

ORDINANCE NO. 06-731

AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING RENT STABILIZATION ORDINANCE § 17.52.010(2)(g)(5) RELATING TO SECURITY DEPOSITS FOR MEDICALLY-NECESSARY EMOTIONAL SUPPORT ANIMALS AND § 17.40.020(2)(e) RELATING TO THE RENT THAT MAY BE CHARGED AFTER AN OWNER-OCCUPANCY EVICTION AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Rent Stabilization Ordinance §17.52.010(2)(g)(5) is amended to read:

- (5) The tenant deposits with the landlord, upon demand therefore, an increase in the security deposit of not more than 25% of the existing security deposit, but in no event to exceed the maximum allowed by the California Civil Code. But a landlord may not charge an additional security deposit for an emotional support animal that the tenant's treating physician or a psychiatrist has prescribed as medically necessary to help the tenant cope with his or her disability. Nothing in this section is intended to contradict any provision of state or federal law which also prohibits landlords from charging a security deposit for service animals such as seeing-eye dogs or signal dogs.

SECTION 2. Rent Stabilization Ordinance § 17.40.020(2)(e) is amended to read.

(e) The previous tenancy was terminated as a result of the filing of a *Notice of Intent to Withdraw* pursuant to Government Code Sections 7060–7060.7 (the Ellis Act), or the previous tenancy was terminated pursuant to an owner-relative occupancy, and the owner-relative occupant has now moved out of the unit. For the purposes of this section, an owner-relative occupant is not a tenant.

If the eviction was pursuant to the Ellis Act, the landlord shall not be entitled to set an initial rent for a period of five years after the notice of intent to withdraw is filed with the City (whether or not the notice of intent to withdraw is rescinded or the withdraw of the accommodations is completed), or the five-year period after the accommodations are withdrawn, whichever period is later.

If the eviction was pursuant to an owner-relative occupancy, the initial rental rate charged to a new tenant shall be the last maximum allowable rent charged the tenant evicted for such owner-relative occupancy, augmented by any intervening annual general adjustments.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held the 3<sup>rd</sup> day of April, 2006, by the following vote:

AYES:	Councilmember:	Duran, Guarriello, Prang, Mayor Pro Tempore Heilman and Mayor Land.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.



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ABBE LAND, MAYOR

ATTEST:

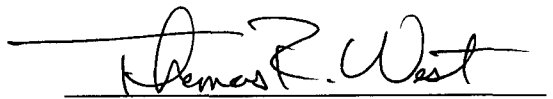
  
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THOMAS R. WEST, CITY CLERK

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    )  
CITY OF WEST HOLLYWOOD    )

I, THOMAS R. WEST, City Clerk of the City of West Hollywood, do hereby certify that the foregoing Ordinance No. 06-731 was duly passed, approved and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 3<sup>rd</sup> day of April, 2006, after having its first reading at the regular meeting of said City Council on the 6<sup>th</sup> day of March, 2006, and reintroduced for first reading on the 20<sup>th</sup> day of March, 2006.

I further certify that this ordinance was posted in three public places as provided for in Resolution No. 5, adopted the 29<sup>th</sup> day of November, 1984.

WITNESS MY HAND AND OFFICIAL SEAL THIS 4<sup>TH</sup> DAY OF APRIL, 2006.

  
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THOMAS R. WEST, CITY CLERK