartment in 2012, which is \$1,484. The affordable housing produced through the inclusionary program is meant to be dispersed throughout the City and compatible and complementary to market rate apartments. The City's inclusionary housing program requires developers of market-rate housing to set aside a certain number of

units for low- and moderate-income households and for developers of smaller projects to pay an in-lieu fee into the City's Affordable Housing Trust Fund. In 2012, construction of two large-scale, mixed-use projects along La Brea Avenue was under way, with completion scheduled for 2014. Another residential development with three inclusionary units on Kings Road completed construction in 2012 and will be occupied soon. These projects will collectively add 78 affordable units of inclusionary housing, taking the total inventory from 106 to 184.

How to Apply for Inclusionary Apartments

West Hollywood's Rent Stabilization and Housing Division maintains waiting lists for low- and moderate-income households interested in renting the inclusionary units that developers are required to build. The moderate-income waiting list is open, and interested persons can obtain an application on the Division's website. West Hollywood residency is one of several priority factors assigned to the tenant selection process. The low-income waiting list has been closed for some time, but will open for a period in 2013. There

are very few openings in inclusionary units because people rarely move out of these apartments.

Who Lives in West Hollywood's Affordable Apartments?

Tenants for inclusionary housing units in market-rate buildings are selected from the City's inclusionary housing waiting list, which assigns priorities to factors including dislocation from a rent-stabilized apartment, age, disability, and current residence in West Hollywood. A recent review of tenant characteristics found that 80% of those living in inclusionary apartments previously lived in a West Hollywood zip code – 90069, 90046, or 90048 – and that 59% were residents of the City itself. The current waiting list for low-income inclusionary units has 1,072 households, of which 41% are West Hollywood residents, and 65% are seniors. The current waiting list for moderate-income inclusionary units has 73 households, of which 32% are West Hollywood residents.

80% of those living in inclusionary apartments previously lived in West Hollywood zip codes 90069, 90046, or 90048.

65% who are currently on the waiting list for low-income inclusionary units are seniors.

When new housing opportunities are available through the West Hollywood Community Housing Corporation, WHCHC works with the City's Housing staff and the Social Services division to develop an Affirmative Fair Marketing Plan so that West Hollywood residents will know about the new apartments and have help in submitting applications. WHCHC and the City work together to notify local social service agencies, make presentations to groups in touch with the target group (such as disabled or senior), distribute flyers, and advertise on West Hollywood's cable television stations, along with other strategies designed to reach the target population. The City assists WHCHC and makes a special effort to encourage individuals who are disabled (including those with HIV/AIDS) to apply for these apartments. In accordance with federal law, a lottery is held under the supervision of the West Hollywood City Clerk to select those who will be offered the new apartments if they meet the income and disability qualifications.

INTER-DEPARTMENTAL COORDINATION


Rent Stabilization staff members work closely with Code Compliance staff and other divisions in City Hall to provide comprehensive responses to constituent needs such as habitability issues, lack of maintenance, or parking problems.

A Rent Information Coordinator, a Housing staff member, and the Rent Stabilization Manager attend **Development Review Committee** meetings to review new development projects, organized by the Planning Department, on a regular basis. They offer ideas and information regarding tenant or other rent stabilization concerns when potential new development projects are proposed.

The Vacant and Nuisance Properties Team meets monthly to review the status of approximately 60 **vacant and unoccupied properties** throughout the City. Code Compliance Officers examine each property at least once monthly, often with a Sheriff's Deputy, and conduct additional site

observations from the public right-of-way more frequently. If there are occupants on the residential properties, the Rent Stabilization staff assists in communicating to the occupants that they may have rights under the Rent Stabilization Ordinance. If the occupants are tenants, Rent Stabilization staff members help inform property owners or their agents of their obligations also. If homeless persons are on the site, staff make connections with the Social Services Division and the Sheriff's Community Oriented Policing team.

A third interdepartmental team examines problems associated with hoarding and its potential health and safety consequences. This team meets regularly to discuss known cases of potential hoarding, and works with the Social Services Division and the West Hollywood Comprehensive Services Center for case management services when appropriate, and to address hoarding with compassion while ensuring public safety.



