



## **SUMMARY OF CITY OF BEVERLY HILLS RENT REGULATIONS (" CHAPTER 6 ")**

### **Frequently Asked Questions**

On January 24 and February 21, 2017, the City Council of the City of Beverly Hills adopted revised rent stabilization regulations (Beverly Hills Municipal Code - BHMC - Section 4-5-6), which affects most rental housing in the city. The following "Frequently Asked Questions" are intended to address key questions about the application of the ordinance. If you need more information, please see [www.beverlyhills.org/BHrent](http://www.beverlyhills.org/BHrent) or call 310-285-1031.

#### **1. What units are governed by the Ordinance?**

The ordinance (often referred to as "Chapter 6") applies to all multiple residential dwellings consisting of two (2) units or more, except the following:

- Hotels, motels, inns and boarding houses unless a unit has been rented to the same tenant for more than 30 consecutive days;
- Rental housing built with a certificate of occupancy issued after February 1, 1995; and
- Rental housing built before 1978 and initially occupied by the current tenant for a rent of less than \$600/month. This is referred to as "Chapter 5" rental housing, and a different set of regulations applies to this housing. For more information see BHMC Section 4.5.

#### **2. What is required of landlords?**

- Unit registration. All landlords must register non-exempt units with the City within 30 days of receiving notice that registration is required. For registration forms or more information on the rental registration process, please see [www.beverlyhills.org/BHrent](http://www.beverlyhills.org/BHrent) . Units that may have been exempt from the ordinance that are now entering the market as rental housing must register the units within 30 days of the end of the exemption. A

unit must also be re-registered after any change in the required registration information or within 30 days of being re-rented after a vacancy.

- Provision of information to new tenants regarding their rights and responsibilities.

Twenty four hours prior to executing a lease, a landlord must give a prospective tenant written notice regarding the provisions of the City's rent stabilization ordinance, and other information regarding the tenant's rights and responsibilities as set forth in Section 4-6-5 B. A brochure is available from the City ([www.beverlyhills.org/BHrent](http://www.beverlyhills.org/BHrent) or call 310-285-1031 to request a copy) that includes the required information. A tenant must acknowledge in writing receipt of this information, and the landlord must retain this acknowledgement through the duration of the tenancy.

### **3. What rent increase is permitted?**

A landlord may increase the rent one time within any twelve (12) month period a maximum of 3% or the annual Consumer Price Index (CPI) for the Los Angeles Area whichever is greater (Section 4-6-1), with a minimum 30-day written notice served in accordance with State and local law. [Section 4-6-3 and California Civil Code Section 827(b)(1)(B)(2),(3)].

### **4. How do I properly serve a notice of a rent increase?**

A landlord's notice to a tenant must be in writing and "served" properly to be legally effective.

A notice may be served as follows:

- \*Personal service
- \* Mailing
- \* Posting
- \*Substituted service on another person

### **5. Can a landlord pass on a utility surcharge?**

Yes, for water service penalty and refuse, subject to the requirements of Section 4-6-7 (water penalty) and/or Section 4-6-8 (refuse). The City is not currently assessing water service penalty fees at this time. The landlord may pass through the cost of a refuse fee after giving required notice and if it is consistent with the lease terms [Section 4-6-8].

**6. Can a landlord apply to the City for a rent adjustment that exceeds the 3 percent or CPI maximum adjustment?**

Yes. A landlord may file a rent adjustment application with the City for all rental units in the landlord's building to achieve a just and reasonable return based on net operating income principles [Section 4-6-11]. The request will be noticed to the tenants and subject to a hearing before a hearing officer. Applications for a rent adjustment can be found at [www.beverlyhills.org/BHrent](http://www.beverlyhills.org/BHrent).

**7. Can a landlord and tenant agree to a higher rent increase than the permitted 3% or CPI?**

No [Section 4-6-4(a)].

**8. On what basis can tenants be evicted?**

The ordinance sets forth essentially two bases for evicting tenants: "*just cause evictions*," and "*no fault*." The type of eviction affects whether a "relocation" fee is required to be paid to the tenant and the amount of rent that can be charged a subsequent tenant.

*Just Cause Evictions*

A "just cause" eviction is the termination of a tenancy by the landlord for one of the following reasons:

- failure to pay rent [BHMC § 4-6-6 A]
- violation of an obligation of the tenancy [BHMC § 4-6-6 B]
- maintenance of a nuisance or causing damage to a unit [BHMC § 4-6-6 C]
- illegal use of the apartment unit [BHMC § 4-6-6 D]
- refusal to provide access to the apartment unit to make repairs, inspections or to show the unit to a prospective purchaser after appropriate notice is given [BHMC § 4-6-6 F]
- unapproved subtenant in possession at the end of the lease term [BHMC § 4-6-6 G]

### *No Fault Evictions*

- Refusal to execute a lease (BHMC § 4-6-6(E))
- Use by landlords (BHMC §4-6-6 (H))
- Change in building manager (BHMC §4-6-6 (I))
- Demolition or condominium conversion (BHMC § 4-6-6 (J))
- Withdrawal of residential rent structure from the rental market (Ellis Act) (BHMC §4-6-6 (L))

A relocation fee is required for no fault evictions. The rent charged to the subsequent tenant must be the same amount as the rent charged to the evicted tenant at the time of eviction (subject to any permitted annual adjustment as discussed in Question 3).

Unit Type	Relocation Fee	If any tenant is a Senior Citizen (62+ yrs), Disabled Person, or Minor (under 18)
Studio	\$ 7,789.52	\$ 9,789.52
One Bedroom	\$ 11,506.28	\$ 13,506.28
Two or More Bedrooms	\$ 15,589.07	\$ 17,589.07

**9. If an apartment unit is voluntarily vacated by the tenant how much rent can be charged?**

The apartment unit may be re-rented for whatever amount the landlord and new tenant agree upon. [Section 4-6-5(a)]

**10. To whom do I report violations of the Rent Ordinance?**

You may contact the Rent Stabilization Division by phone at 310-285-1031 or by email at [bhrent@beverlyhills.org](mailto:bhrent@beverlyhills.org). Please visit our website for more information at: [beverlyhills.org/rent](http://beverlyhills.org/rent).