

# Rent Stabilization & Housing

CITY OF WEST HOLLYWOOD



# RENT STABILIZATION NEWS

For Tenants | July 2019

8300 Santa Monica Boulevard  
West Hollywood, CA 90069

[www.weho.org/rent](http://www.weho.org/rent)

## Hours

Mon – Thurs 8 am to 5 pm

Fri – 8 am to 4:30 pm

## contact

p: 323-848-6450

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e: [RSH@weho.org](mailto:RSH@weho.org)



[www.weho.org](http://www.weho.org)

## Annual General Adjustment for 9/1/2019 - 8/31/2020 is 2.25%

RENT CAN BE INCREASED ONCE A YEAR UP TO  
THE ANNUAL GENERAL ADJUSTMENT.

The Annual General Adjustment (AGA) for West Hollywood tenants subject to the City's Rent Stabilization Ordinance (RSO) is 2.25% beginning September 1, 2019.

The AGA is 75% of the rise in the Consumer Price Index for Los Angeles-Long Beach-Anaheim all Urban Consumers from May to May rounded to the nearest one-quarter of one percent.

For May 2019 the CPI-U, which is determined by the Department of Labor's Bureau of Statistics,

increased 3.1% over May 2018. 75% of the May CPI-U is 2.325%.

Rounding to the nearest one-quarter of one percent results in an AGA of 2.25%.

Property Owners may increase rent after the first year, and then once every 12 months after the prior increase. Tenants must be given a written 30-day notice, or 60-day for Section 8.

Download the City's Rent Stabilization Guide [www.weho.org/rent](http://www.weho.org/rent)

- **30-Day Notice must be given in writing**
- **Cannot afford rent this month?** The City of West Hollywood contracts with agencies who can offer zero interest loans or grants to help make rent one month. Learn more at [weho.org/services/social-services](http://weho.org/services/social-services), or call 323-848-6510
- **Check if you are Eligible for CalFresh.** You could receive \$197 or more in monthly benefits to buy food. How to apply and more info at [www.weho.org/calfresh](http://www.weho.org/calfresh) or call the West Hollywood Comprehensive Services Center at 323-876-1717

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For Tenants | July 2019

This West Hollywood Rent Stabilization newsletter contains useful information and tips for tenants and landlords. If there is any section of this newsletter that you do not understand, please call Rent Stabilization at 323-848-6450.

Este boletín de noticias del Control de Rentas de West Hollywood contiene información y consejos útiles para inquilinos y propietarios. Si hay alguna sección de este boletín que usted no entiende, por favor llame al Departamento de Control de Rentas al 323-848-6450. Pida hablar con un intérprete en español.

В данном бюллетене содержится полезная информация и советы владельцам домов и жильцам по вопросам жилья и рент-контроля. Если вам нужен перевод на русский, пожалуйста, позвоните нам по телефону 323-848-6450.

City of West Hollywood  
Rent Stabilization & Housing



[www.weho.org/rent](http://www.weho.org/rent)

## CalFresh puts more food on your table

- A single person may qualify for up to \$192 in monthly benefits!
- Only 16% of eligible residents are signed up; all SSI recipients can now apply
- Benefits are automatically loaded onto your CalFresh card
- Buy food at participating supermarkets and restaurants

### How to apply and more info at [www.weho.org/calfresh](http://www.weho.org/calfresh)

CalFresh is California's food stamps (SNAP) program for families and individuals.

## 2019 EDUCATIONAL WORKSHOPS

A City of West Hollywood Rent Stabilization Educational Series



### Know Your Rights and Responsibilities! All Workshops Are Free

#### TENANT BASICS

September 17, 2019 | 7PM

Gain a basic understanding of the RSO and tenant rights and responsibilities.

#### TENANT ADVANCED

September 24, 2019 | 7PM

Increase your knowledge of tenant protections and resources available.

