

ANNUAL REPORT

2010



CITY OF WEST HOLLYWOOD
**Rent Stabilization
and Housing**



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June 2011

Rent Stabilization is a key component of West Hollywood's strong and vibrant residential community. The Rent Stabilization and Housing Department's programs and policies play a vital role in addressing the housing concerns of tenants and property owners.

This Annual Report provides information about key programs, policies, services provided to constituents by the Rent Stabilization and Housing Department. It has information about the administration of rent stabilization programs, rental listings and an update of affordable housing accomplishments and programs. The Report includes a summary about rent stabilization-related legal services and mediation services for landlord and tenant disputes. Also, the Report provides data regarding housing stock and rent profiles.

A Strong Vibrant Residential Community

Ensuring the availability of fairly regulated and properly maintained rental housing has been a top priority for the City of West Hollywood from its very beginning. Rent Stabilization represents the cornerstone of the City's efforts in this regard.



Cityhood

To Protect the Area's Quality of Life

In the early 80s, the drive for Cityhood gained momentum. The uncertain economic outlook was taking its toll on residents through ballooning rents and unjust evictions. Those who lived here, including many who were seniors on fixed incomes, sought stability regarding their housing. They wanted to know they could stay in their current apartments if they so chose, without the fear of being priced out or pushed out one day by their landlords.

Incorporation Turned Into Reality

Three main issues led to the push for cityhood: a desire for rent control, gay rights and local control of city services and zoning. The campaign to establish an independent City of West Hollywood was spearheaded by a coalition of LGBT activists, seniors and renters who wanted to create strong renters' rights protections, progressive civil rights and human rights policies and local control of land use policies. When the dream of

incorporation turned into the reality of cityhood by a ballot box landslide in November of 1984, one of the first acts of the newly-elected City Council was to adopt an urgency measure requiring rent rollbacks and limiting evictions to certain specified grounds. Rent Stabilization in the City of West Hollywood was born.

West Hollywood's Commitment

Today, fairly regulated rental housing remains a critical and strategic goal of the City. The City's commitment to the development and preservation of properly maintained affordable units continues to be a top priority. The Rent Stabilization program represents the cornerstone of West Hollywood's efforts in this regard.

Current Climate

THE ECONOMIC RECESSION

The economic recession, which started in 2008, continued throughout 2010. The City's rental market was still soft¹.

With regional unemployment still at 11.7%² at year's end, the City's rental housing remained affected by the economy. For example, apartments advertised for rent were still numerous, and vacant units remained unrented longer than in the pre-recession days. Tenants whose incomes were affected by the economic downturn sometimes struggled to pay rent, at times seeking roommates or rent discounts in order to remain in their units.

¹Rent Stabilization Department Records, Re-Registration filings and Rental Referral List vacancies

²US Department of Labor, Bureau of Labor Statistics, Unemployment Rate for Los Angeles Metropolitan Area, Dec. 2010

Programs, Policies, and Administration

Rent Stabilization was one of the core reasons for the City's incorporation – affordable housing remains a critical and strategic goal of the City. This goal has been incorporated into City's Vision 2020 Strategic Plan as one of its important goals.

The Rent Stabilization and Housing Department develops programs and recommends policies for the City Council's approval that promote a strong, vibrant residential community. The main goals of the department are:

- 1 preservation of existing affordable housing,**
- 2 fair regulation of rental housing,**
- 3 and the creation of new market-rate and affordable housing.**

Rent Stabilization represents the cornerstone of the City's efforts to ensure the availability of fairly regulated and properly maintained rental housing.



Rent Stabilization

The Rent Stabilization division administers the City's Rent Stabilization Ordinance (RSO), advises individuals with landlord/tenant problems about the options available to them under state and local law, and refers constituents to legal resources, government enforcement agencies and social services, as the situation warrants. The division develops, coordinates and distributes written materials that educate the public with regard to the RSO, as well as provides information about the Department's procedures and requirements on numerous topics such as maintenance standards for rent stabilized units, security deposit interest obligations of landlords and tenant rights/landlord responsibilities regarding resident relocations.

Staff handles questions and complaints relating to the provision of housing services and rent levels in rent stabilized units, maintains records on residential rental units within the City and works closely with Residential Code Compliance regarding appropriate maintenance questions and problems.

Public Outreach



Public Inquiries

The primary way the Department serves the public is by responding to telephone and in-person inquiries about the Ordinance and landlord/tenant issues in general. During calendar year 2010, an average of 75 inquiries per day came from individuals at the Rent Stabilization counter and through telephone calls. This was comprised of a mixture of landlords and tenants, as well as real estate brokers, prospective buyers and renters. The most common topics of concern were evictions, security deposits and maintenance requests.



Newsletter for Tenants and Landlords

Every year the Department sends a newsletter to all tenants and landlords subject to rent stabilization. This newsletter announces the allowed annual general adjustment (AGA) for the upcoming year and provides an important, useful information about landlord/tenant issues. The AGA that became effective on September 1, 2010 was for an increase of 1.25%. Additionally, the July 2010 mailing to landlords and tenants included a copy of the newly revised "Guide to Rent Stabilization" and a fact sheet, "Rent Stabilization: Key Points" which summarized the most commonly discussed provisions of the Rent Stabilization Ordinance in an easy reference form.