The Division also assists with social services programs on housing issues, helping tenants whose landlords have terminated their Section 8 contracts, referring those with hardship or emergency rent situations to the Social Services Division for case management, and assistance with the City's relocation counseling service.

FUNDING AND RECORDKEEPING

The Rent Stabilization Program is funded by fees paid to register rent-stabilized rental units. In 2012, there were 15,077 units under rent stabilization. Units with rents subsidized by the federal Section 8 program and units whose owners are living in them are temporarily exempted from most of the Rent Stabilization Ordinance. There were 1,467 units with these exemptions, 884 Section 8 units and 583 owner-occupied units. These units pay different registration fees because of the exemption status. Section 8 units pay only the landlord’s portion of the registration fee, \$60, and owner-occupied units do not pay the registration fees. The program collected \$1,892,942 total in rent registration fees during 2012.

The Rent Stabilization Division maintains records for residential properties in the City. Both paper and digital files are maintained for

each property. Each time a unit is rented to a new tenant, the owner must file a Re-Registration After Vacancy form with the Division, signed by both the landlord and the tenant. The form includes information such as the move-in date, the initial rent paid, and housing services that are provided with the unit (parking, storage, laundry, etc.) If the unit has remaining health and safety violations that have been cited by an appropriate governmental agency, the landlord is not allowed to increase the new tenant’s rent. Once the form is processed and verified, a letter of confirmation is sent to both the landlord and the tenant, and the information is also stored in the computer database. This letter becomes the record of the initial agreement between the landlord and each tenant, from which rent increases are computed and level of housing service is documented.

Administrative Services Department LEGAL SERVICES DIVISION

The Legal Services Division provides in-house legal services to all City departments. The Division is staffed by lawyers, support staff, and a mediator who provides no-cost mediation services to help resolve landlord-tenant disputes, disputes between businesses, residents, and other disputes within the City.

Tenant Harassment

The Legal Services Division assists the mission of the Rent Stabilization and Housing Division by investigating complaints of tenant harassment. A tenant may initiate an investigation by filing a harassment complaint with the Division. In 2012, the Division received approximately 38 tenant harassment complaints (about 3.1 per month) as compared to an average of 2.5 per month for 2011.

Once received, a tenant harassment complaint is assigned to a staff attorney who reviews the allegations made in the complaint. The staff attorney may

Hearings

The Division coordinates and conducts Rent Adjustment Hearings. These hearings are heard by a neutral hearing examiner to determine whether there has been a reduction in housing services, failure to perform required maintenance, or if a tenant is being charged rent in excess of that permitted by law.

2012 Rent Adjustment Hearing Statistics

	2012	2011
HEARINGS FILED	133	116
HEARINGS HELD	75	69
HEARING REQUESTS WITHDRAWN	46	26
Postponed to a later date or dismissed administratively	12	21



also contact the tenant's landlord, the landlord's representatives, and any witnesses to the alleged harassment.

Because tenant harassment is a criminal offense, no charges will be filed unless the Division and City Prosecutor are satisfied that all of the elements of the offense can be proven beyond a reasonable doubt. This high burden of proof requires that the Division's investigation reveals significant and substantiated evidence before a referral to the City Prosecutor will occur.

While few complaints are ultimately referred to the City Prosecutor, the Division's investigation frequently alerts tenants and landlords to their rights and responsibilities under the Rent Stabilization Ordinance. Tenants that initially seek redress through a tenant harassment complaint often discover that their dispute with their landlord can be resolved by filing for a rent decrease hearing or by utilizing the Division's mediation services.

Mediation

Mediation is a negotiation process in which a neutral third party assists participants to resolve disputes. Mediation is confidential, voluntary

and requires parties who can bargain in good faith. The mediator does not tell parties what to do but rather assists them in identifying and creating mutually beneficial solutions to their conflict.

The Legal Services Division Mediator works closely with Rent Stabilization staff and many referrals come directly from Rent Stabilization Information Coordinators. Other mediation cases are received through the City's website, printed City informational materials, Council offices and other City divisions. Constituents who have used mediation in the past are another source of cases.

