

ORDINANCE NO. _____

An ordinance adding Subsection C to Section 151.04 and amending Subsection F of Section 151.09 and Subsection B of Section 151.11 of Article 1 of Chapter XV of the Los Angeles Municipal Code to require landlords and property managers in the City to provide alternative means for tenants to pay rent and associated fees when an internet or electronic rent payment system is used and to provide tenants with a remedy when their landlords and their agents fail to provide a non-internet and non-electronic means to pay rent.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection C is added to Section 151.04 of the Los Angeles Municipal Code to read as follows:

SEC. 151.04. RESTRICTIONS ON RENTS.

C. It shall be unlawful for any landlord or landlord's agent to demand or require an electronic funds transfer or online internet payment as the exclusive method of payment of rent, security deposits, surcharges or other housing service fees.

Sec. 2. Subsection F of Section 151.09 of the Los Angeles Municipal Code is amended to read as follows:

F. In any action by a landlord to recover possession of a rental unit, the tenant may raise as an affirmative defense the failure of the landlord to comply with Sections 151.04.C and 151.05.A of this Chapter.

Sec. 3. Subsection B of Section 151.11 of the Los Angeles Municipal Code is amended to read as follows:

SEC. 151.11. REFUSAL OF A TENANT TO PAY.

B. A tenant may withhold the payment of any rent otherwise lawfully due and owing after July 1, 1979, until such time as the landlord has complied with Section 151.04.C and Section 151.05.A of this Chapter. Once the landlord has complied with Sections 151.04.C and 151.05.A of this Chapter, the tenant becomes obligated to pay the current rent and any back rent withheld pursuant to this Subsection.

Sec. 4. The City Clerk shall certify to the passage of these ordinances and have them published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that these ordinances were passed by the Council of the City of Los Angeles, at its meeting of _____.

JUNE LAGMAY, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By *Deborah Breithaupt*
DEBORAH BREITHAUPT
Deputy City Attorney

Date 12-11-12

File No. CF 12-0381