Security Deposit Interest

The Department's annual mailing to rent stabilized landlords and tenants about the City's security deposit interest requirements went out in December 2010 and January 2011 respectively. The interest payable to rent stabilized tenants for calendar year 2010 is 0.25%. The mailing included an informational flyer with a worksheet to aid in the interest calculation.



New Property Owner and New Tenant Mailings

Another method of outreach is a monthly mailing to new owners and new tenants. 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 tenants. In 2010, approximately 75 new landlord and/or property managers and 2,875 new tenant packets were mailed.



Group Meetings

In addition to providing information individually at City Hall or on the telephone, the Department also holds group meetings with landlords and tenants from properties with ongoing problems or special issues. Typically, it is Department staff that identifies the need for such a meeting when repeat questions and concerns regarding a certain situation reach critical mass. Once identified, staff proposes a group meeting to the appropriate individuals, coordinating logistics to maximize effectiveness. In 2010, these meetings addressed topics which included removing properties 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.



City Web Site

Constituent inquiries received through the City's web site have increased in the last year. The Division continues to fine tune its section of the site to better meet this demand through organizing the layout and content for easier access and understanding. There is a good deal of helpful information available on various topics including affordable housing, foreclosures, as well as many of the rent stabilization factsheets, forms and general information



Proactive Neighborhood Watch Meetings

Over the past year, Division staff participated in many of the City's neighborhood watch meetings, proactively bringing landlord/tenant information to residents who might not otherwise receive it. The convenience of evening meeting times and the neighborhood settings of these meetings make this an effective method of public outreach.

Additional Outreach

The Department also provided public information through the West Hollywood Community Through Engagement “CTE” Academy, a program set up to educate members of the community in all aspects of City Hall and prepare them for further involvement in the community. The Department participated in the Beverly Hills/ Greater Los Angeles Association of Realtors rent control luncheon. Additionally, the Department provided a Rent Information Coordinator at the City’s Senior Fair in May who was available to answer questions in English and in Russian.

Inter-Divisional Activities

Rent Stabilization staff members work closely with Residential Code Compliance, as well as other divisions in City Hall to provide comprehensive responses to constituent needs. A Rent Stabilization Information Coordinator and the Rent Stabilization Manager attend the interdepartmental Development Review Committee Meetings to review new development projects on a regular basis. They offer input with regard to tenant or other rent stabilization concerns in discussing potential projects in the City. Additionally, staff representatives attend the Vacant Properties and Tenant Harassment Committee Meetings to provide input and keep abreast of matters involving residential properties. Staff has also provided information and statistics for the City’s General Plan and Housing Element.

Records and Registration Fees

Another important function of the Department is maintaining records for residential properties in the City. Each time a unit is rented to a new tenant, the owner is required to file a Re-Registration Upon Vacancy Form for that unit with the Department, signed by both the landlord and the tenant. It includes important information such as the move-in date, the initial rent paid, and housing services that are provided with the unit. Once processed and verified, a letter of confirmation is sent to both the landlord and the tenant and the information is also input into the computer database.

In 2010, there were approximately 16,500 units under rent stabilization including approximately 1,000 Section 8 units. There were over 600 temporary exemptions from the Ordinance (mostly for owner occupancy). Approximately \$1,878,951 in rent registration fees and \$10,000 in penalties were collected in 2010.

Residential Rental Referral List

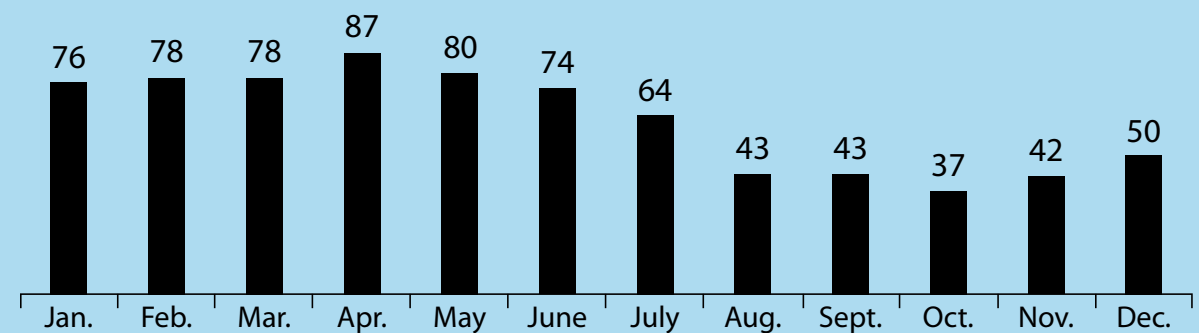
The Department has a program that allows any West Hollywood landlord to advertise available units for rent free of charge. The Residential Rental Referral List is updated weekly and shows an available unit’s address, number of bedrooms/bathrooms, asking rent and who to contact for more information or 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.

Chart A below tracks the number of referral listings month-by-month during 2010. The overall decrease in listings throughout the year can be seen as evidence that the local economy is improving as the residential rental market gradually returns to pre-recession levels.