#### Where:

Plummer Park  
7377 Santa Monica Blvd, Room 5  
West Hollywood, CA 90069

#### Register at:

323-848-6472 or  
[TTrevor@weho.org](mailto:TTrevor@weho.org)

## Third Party Checks

State law requires landlords to accept rent payments made by a third party.

There are agencies who can help tenants who qualify pay rent.

Learn more at [weho.org/services/socialservices/](http://weho.org/services/socialservices/) or call 323-848-6510

## Tenants, Know Your Rights!

### Requirements for Buy-Out Agreements

Property owners must provide information about relocation fees and other tenant rights when offering a cash payment in exchange for a tenant moving out of their rent stabilized apartment.

See the insert for more information or visit [www.weho.org/rent](http://www.weho.org/rent).

## Relocation Fees as of July 1, 2019

Unit Type	Amount
0 Bedroom	\$7,506
1 Bedroom	\$10,598
2 Bedrooms	\$14,275
3 or More Bedrooms	\$18,840
Qualified Tenant (62 or older, disabled, dependent minor child, terminally ill (or moderate income)	\$19,869
Lower Income Tenant	\$25,020

Relocation fees for permanently displacing a tenant are adjusted annually based on the May Consumer Price Index

A tenant still in possession of his or her unit on July 1 is entitled to the higher relocation fee even if the move-out notice was served prior.



More Information is available at:  
[www.weho.org/rent](http://www.weho.org/rent)

Annual Program  
Fee Pass-Through  
**\$6/mo.**

9/1/2019 to  
8/31/2020  
Rent can be  
Increased by  
**2.25%**

### Eligible for a Registration Rebate Fee?

If you live in a rent stabilized apartment, are at least 62 years old or are disabled, and meet HUD's very low income standards (one person household: \$33,950; two person household: \$38,800) you may be eligible for a rebate of your portion of the RSO annual program fee.

Currently, the RSO fee is \$144 per unit per year. Landlords are allowed to pass through one-half of the fee (\$72) to each tenant household. The \$72 is prorated over 12 months, resulting in a \$6 monthly rent surcharge. The annual program fee is not considered rent, and must be subtracted from the monthly charge for the unit before applying a rent increase.

Rebates for each of the last 3 years will be issued to tenant households who paid the monthly fee to their landlords, and have filed an application establishing their eligibility.

For additional information, please visit the website or call 323-848-6450.

**REBATES –**  
The 3-year window for rebates now available begins September 2016 and ends August 2019.  
The filing deadline is August 31, 2020.

### Registration Fees and the Fee Pass-through

**What is the annual rent registration fee?** It is a per unit fee billed to landlords of rent stabilized properties. It funds the administration of the Rent Stabilization Ordinance (RSO).

**What is the registration fee pass-through?** The RSO allows one-half of a unit's registration fee to be passed through to its tenants as a rent surcharge. The tenants' portion must be prorated over 12 months. It cannot be charged as a lump sum. Section 8 units are not billed the tenant portion of the fee; therefore no tenant portion can be passed through.

**How much is the fee?** The fee is \$144 per unit. The \$72 tenant portion is prorated so that landlords can collect a \$6 rent surcharge every month. The registration fee for Section 8 tenancies is \$60 per unit, no part is passed-through to tenants.

### What Must a Landlord Do to Raise Rent?

California law requires a 30-day written notice to increase rent. Rent can be increased up to the Annual General Adjustment.

**Can landlords collect the fee pass-through retroactively?** No. Landlords can only collect the pass-through monthly, at \$6 a month. If a monthly pass-through is missed, it is not collectable.

**Does Collecting the Pass-Through Limit Rent Increases?** No. The fee pass-through is not rent. It is a surcharge that is applied after the rent increase is calculated. Landlords may increase rent by the Annual General Adjustment and then add the \$6 monthly pass-through.

### Smoke-Free Apartment Regulations

On July 15, 2019, the City Council may review smoke-free programs for apartments and condominiums currently in effect in other cities including Beverly Hills, Santa Monica, and Berkeley.

Visit [weho.org](http://weho.org) for more information.

