



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 20 - 0072
MAR 02 2020

REPORT RE:

**DRAFT ORDINANCE TO REGULATE NO-FAULT JUST-CAUSE
EVICTIONS BASED ON INTENT TO SUBSTANTIALLY REMODEL
RESIDENTIAL RENTAL PROPERTY**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 20-0203

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration, approved as to form and legality, the enclosed draft ordinance. The draft ordinance regulates no-fault just-cause evictions based on an owner's intent to substantially remodel residential real property under California Civil Code Section 1946.2, which was added by the Tenant Protection Act of 2019, Assembly Bill 1482.

Pursuant to the City Council's Amending Motion dated February 19, 2020, the draft ordinance requires owners intending to terminate a lawful tenancy in order to substantially remodel residential real property to comply with several requirements, including obtaining permits necessary to begin work from applicable government agencies and serving a written notice of termination of tenancy describing the work to be performed. The draft ordinance would void any notice of termination failing to comply with the ordinance and provides an affirmative defense to tenants in unlawful detainer proceedings. The draft ordinance shall also apply to residential tenancies where the tenant has received a notice to terminate tenancy based on the owner's intent to substantially remodel the residential rental property and the tenant remains in possession of the residential real property.

CEQA Findings

This Office recommends that the City Council find that the adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) through Section 15061(b)(3) of the State CEQA Guidelines and Article II, Section 1 of the City CEQA Guidelines. If you concur, you should adopt this finding prior to or concurrent with taking action on this ordinance.

Council Rule 38 Referral

Pursuant to Council Rule 38, a copy of the draft ordinance will be sent to the Housing and Community Investment Department, with a request that any comments be transmitted directly to Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Elaine Zhong at (213) 922-7715. She or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM:EZ
Transmittal