CHART A

Rental Referral Listings

JAN. '10 - DEC. '10 | tracks month-by-month listings thru 2010



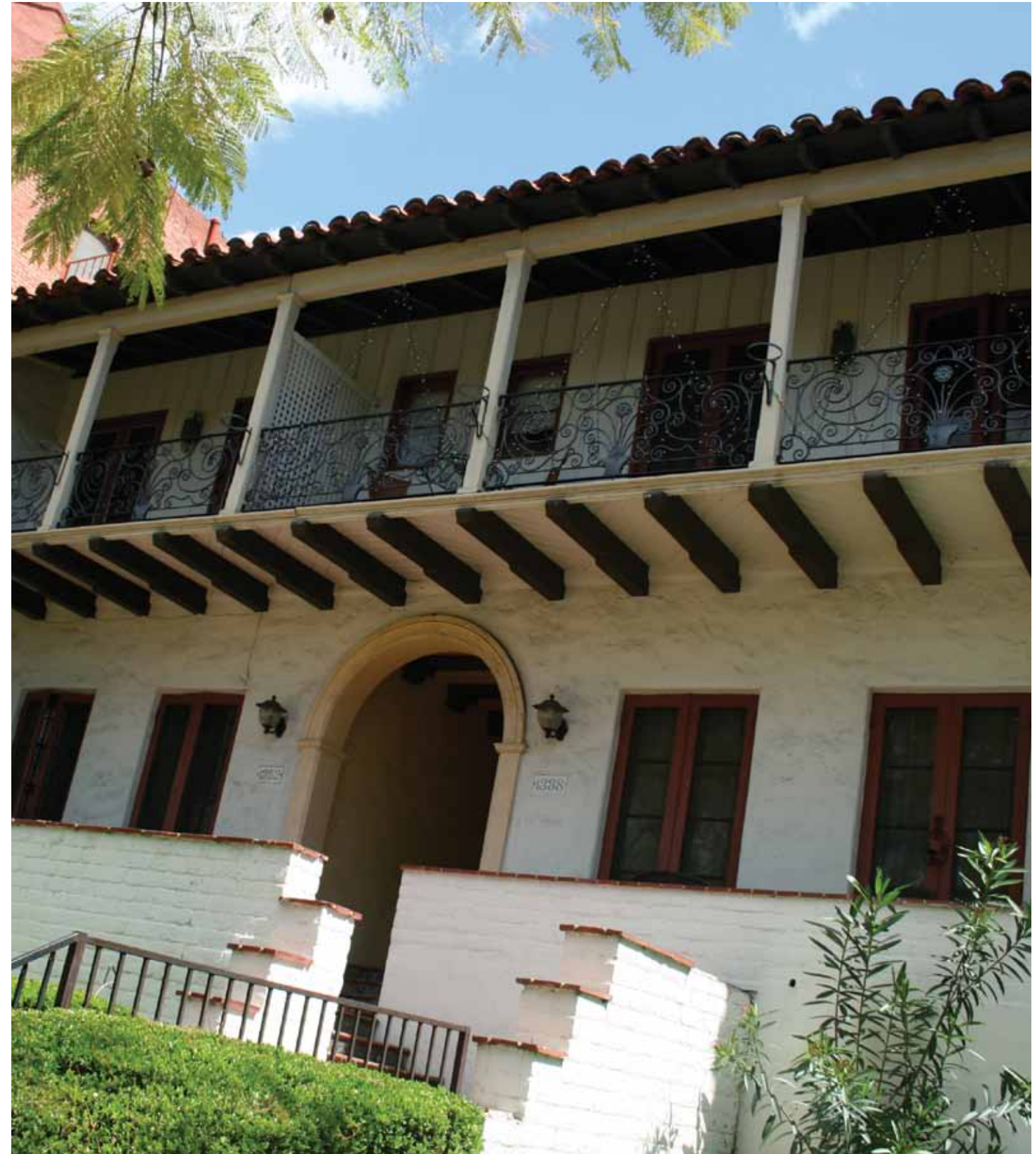
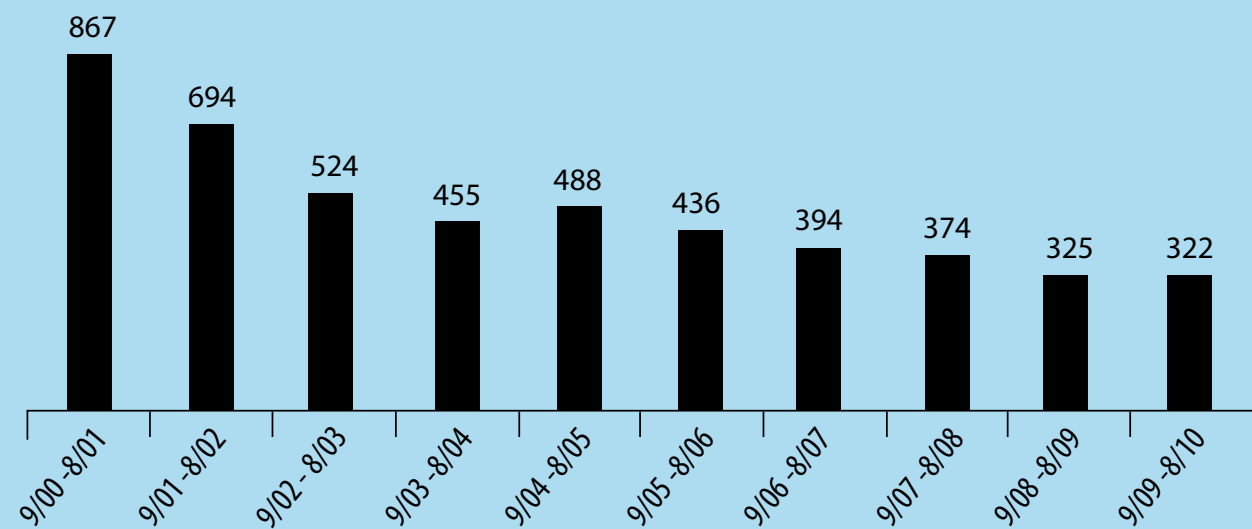
Tenant Registration Fee Rebate Program