### Tenant Habitability Plan Required for Seismic Retrofitting

Before a landlord can receive a building permit for seismic retrofitting work to an occupied rental a plan demonstrating how the tenant will not be greatly impacted must be submitted to Rent Stabilization and Housing for approval.

Tenant Habitability Plans assist contractors design and complete work in a manner least impactful to occupants. Depending on the work proposed, a plan could include best practices, temporary relocation, or other actions to reduce impacts while completing the work.

More information is available online: [www.weho.org/rent](http://www.weho.org/rent)



## WHAT LEGALIZING CANNABIS MEANS FOR PROPERTY OWNERS AND TENANTS

The Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) became State law January 1, 2018. Since then landlords and tenants have had questions about what the Act means and how it applies. Below are answers to some of the frequently asked questions the Rent Stabilization Office has received this past year. We are providing

answers for informational purposes, it is important to remember that, as with all laws, only the Court can make binding interpretations, and so information could change in the future. It is important that you seek legal advice if a situation arises regarding medical or recreational cannabis.

**Does the MAUCRSA allow for the free recreational use of cannabis by adults in the State of California?** No. The right of adults to possess, grow, and use cannabis for recreational purposes is subject to restrictions imposed by the Act itself, as well as by local law. One of the key restrictions in the Act is that it does not allow cannabis use in any location where tobacco use is prohibited.

**Does a landlord have the right to restrict cannabis use on the property and in a tenant's unit?** Yes. Just as the landlord has the right to restrict tobacco use on the property, the landlord can also forbid cannabis use. The prohibition must be in the lease signed by the tenant, or must be agreed to in writing by the tenant if it is not in the original agreement. But as explained below, an existing prohibition against smoking includes cannabis.

**If the lease restricts tobacco smoking but does not address cannabis use, is cannabis use allowed?** No. The Act specifically does not allow cannabis use in any location where tobacco use is prohibited. However, landlords are advised to address cannabis use in contracts with new tenants to avoid any misunderstandings.

**If the landlord requires tenants who smoke tobacco to do so on the public right of way in front of the building, can tenants smoke cannabis there too?** No. The Act does not allow cannabis use in public places not licensed for such use.

**Do restrictions on cannabis use refer only to smoking cannabis?** No. These restrictions cover any kind of cannabis use, including vaping and consumption of edibles.

**Can the landlord prohibit a tenant from cultivating cannabis plants for personal use?** Yes. The Act allows for the cultivation of up to six cannabis plants for personal use in an individual's residence; however this right to grow plants for personal use applies only to the property owner. In rental property, the landlord still has the ability to impose restrictions through a rental contract, and can prohibit growing cannabis. The Act does not take away this right.

**California Civil Code §1940.10 allows tenants to cultivate certain plants for personal use. If the required guidelines are followed, the landlord cannot object. Does this law allow cannabis cultivation for personal use?** No. California Civil Code §1940.10 specifically exempts cannabis cultivation.

**Can a tenant use cannabis for medical purposes despite the landlord's prohibition of cannabis on the property?** Yes. If the tenant adheres to certain State law guidelines. The tenant must ask the landlord for a "reasonable accommodation" to use cannabis under State disability law. The request should include a statement from the tenant's primary care physician that cannabis use is necessary to treat the tenant's illness. While the MAUCRSA gives a tenant the right to possess and use cannabis for medical purposes, it does not give the tenant the right to smoke it. In order to smoke cannabis, a tenant's reasonable accommodation request should include a statement that smoking is a medical necessity and the tenant cannot take cannabis in some other way. In any event, the granted reasonable accommodation must not interfere with any other tenant's right to quiet enjoyment of the property.

**How does cannabis legalization impact tenants under Section 8?** Because federal law views cannabis as a controlled substance, tenants receiving rent subsidies through Section 8 run the risk of losing their Section 8 vouchers if they possess or use cannabis. This is true even when using medical cannabis and even when the landlord permits cannabis use.