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Urgency Ordinance Will End No-Cause Evictions

By Victoria Talbot

In a move that truly exceeded tenant expectations, based on the reactions from the tenants who remained at the end of the meeting, the Beverly Hills City Council voted 5-0 Thursday to enact an Urgency Ordinance to ban No Cause Evictions in the City of Beverly Hills immediately.

For Cause evictions include non-payment of rent, violations of the covenant, illegal uses, refusal to sign a lease, access refusal, unapproved tenants, use by landlords and demolitions, conversions and major remodeling, for example.

The decision was made at the close of the second of two final meetings on the Rent Stabilization Ordinance with the cumulative comments added to the HR&A Advisors Real Estate and Economic

Development Consultants report that has driven the discussion after Councilmember Lili Bosse introduced it early in the meeting.

The two City Council meetings one week apart (Oct. 11 and Oct. 18) represent the culmination of years of work, countless hours of facilitated dialogue between renters and landlords, and the Rent Stabilization Ordinance (RSO) that was first passed as an Urgency Ordinance in January 2017.

The new Urgency Ordinance banning No-Cause Evictions was drafted by City Attorney Larry Wiener immediately after the meeting concluded.

Wiener was directed to bring it back to the Council for approval in the evening Thursday when the Council

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EVICTIONS

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met with TEAM Beverly Hills members, after the *Courier* had gone to print.

The *Courier* anticipates that the ordinance will be approved 5-0 at that time and it will be in effect immediately.

The Urgency Ordinance will then remain in effect until the effective date of the final Rent Stabilization Ordinance, which was the subject of Thursday's meeting.

Mayor Julian Gold has declared that it is his desire to see that ordinance completed by the end of the year.

With all of the provisions in the current Rent Stabilization Ordinance, No Cause Eviction remained the missing link to make the rest of the provisions work: fear of eviction effectively left every tenant vulnerable and tipped the balance of power in the landlords' favor.

Thus, while the 2017 ordinance ended the 10 percent annual rent increases that drove so many tenants out, at the numerous RSO public meetings, tenants have repeatedly expressed their fears of reporting code violations, maintenance problems and other issues because of retaliatory evictions. They have also spoken repeatedly about conversions to Airbnb.

After a presentation on the forthcoming agenda items by

Paul Silvern, partner at HR&A, the council took hours of public comment.

Among the first to speak were a newlywed couple who had also attended the meeting last Thursday evening. The couple had been living in their apartment three years, they said. They reported that there were several code violations, including mold and HVAC, which they had repaired at their own expense, and there were unapproved entrances by their landlord.

They had returned home last Thursday to find an eviction notice posted on their unit.

Upon speaking to their landlord, they were told he had watched the proceedings, televised live from his home. "He said that it had nothing to do with you," said the newlywed. "I just finished watching the City Council meeting.... My rights are being taken away. While I can, I am going to do this. My family is going to move in," she reported.

She said that the landlord had told other tenants that his family was moving in, as well, in the six-unit building. The couple say that units are being rented out for Airbnb.

"Do we have the basis for an Urgency Ordinance?" asked Lili Bosse, immediately upon hearing the story, which was backed up by another tenant who had lived there 31 years before receiving a No Cause



BOSSE TO THE RESCUE - Thank you Jon for sharing her with the City of Beverly Hills!

eviction. She reported that a woman "moved into" her unit and was reportedly paid to visit it daily until she was "evicted" for not paying the rent. That vacancy allowed the landlord to raise the rent to market level for the next tenant.

Council members commented that they hoped the landlord was once again, watching the proceedings, and said that there will be an investigation.

But the example demonstrated precisely why the ban on No Cause Evictions would have to be an Urgency Ordinance.

Sources at City Hall say that some landlords, after the City Council revealed its position on this item, would issue eviction notices throughout the City. "They had no option," said the source. "They had to do it."

Although there are "bad

actors" as tenants and as landlords, however, most of those who have regularly attended these meetings have acted with integrity.

It should be noted that public comment, once extremely polarized and antagonistic, has become civil and respectful over the course of these discussions. With the help of Professor Sukhsimranjit Singh, director of the Strauss Institute for Conflict Resolution at Pepperdine University, who brought the two sides closer as a facilitator during the process, many landlords and tenants have grown to understand each other's positions. Over time, the discussions have become more oriented towards solutions that both sides can live with.

A cap on annual rent increases tied to the CPI is 4.1 percent this year. The first year it capped at 3 percent. A rental data base has been established that will help to make future policy decisions based on facts. The data base also ensures rent increases are to code, helps track evictions and vacancies, and helps to establish patterns for future policy.

On Nov. 6, the Urgency Ordinance will be followed with an ordinance to create an appeal process for "disruptive tenants." Landlords who have tenants characterized as a nuisance to the peace and security of other residents and to the building will thus have an

avenue that will be illuminated in the ordinance, so that they will not have to go through the legal system to secure an eviction. "As long as there is an appeal," said Mayor Gold. All agreed that the process has to be speedy and efficient. It was floated that the appeals would come to the City Council or/and an ad hoc committee while the final RSO ordinance is being drafted.

Other issues were addressed and generally agreed upon (though not down to specifics) will be captured during the deliberations on the final draft, which is likely to come to Council Nov. 20 for deliberation.

Those issues include support for exempting owner-occupied duplexes, and perhaps triplexes and quadruplexes; rent increases in a CPI range of not less than 3-or 4- percent, not higher than 7 or 8-percent; some form of capped banking rent increases consistent with renters' security; relocation fees revisions; some passthroughs and most importantly, the formation of an appeals board that would consist of tenants, landlords and perhaps others, which would have among other duties, the power to review disruptive tenants to determine evictions and thus, relocation fees; and review tenant complaints.