The Mediator spoke with approximately 1,100 constituents in 2012 (1,450 in 2011) and resolved approximately 510 conflicts (575 in 2011) through a combination of telephone conciliations and face to face mediations. Attempts are made to resolve most rent decrease applications. Issues typically dealt with in mediation include maintenance, parking, pets, roommates/ subtenants and assisting with negotiating tenant relocation when units are declared uninhabitable/ fires/ fumigation. The mediator also deals with issues involving condominium homeowner associations.



THE RENT STABILIZATION COMMISSION

THE RENT STABILIZATION COMMISSION IS COMPRISED OF FIVE WEST HOLLYWOOD RESIDENTS, EACH OF WHOM IS APPOINTED BY A CITY COUNCIL MEMBER.

The Commission provides a forum for tenants and property owners to appeal decisions issued by hearings examiners concerning rents, property maintenance, housing services, and other important landlord-tenant concerns. The Commission also reviews the Rent Stabilization Ordinance and Regulations, proposing appropriate

changes to the City Council to better effectuate, implement, and enforce the law. Additionally, the Commission evaluates and makes recommendations to the City Council regarding housing policy.

In 2012, the Commission heard 20 appeals, primarily appeals of rent decrease applications and several relating to Maximum Allowable Rent.

At its meetings throughout the year, the Commission monitored housing policy and legislation, and offered advice to the City Council on housing-related matters, including

the City's General Plan and Housing Element, changes to state laws affecting rental housing, and the state budget. The Commission was particularly concerned about the protection of tenants through inter-departmental activities such as code enforcement, and about continuously improving outreach and awareness of Rent Stabilization in West Hollywood.

Commissioners attended the Annual Boards and Commissions Congress where they reported on their annual activities and contributions to other bodies.



GOALS AND ACCOMPLISHMENTS IN 2012

The Rent Stabilization Commission establishes annual priorities to support the health and vitality of West Hollywood's residential community. In 2012, the Commission focused on education of property owners and tenants; the effects of changes to the redevelopment law that previously funded most new affordable housing development in West Hollywood; interdepartmental coordination to strengthen the housing infrastructure and support tenants; and continued implementation of the Rent Stabilization Ordinance.

Education of property owners and tenants

The Rent Stabilization Commission worked to improve how the Rent Stabilization Ordinance can work for tenants and property owners through educational projects, including:

Building Blocks seminars. The Commission reviewed the design of a nine session curriculum that will be offered throughout 2013. The seminars

will help property owners and tenants understand the basics of the landlords' responsibilities, tenants' responsibilities, property management standards and resources for responding to needs, and options for resolving problems. While many property owners and tenants are familiar with West Hollywood's laws and available resources, the City is experiencing turnover in ownership and tenancy as the Rent Stabilization Ordinance enters its 28th year. Rental properties are inherited or purchased from the estate of the owners who have been landlords since before cityhood; tenants move into rent stabilized apartments, to the extent that 60% of the rent stabilized inventory has gone to market rate rent since Costa-Hawkins full implementation in 1996. The Building Blocks seminars offer an introduction to West Hollywood's rent laws, and practical skills for those who live or own property in our City. Also, a Building Blocks seminar was held on October 18, 2012 where landlords, tenants and homeowners learned about what to expect, how to prepare, and resources for upgrading the strength of buildings to decrease damage when an earthquake occurs.

Hearings and Remedies brochure.

The Rent Stabilization Ordinance allows tenants and property owners to resolve issues through a process involving complaints, hearings and remedies. Most participants are able to represent themselves in this process without the assistance of an attorney. The new Hearings and Remedies brochure (finalized in 2013) provides a reference for tenants and landlords in the City of West Hollywood to help them decide whether to file a case, prepare for a hearing, and anticipate the decision that will be made.

Rent Stabilization newsletters. West Hollywood's tenants and landlords received two newsletters during 2012. The newsletters are mailed to 1,600 landlords and 15,000 tenants, and cover news about annual rent adjustments, rebates of registration fees for apartments, upcoming educational seminars, and opportunities to apply for inclusionary apartments.

