

SUBJECT: AN ORDINANCE AMENDING THE RENT STABILIZATION ORDINANCE TO REQUIRE A LANDLORD TO APPROVE A TENANT'S REQUEST TO INSTALL AN ELECTRIC VEHICLE CHARGING STATION, WITH THE TENANT PAYING COSTS.

INITIATED BY: HUMAN SERVICES & RENT STABILIZATION DEPARTMENT
(Elizabeth Savage, Director) *Drugin, Acting Director*
(Peter Noonan, Rent Stabilization and Housing Manager) *PP*

STATEMENT ON THE SUBJECT:

The City Council will consider adopting an ordinance requiring a landlord to approve a tenant's request to install an electric vehicle charging station at a rent stabilized property, with the tenant paying for the costs.

RECOMMENDATION:

- 1) Adopt Ordinance No. 17-_____: "AN ORDINANCE AMENDING SECTION 17.08.010 (DEFINITIONS) AND ADDING A NEW CHAPTER 17.58 ("ELECTRIC VEHICLE CHARGING STATIONS") TO THE WEST HOLLYWOOD MUNICIPAL CODE REQUIRING A LANDLORD TO APPROVE A TENANT'S REQUEST TO INSTALL AN ELECTRIC VEHICLE CHARGING STATION AT A RENT STABILIZED PROPERTY." (ATTACHMENT A)

BACKGROUND / ANALYSIS:

AB 2565 (Muratsuchi) effective July 1, 2015, allows tenants the right to request permission to install an electric vehicle charging station at their personal cost. The law requires the landlord approve the request; however the law exempts rent stabilized tenants.

The attached draft Ordinance creates a local requirement for rent stabilized properties consistent with state law, applying the same rights non-rent stabilized tenants have to rent stabilized tenants. Like the state law, the proposed ordinance requires a landlord to approve the request, with the tenant paying for the charging station and installation. Any associated costs would not be considered rent, and the tenant and landlord would need to come to an agreement on costs of electricity if an individual meter was not possible.

On October 16, 2017, the City Council requested the Rent Stabilization Commission review and comment on the Ordinance. On October 26, 2017, the Rent Stabilization Commission reviewed the Ordinance. The Commission asked that the Ordinance reference state law. The Commission also asked questions about the agreement a tenant would enter into with the landlord, and if a third party would review the agreement. The Commission also asked if measures could be taken to prevent landlords from preventing a tenant from installing a charging station by including

onerous requirements in the contract, and whether disagreements between a tenant and landlord could be addressed through dispute resolution.

State law and the draft Ordinance require an agreement, separate from the tenant's lease agreement, through which the tenant agrees to pay costs for the station, the installation and removal. There is nothing specific in the proposed Ordinance addressing dispute resolution; however, if adopted by the City Council the Ordinance would be part of the Rent Stabilization Ordinance (RSO) which provides administrative and judicial remedies. In addition the City offers mediation for tenants and landlords who wish to resolve disputes. After adoption, staff will bring the Ordinance back to the Rent Stabilization Commission for a discussion on implementation, which the Commission can address through the City's Rent Regulations.

If adopted by the City Council, the proposed Ordinance could have a beneficial impact to many West Hollywood residents who wish to purchase an electric vehicle. The UCLA Luskin Center for Innovation has published several reports on the new electric vehicle market, the need for infrastructure upgrades, and other factors affecting consumer's choices when purchasing an electric vehicle. Importantly, a consumer needs a place to charge an electric vehicle and ideally the primary location would be the consumer's residence. Seventy-percent of housing in West Hollywood is rent stabilized and so adoption of this ordinance could ensure the possibility that a majority of households in West Hollywood would be able to charge at home. The actual potential to install a charging station however will depend on the condition of the electric system at the property, and the overall capacity of the electric grid. In preparation for electric vehicles, upgrades to the electric grid are being planned by Southern California Edison and the Los Angeles Department of Water and Power.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-1: Adaptability to Future Change.
- OSP-4: Transportation System Improvement.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- M-2: Collaborate on regional transportation solutions that improve mobility, quality of life and environmental outcomes.
- H-2: Maintain and enhance the quality of the housing stock and residential neighborhoods.

EVALUATION PROCESSES:

The ordinance creates a local requirement for rent stabilized properties consistent with state law.

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

Electric vehicles reduce vehicle emissions, resulting in better air quality.

COMMUNITY ENGAGEMENT:

The Rent Stabilization Commission reviewed the Ordinance at a noticed public meeting on October 26, 2017. Once the Ordinance is adopted, the Rent Stabilization Commission will explore opportunities for community outreach and providing information on electric vehicles and charging stations.

Additionally, the Los Angeles Department of Water and Power with its partners from the Southern California Regional Plug-In Electric Vehicle Plan provide a website to educate and receive feedback from potential PEV drivers. Members of the community interested in an electric vehicle can find more information on ownership, charging, and other helpful consumer tips at: www.socalev.org

OFFICE OF PRIMARY RESPONSIBILITY:

HUMAN SERVICES & RENT STABILIZATION DEPARTMENT / RENT STABILIZATION & HOUSING DIVISION

FISCAL IMPACT:

There is no fiscal impact.

ATTACHMENT:

A. Ordinance No. 17-_____