The Department offers a rebate of the tenant portion (\$5 per month) of the rent registration fees (usually \$60) back to qualified tenants. In order to qualify, tenants must be 62 years of age or older, or disabled, and meet certain low income guidelines. Tenants apply for and submit documentation verifying age, disability and income. After the initial application is approved, tenants receive a simpler renewal application in the mail each year. The number of rebates issued covering the most recent rebate period, September 2009 through August 2010, was 322.

CHART B

Tenant Fee Rebates

Issued each year since the beginning of vacancy decontrol.



The Housing Division of the Department serves as facilitator of affordable housing developments, including both new construction and rehabilitation. The division reviews all new housing developments in the City, including both new construction and rehabilitation.



Housing

The division also reviews all new housing developments for consistency with City affordable housing policies. The division oversees the housing components of mixed-use projects and maintenance standards for all residential property in the City. The Residential Code Compliance unit within the division coordinates closely with the Rent Stabilization Division to ensure compliance with property maintenance standards. The division manages the City's inclusionary housing program and Affordable Housing Trust Fund, and administers and promotes State and Federal programs that foster affordable housing development. Staff advises the City Manager and City Council on housing policy issues. Finally, the division manages contracts with the West Hollywood Community Housing Corporation (WHCHC) and other nonprofit housing developers.

Nonprofit Affordable Housing Production

During Calendar year 2010, the division made significant progress on three affordable housing developments by the West Hollywood Community Housing Corporation (WHCHC). The award-winning Sierra Bonita mixed-use project was completed, providing 42 units of very low income housing for disabled residents as well as ground-floor space for two community-serving nonprofit organizations. The Housing Division facilitated acquisition and rehabilitation of an abandoned 48-unit apartment house at 1234 Hayworth Avenue as permanent affordable senior housing, to be completed in early 2012. And the division also facilitated acquisition of a property on La Brea Avenue planned for 32 units of very low income housing for a mixed population, expected to start construction in late 2011. In addition to these WHCHC projects, the division obtained entitlements and completed a loan agreement for a 17-unit, very low income senior development on Fairfax Avenue being developed by Alternative Living for the Aging, expected to start construction in 2011.



Housing Information Center

The division maintains and updates a centralized information kiosk on affordable housing in the City Hall lobby, which contains a variety of literature about affordable housing.

This information is also available on the City's website:

www.weho.org

Inclusionary Housing

The City's innovative inclusionary housing program requires market developers to set aside a portion of units for low- and moderate-income households and for developers of smaller projects to pay into an Affordable Housing Trust Fund. In 2010, the 40-unit Ramona project on Harper Avenue was completed, with 8 rehabilitated inclusionary units for low- and moderate-income households. Plans proceeded for initial phases of the Movietown Plaza project, a mixed-use development that will include 76 affordable senior units. A development agreement was completed for the Sunset Time mixed-use project, which will include both on-site and off-site inclusionary housing components; and entitlements were secured for two mixed-use projects along La Brea Avenue that will collectively add 75 affordable units to the inclusionary housing inventory.

Residential Code Compliance

The Residential Code Compliance unit of the division seeks to maintain the quality of the existing housing stock by implementing and enforcing residential property maintenance laws. Primary enforcement efforts are directed toward issues affecting public health, safety, and welfare.

The division also undertakes special projects, including programs aimed at legalization of unpermitted units and proactive code enforcement on the east side for properties with a history of code violations or other problems.

Interdepartmental Team – Vacant Properties

The Vacant Properties Team meets monthly to review the status of approximately 60 vacant and unoccupied properties throughout the City. Residential and Commercial Code Compliance Officers examine each property at least once monthly, often with a Sheriff's Deputy, and conduct additional observances from the public right-of-way more frequently.

Interdepartmental Team – Hoarding

A second 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, the dispensing of services to affected residents, and compassionate intervention measures as warranted to ensure public safety.

East Side Pro-Active Code Compliance

The Housing Division is in its fourth year of pro-active code compliance for the East Side Redevelopment Area. The program looks at buildings pro-actively for inspection, in contrast to traditional code compliance, which responds to complaints. Buildings are selected based on their histories of property maintenance violations, rent reduction cases (often indicating a diminution of service or deferred maintenance), tenant harassment cases, and exterior appearance. In the past year, the program identified and covered more than 250 units and was able to increase tenant participation from 50 percent to over 90 percent.