Redevelopment

Over the past forty years, many California cities used a structure called

the local redevelopment agency to direct local tax revenues toward building infrastructure to support economic and social development. In West Hollywood, the redevelopment agency helped pay for the construction of affordable apartments by non-profit organizations who were required to maintain affordable rents over the life of the buildings. As part of the effort to balance California's budget, the governor and the state legislature eliminated the redevelopment agencies in 2012. Cities throughout California have had to drastically change plans to build parks, install lighting, and create new affordable housing. In West Hollywood, the Commission heard reports and was kept updated about the following developments:

Reorganization of City departments.

The end of funding from the City's redevelopment agency eliminated funding for some City staff positions. The Rent Stabilization and Housing Division was consolidated into a department with a new title: "Department of Human Services and Rent Stabilization" to ensure that West Hollywood residents

continue to receive services in a seamless manner, and that the quality of life in the City is not affected by this funding shift.

Affordable housing development. Like other cities throughout California, the end of funding from the redevelopment agency will severely limit the availability of funds to help pay for building new affordable apartments. The Commission met the City's legislative advocate who monitors state legislative proposals regarding reform of post-redevelopment dissolution mechanisms, sources of new funding opportunities for the development of affordable housing, and tenant protections.

Interdepartmental coordination presentation

West Hollywood's small size and resident-focused mission fosters a collaborative environment in which staff members from various City departments work together to solve problems and improve the quality of life. The Rent Stabilization Commission

heard a presentation by representatives of six City departments to discuss and give feedback on interdepartmental coordination. The partners include:

Code compliance. By interdepartmental cooperation, the City of West Hollywood's various departments can help address livability issues such as noise, property maintenance, and possible code violations before they become issues for rent stabilization hearings or evictions.

Social services. When tenants need supportive services, the City's Social Services Division can help arrange for access to those services and prevent evictions due to non-payment of rent, hoarding, or other problems. The City can also help tenants find assistance in obtaining income support and subsidized housing.

Legal services. The City addresses rent stabilization violations, tenant harassment complaints, and provides mediation between neighbors and between landlords and tenants.

Housing development. The City works to make additional affordable housing available through inclusionary units in new construction and strategic leveraging of City funds in the investment to further affordable housing developments.

Emergency management. Plans are in place to prepare for various emergency events such as earthquakes, and the City helps to educate residents about how to respond to emergencies through community forums and presentations at multi-family buildings. Safety is another focus of interdepartmental collaboration, focusing on the development of Neighborhood Watch groups and the annual National Night Out event.

Rent stabilization. The Rent Stabilization Division implements the Rent Stabilization law, and additionally cooperates with other City departments on evictions, illegal units, unregistered units, and other issues.

Community partners. In all these efforts, the City works closely with its non-profit partners, including Bet Tzedek, the Coalition for Economic Survival's Tenants' Rights Workshop, the Eviction Defense Network, Gay and Lesbian Center Legal Services, the Center for Civic Mediation, the Los Angeles County Health Department, People Assisting The Homeless (PATH), and Jewish Family Services.

Implementation of Rent Stabilization Ordinance

The primary responsibility of the Rent Stabilization Commission is to hear appeals as a part of the process provided by the City's Rent Stabilization Ordinance. In addition to these appeals of hearings, during 2012 the Commission's work included:

Security deposit interest. The Commission is authorized to establish an annual interest rate on tenant security deposits that are held by landlords. Because interest rates were

very low throughout the United States and in Southern California, the interest rate for 2012 was 0%.

Grace period for exemptions.

Property owners who are considered "low income" are allowed to apply for an exemption to the annual fees for administration of the rent stabilization program. The Commission adopted an extended grace period of up to 180 days for new owners to apply for exemptions when they acquire a new property either at probate or through another transfer mechanism such as a purchase of the property.

State legislation. The City of West Hollywood has an active program of monitoring and advocacy so that new state laws will benefit City residents. During 2012, the Commission paid particular attention to proposed legislation that would have repealed

several state laws governing rent stabilization activities by cities. None of these proposals was successful, so there were no significant changes to state law. In the area of landlord-tenant law, a new state law was adopted that prohibits landlords from requiring that rent payments be made exclusively by cash or electronic funds transfer.