Smoke Alarm Program

The Housing Division Residential Code Compliance Unit smoke detector program, introduced in 2006, offers free smoke detectors and batteries that can be installed at no cost to the owner. Though building owners are responsible for smoke detector maintenance, staff determined that it would be quicker, safer and less expensive to correct the problem on the spot, using a supply of smoke detectors and batteries carried in City vehicles, rather than go through a labor-intensive administrative remedies and re-inspection procedure.



Soft Story Investigation

One of the primary goals of the City is to ensure a longer life for the existing rent-stabilized housing stock. A large number of apartment houses were built in the 1950s and 1960s with “tuck-under” parking. Reinforcement of these “soft story” structures would ensure better performance in an earthquake. Following a survey of the East Side Redevelopment Area, staff engaged a structural engineer to look at several prototypical buildings and investigate cost-effective means of strengthening them with the least impact on current tenants.

Accessory Dwelling Unit Study

In response to a City Council request, the Housing and Planning Divisions jointly engaged a consultant to study existing zoning and building codes and generate new guidelines for accessory dwelling units, or “granny flats,” to increase the housing stock with minimal community impact. The study, completed in 2010, recommended various adjustments to the zoning code that would facilitate the development of second units in certain low-density zones and on lots that could accommodate them. The Planning Commission will review these proposed changes in 2011.



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.

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.

2010 Rent Adjustment Hearing Statistics

- Hearings filed **110**
- Hearings held **63**
- Hearing requests withdrawn **29**
- Postponed to a later date or dismissed administratively **12**
- Hearings moved to an inactive status **6**

Tenant Harassment

The Legal Services Division assists the Department's mission by investigating complaints of tenant harassment. A tenant may initiate an investigation by filing a harassment complaint with the Division. In 2010, the Division received approximately two tenant harassment complaints per month.

Once received, a tenant harassment complaint is assigned to a staff attorney who reviews the allegations made in the complaint, and the complainant and any witnesses are interviewed. The staff attorney may also contact the tenant's landlord and any of the landlord's representatives who may have relevant information regarding the allegations. If the investigation reveals that tenant harassment has occurred, the case is referred to the City Prosecutor.

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 less than ten percent of 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 1,700 constituents in 2010 and resolved approximately 660 conflicts 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. The mediator also deals with issues involving condominium homeowner associations..



Rent Stabilization Commission

The Rent Stabilization 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 2010, the Commission heard 19 appeals, mostly appeals of rent decrease applications and several relating to Maximum Allowable Rent.

- The Commission discussed various issues in depth related to affordable housing and rent stabilization at a number of its meetings.
- Staff gave presentations on topics which included the status of the City's affordable housing construction projects, such as those on Sierra Bonita Avenue and Hayworth Avenue.
- The City's housing lobbyist in Sacramento provided the Commission with regular legislative updates regarding potential and actual changes to State laws for tenants, landlords, funding for affordable housing and State budget updates.
- The Department Director provided information on the continuing progress of the City's General Plan and Housing Element.
- The Commission participated in a joint study session about the Housing Element with the City Council and Planning Commission before the Housing Element was submitted to the State.

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



General Plan

In 2010, the City made significant progress in drafting a new General Plan to guide its development.

HOUSING ELEMENT

The Housing Element is the portion of the General Plan that provides the primary guidance for local decision-making related to housing. Findings and goals of the Housing Element include:

- *Aging Housing Stock*
- *Changing Housing Needs*
- *Creation of New Affordable Housing*
- *Neighborhood Integrity*

Aging Housing Stock

Almost 90 percent of the City's housing units is at least 30 years old, and close to half is over 50 years old. The Housing Element proposes a series of actions to identify key issues facing older buildings including mechanical, electrical and structural systems, energy efficiency, accessibility and to provide guidance for rehabilitation.