Annual Rent Stabilization Commission Study Session

Each year, at least once, the Commission conducts a study session at which it determines possible work program topics and compiles these into a "Suggested Priorities" work plan for the year. The Commission tracks its work throughout the year with the Manager's/Director's Look Ahead, and, at the study session in the year following, will evaluate the progress of completing these priorities.

EFFECT OF STATE LAWS LIMITING RENT STABILIZATION

Tracking of Rental Units Eliminated under the Ellis Act ³

Under California's Ellis Act, property owners have the right to remove apartment buildings from the rental market for development or repurposing. If a property is "Ellised", the State does not require the owner to report the purpose of its removal. As a result, West Hollywood does not always know the landlord's intentions when a property is removed. From January 1, 2000 through December 31, 2012, 506 units in West Hollywood were removed under the Ellis Act. Of these, 107 apartments have been returned to the rental market, amounting to 399 net units withdrawn. This is less than three percent of the rent-stabilized apartments in the City. In 2009 the City began a monitoring

and tracking program for properties removed under the Ellis Act. The City developed the program in order to address the concerns of community members who feared that the Ellis process was reducing the inventory of rent-stabilized apartments. The intention of the program is to 1) identify the reasons the properties were taken off the rental market, 2) to ensure the buildings are in compliance with all codes and requirements, and 3) to track changes made on the properties. The monitoring program has helped identify some of the reasons properties were removed from the rental market. The most common reasons were to demolish for new development (121 units), rehabilitate for low and moderate income housing (47 units), or for the owner to occupy the apartment (46 units).

The Rent Stabilization and Housing Division staff continues to monitor Ellised properties, working closely with other City Hall divisions, such as Legal



Services and Code Compliance. Every six months, staff members visit the buildings and make sure they are in compliance with all health and safety standards. Staff members assist landlords in the Ellis process to make certain they understand the Ellis timelines and relocation requirements. Staff members assist tenants while they are in place to help them through the process and, especially in the cases of disabled, low-income, or senior households, to ensure that they have up to a full year to find housing. Additionally, the City provides relocation counseling to tenants. As directed by City Council, Ellised tenants are a high priority for the City's low and moderate income housing program.

³The Ellis Act is a state law that allows property owners to remove a building or buildings from the rental housing business. This means that jurisdictions cannot prohibit owners from removing rent stabilized units from the private market. In fact, landlords may file an Ellis Act eviction to change the use of the building rather than sell it.

Housing Stock and Rent Profile

Impact of Costa-Hawkins on Rents

California's Costa-Hawkins Act, adopted in 1995, allows a landlord to increase the rent without legal limit when a tenant moves out. This "vacancy decontrol" has the effect of lifting rent stabilization limits for new tenants. When a tenant moves out, rent on the apartment can be increased to whatever the new tenant will pay. Rent stabilization requirements are then reset at the new rent level.

The Rent Stabilization and Housing Division reviews registration of decontrolled apartments and monitors the new rent levels that result from tenant turnover.

In conclusion, vacancy decontrol has had a clear impact on the affordability of West Hollywood's rental housing.