Changing Housing Needs

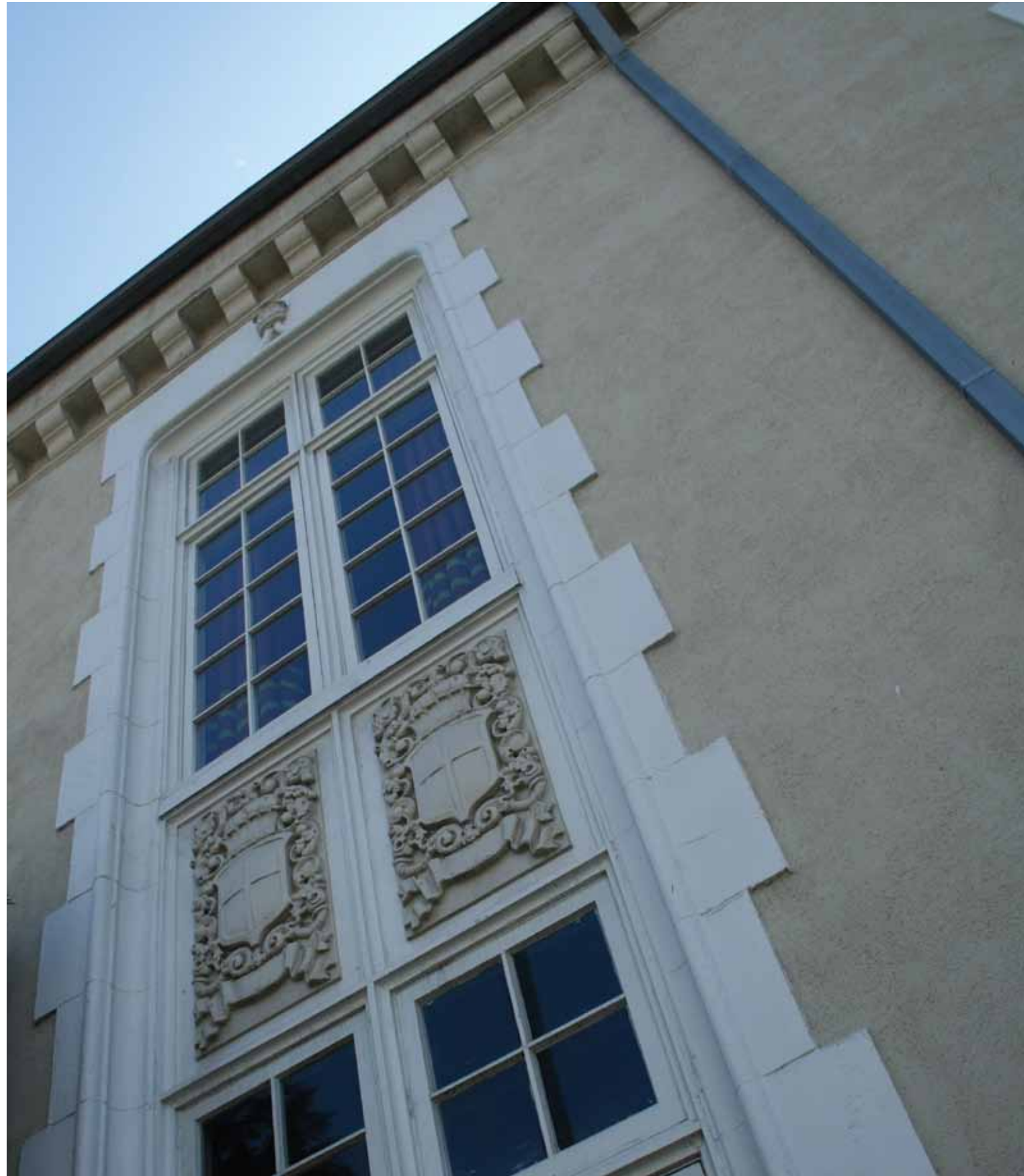
The City's changing housing needs include addressing the needs of an aging population and people with HIV/AIDS and other disabilities. The Housing Element provides direction to better serve these and other diverse populations.

Creation of New Affordable Housing

The need for affordable housing in the City remains great. The Housing Element identifies projects and programs of the City including inclusionary housing and housing developed by non profits to create more affordable housing.

Neighborhood Integrity

The quality and character of the residential neighborhoods are a key asset of the City. The Housing Element identifies strategies to protect neighborhoods from development pressure and to direct new housing to transit-oriented developments in commercial areas along transportation corridors.



Housing Stock and Rent Profile

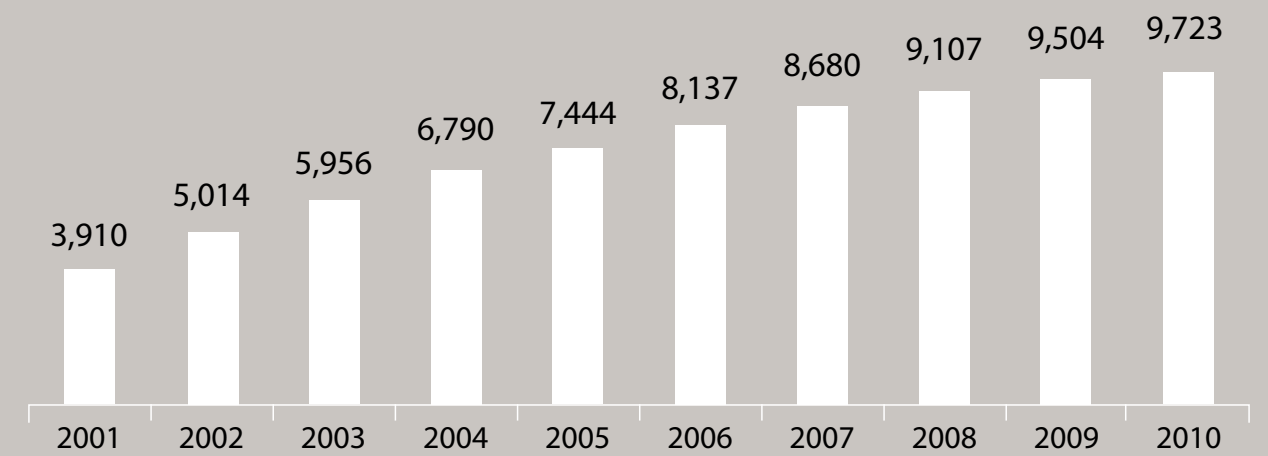
Over the course of 11 years, vacancy decontrol has had a clear impact on the affordability of West Hollywood's rental housing. The following pages show the recent history of higher move-in rents levels as compared to the previous stabilized rents for the City's rent stabilized units.



Charts B shows the number of rent stabilized units whose rents were reset by Costa-Hawkins on a yearly basis. Beginning with 2001, Chart B tracks the cumulative number of rent stabilized units with at least one market rate vacancy increase since vacancy decontrol began in 1999. Almost two-thirds of the City's rent stabilized units received at least one market-rate jump by the close of 2010.

CHART • B
Units With Market Vacancy Increases

Numbers are cumulative



Yearly Average Rents

CHARTS • C — F

Pre-1996 rents are imputed from a base of the December 31, 1995 Maximum Allowable Rent with Annual General Adjustments added for each year.

Rent in Dollars ■ Pre -1996 Tenants ■ New Tenants

Chart C ▶ 0 Bedrooms

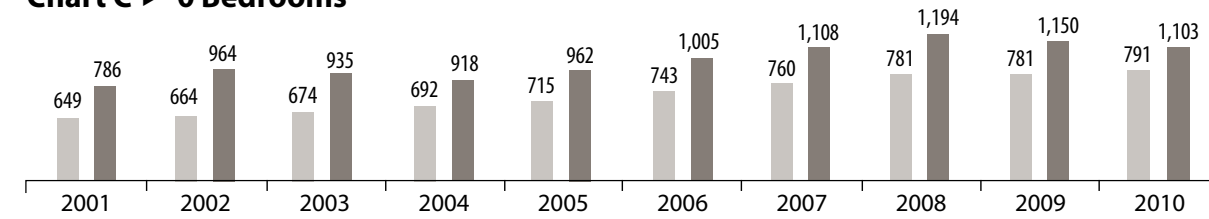


Chart D ▶ 1 Bedroom

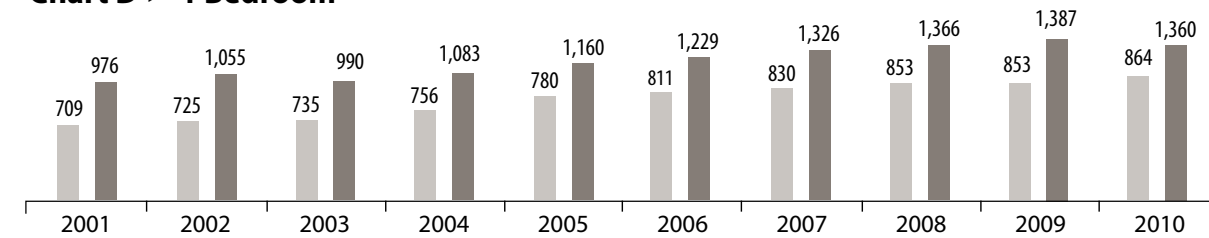


Chart E ▶ 2 Bedrooms

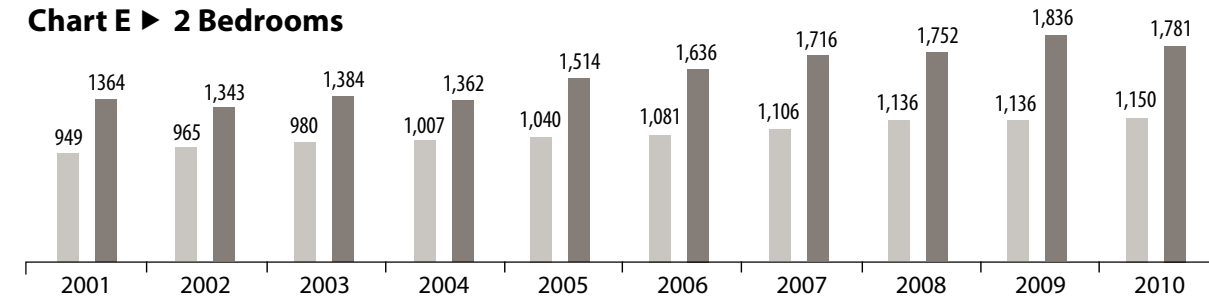
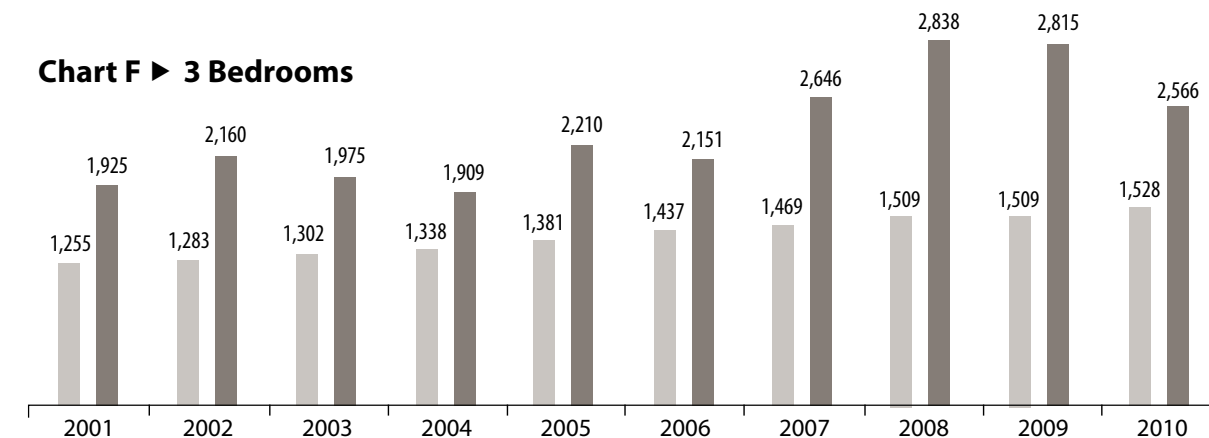