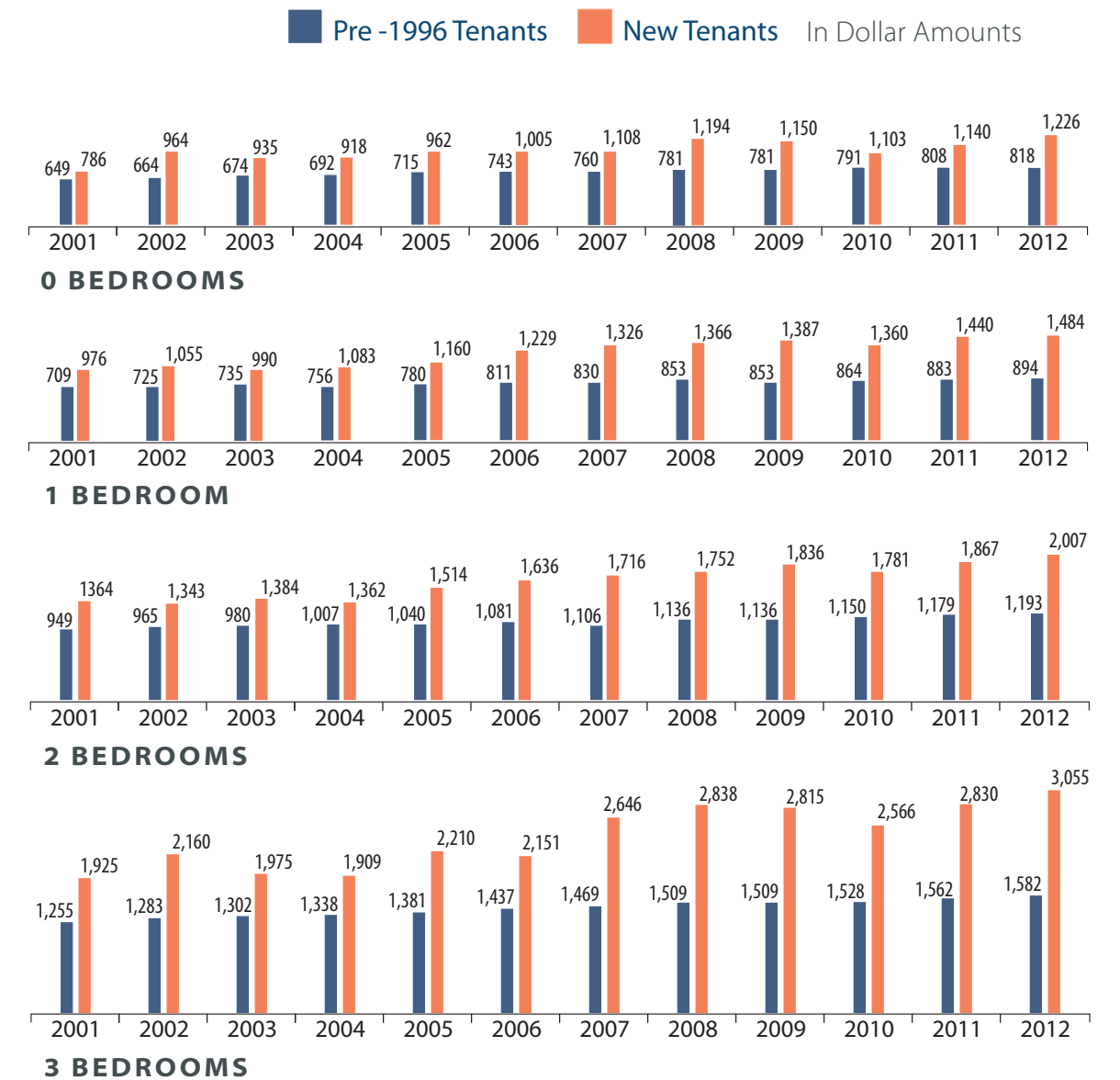
Number of Apartments With Vacancy Increases, 2001-2012

YEAR	CUMULATIVE INCREASE Approx. 64%	UNITS TOTAL
2012	+349	10,253
2011	+181	9,904
2010	+219	9,723
2009	+397	9,504
2008	+427	9,107
2007	+543	8,680
2006	+693	8,137
2005	+654	7,444
2004	+834	6,790
2003	+942	5,956
2002	+1,104	5,014
2001		3,910

Numbers are cumulative

The above chart shows units reset by Costa-Hawkins. Costa-Hawkins Rental Housing Act allows a landlord to increase the rent without legal limit if one of the tenants move out. No rent increase is permitted, if one or more original tenants lives in the unit. The chart tracks the cumulative total of rent stabilized units vacated with at least one market rate increase since vacancy decontrol began in 1999.

Rent Stabilized Apartments in West Hollywood by Number of Bedrooms - 2012



The above charts show the yearly average rents paid by long term, pre-1996 tenants who are still in their units and compares it to the yearly average move-in rents paid by new tenants after a unit is decontrolled. Both groups are broken down by the number of bedrooms in the unit. The rent amounts for pre-1996 tenants are determined by taking the unit's

December 31, 1995 MAR (Maximum Allowable Rent) and imputing all of the subsequent general adjustments through 2011. The rent amounts for new tenancies are determined by averaging the rent levels listed by landlords on Unit Re-Registration After Vacancy forms required for new tenancies.