Chart F ▶ 3 Bedrooms



Charts C through F 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 and imputing all of the subsequent general adjustments through 2010. The rent amounts for new tenancies is determined by averaging the rent levels listed by landlords on Unit Re-Registration After Vacancy forms required for new tenancies.

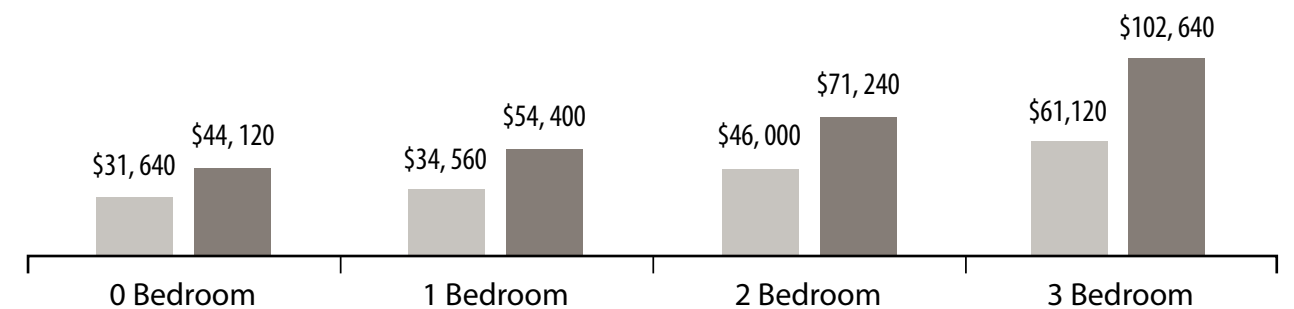
The disparity is striking, becoming larger every year until the 2008 recession caused a decline in market level rents.

CHART • G

Rental Housing Affordability By Income

Chart G shows what these rent levels mean in terms of affordability. The household income needed in 2010 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.

■ Pre -1996 Tenants ■ New Renters

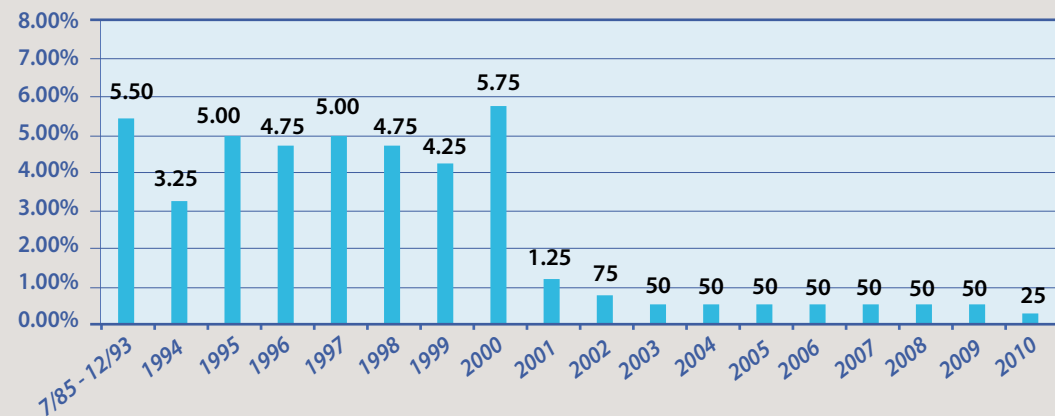


► Annual General Adjustments

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 Interest



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.



The City of West Hollywood

City Council

John J. Duran, *Mayor*
Jeffrey Prang, *Mayor Pro Tempore*
John D'Amico
John Heilman
Abbe Land

Rent Stabilization Commission

Agassi Topchian, *Chair*
Gail Sanes, *Vice-Chair*
David Gregoire
Chuck Henry
Eric Thompson

City Manager

Paul Arevalo

Rent Stabilization and Housing Department

Allyne Winderman, *Director*

Rent Stabilization Division

Elizabeth Savage, *Manager*

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Design

Joanne Shannahoff

Photography

Photos: Tom Trevor
Photo of Sierra Bonita: courtesy of Art Gray

► The Rent Stabilization and Housing Department is vital to the interests and concerns of the community, tenants and property owners, as well as the City Council and City staff. The department develops programs and policies for the City to promote a strong and vibrant residential community.