City's Residential Housing Inventory (as of December 31, 2012)

How many residential units are there are in West Hollywood - **24,042**

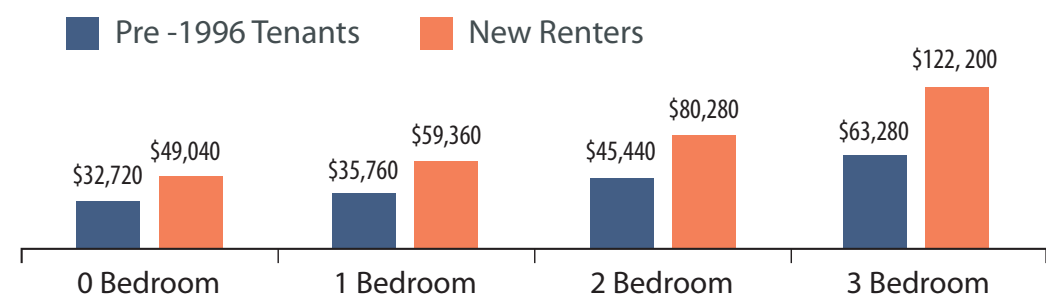
CITY'S RENT STABILIZED APARTMENTS	
0 bedroom	2,347
1 bedroom	8,913
2 bedroom	4,814
3 bedroom	457
4 + bedroom	13
TOTAL	16,544

Housing Affordability

The U.S. Department of Housing and Urban Development and standards of the real estate industry suggest that monthly rent should equal approximately one-third of a household's income. Recent studies on affordability have established methodologies for calculating the relationship between wages and rent, determining such metrics as a "housing wage", a variation on a "living wage", in contrast to the legally established and enforced "minimum wage". An examination of rental affordability illustrates the success of rent stabilization in maintaining an economically diverse population in West Hollywood.

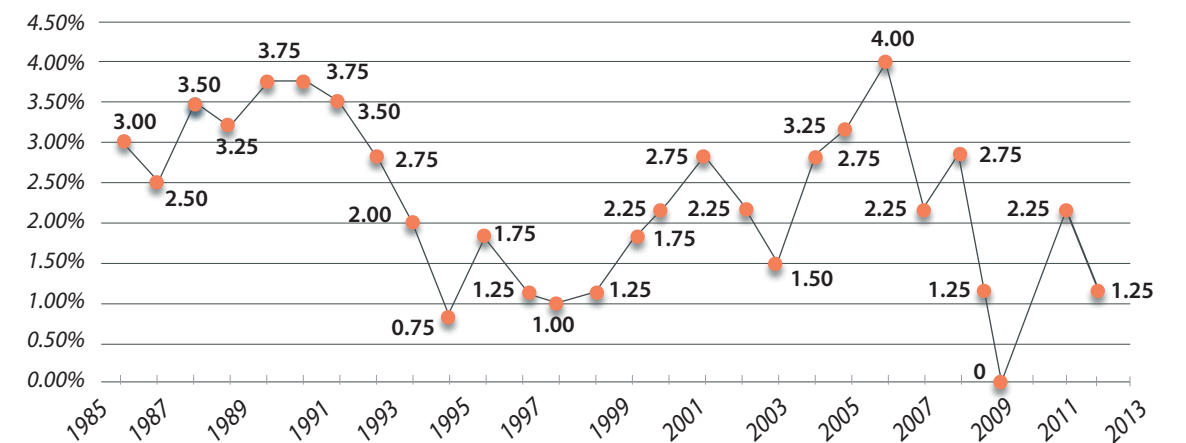
Rental Housing Affordability by Household Income

The chart below shows what these rent levels mean in terms of affordability. The household income needed in 2012 to "afford" the rent in rent stabilized units broken down by number of bedrooms. Affordability was defined by using the housing industry standard of 30% of gross household income.



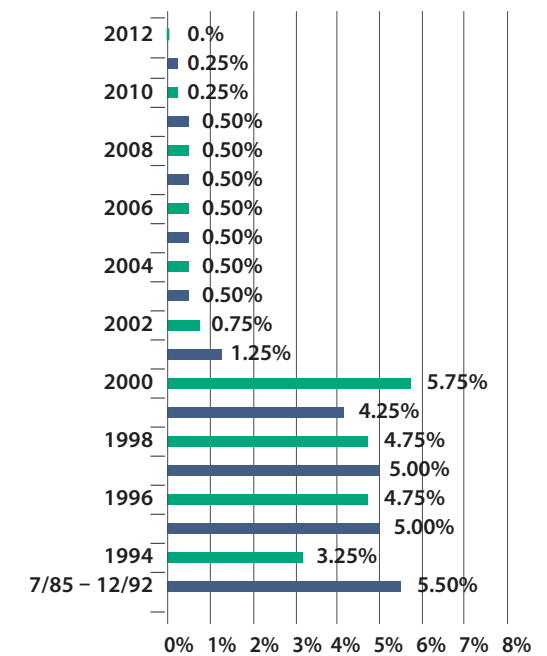
Annual General Adjustment

The Annual General Adjustment in rent is based on 75% of the Consumer Price Index for the area. The amount of the adjustment is announced by the Rent Stabilization Commission each year before July 1st. Landlords who are current with their registration fees are notified of the adjustment's amount during July so that they can start giving increase notices by August 1st. The adjustment covers the period of September 1st through August 31st of the following year.



Security Deposit Investment

The City of West Hollywood's Rent Stabilization Ordinance requires that tenants be paid interest on their security deposits by January 31 of each year in an amount determined by the City based on prevailing interest rates. The rate is determined by averaging the interest percentage paid by five local banks to their customers for regular savings accounts. The Rent Stabilization Commission announces the required interest rate annually, and notifies the City's landlords and tenants by mail in December of each year.





LOOKING AHEAD TO 2013

During the next year, the Rent Stabilization program will continue to administer the City ordinance through community education, policy analysis, and implementation of program components. The first year of the Rent Stabilization Building Blocks educational program will have data and feedback that can be used for refining the program for 2013.

Another highlight of 2013 is expected to center on completion of the new Housing Element Update of the General Plan and exploration of ways for ongoing discussion and community engagement about the City's housing programs.

The Department will also continue to work on strategies to assist residents whose Section 8 contracts have been terminated, working closely with Social Services and the Los Angeles County Housing Authority. This will be a serious concern with few helpful solutions for those in the Section 8 program, given the federal budget sequestration and cutbacks in the federal Housing and Urban Development funds.

The Division staff will explore further implementation of the residential housing geographical information system-based inventory and integrate it as a layer into the City's new Planning software, full implementation of which is expected in 2014.

The rent stabilization information will continue to be reshaped, including the production of a Hearings 101 brochure, and more literature materials offered in Russian and Spanish.

The Rent Stabilization Commission will continue its important role in hearing appeals of rent hearings, and in supporting the City's policy goals for rent stabilization and housing in setting "suggested priorities" at its annual study session in July or August 2013.

Finally, with support from the City Council, the Rent Stabilization and Housing Division will continue to work on the Homes and Jobs Act of 2013 in the legislative process – with hope that it passes and is signed by the Governor to bring relief to the affordable housing non-profit provider community because they would have at least some way to accomplish building a development pipeline of affordable housing.

**THE CITY OF
WEST HOLLYWOOD**

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Abbe Land

Mayor Pro Tempore

John D'Amico

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**Human Services and Rent
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Elizabeth Savage

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Contributing Narrative

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Graphic Design

Joanne Shannahoff

*The City of West Hollywood design standard for
affordable housing is wonderfully innovative
such as this Sierra Bonita apartment building
that includes 42-units. The energy-efficient,
mixed-use building includes a gorgeous
laser-cut aluminum screen façade.*

Patrick Tighe, Architect

Photo: Art Grey





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 City of West Hollywood

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Rent Stabilization and Housing

(323) 848-6450

HOURS

Monday to Thursday
8:00 am to 5:00 pm

Every Friday
8:00 am to 4:30 pm