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Chapter 9.75 TENANT PROTECTION

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9.75.010 Purpose.

The purpose of this chapter is to assist existing tenants in good standing.

(Ord. 6992 § 1 (part), 2004)

9.75.020 Definitions.

For purposes of this chapter, the following words and phrases shall have the following meaning:

- A. "Disabled person" means any person who is receiving benefits from a federal, state, or local government, or from a private entity on account of a permanent disability that prevents the person from engaging in regular, full-time employment.
- B. "Displaced tenant" means any tenant who vacates a rental housing unit in the city for any of the reasons set forth in Section 9.75.060
- C. "Landlord" means any owner, lessor, sublessor, or any other person entitled to receive rent for the use and occupancy of a rental housing unit, or any agent, representative or successor of any of the foregoing.
- D. "Minor child" mean any person younger than eighteen years of age.
- E. "Senior citizen" mean any person sixty-two years of age or older.
- F. "Tenant" means any tenant, subtenant, lessee, sublessee, or any other person occupying a rental housing unit pursuant to a rental housing agreement.
- G. "Unit" or "rental unit" means any residential housing unit excluding single family residents and condominium units.

(Ord. 6992 § 1 (part), 2004)

9.75.030 Applicability.

Single-family residences and condominiums are exempt from the provisions of this chapter.

(Ord. 6992 § 1 (part), 2004)

#### **9.75.040 Inapplicability of chapter to certain evictions.**

- A. The requirements set forth in this chapter shall not apply to any tenant whose tenancy is terminated pursuant to a lawful notice to terminate tenancy pursuant to state law.
- B. The requirements set forth in this chapter shall not apply if rental unit is rendered not habitable as a result of an earthquake or other natural disaster.
- C. The requirements set forth in this chapter shall not apply if the eviction is a result of the tenant having caused such physical damage to the unit, that the unit is not habitable.

(Ord. 6992 § 1 (part), 2004)

#### **9.75.050 Distribution of multi-lingual landlord/tenant rights information sheet.**

Landlords or property owners shall be required to provide to each existing tenant, a one-page information sheet, which outlines the provisions of this chapter. The information sheet will be multi-lingual, with languages to be determined at the sole discretion of the city. The sheet shall also include, but not be limited to the following information: links to appropriate web-sites, housing and community development division, and city's housing mediation contractor. The city's housing department shall prepare the information sheet.

(Ord. 6992 § 1 (part), 2004)

#### **9.75.060 Relocation allowance for tenants in good standing.**

- A. For households at or below 140% of the median income, by household size, landlord shall pay a relocation allowance equal to two (2) months fair market rents as established by the U.S. Department of Housing and Urban Development ("HUD") for a rental unit of a similar size. In addition to the relocation allowance, Landlord shall also pay a moving expense allowance in the amount of \$1,000.00 for adult households or \$3,000.00 for households with dependents, disabled or senior members.
- B. The relocation allowance provided for in this section shall be automatically increased every year in accordance with changes in the HUD fair market rents. The moving expense allowance provided in this section shall be adjusted annually in accordance with the Consumer Price Index (for Los Angeles-Long Beach) pursuant to Section 1.08.060
- C. Except for units which are owner occupied or occupied by owner's family members, the relocation allowance provided for in this section shall be triggered if any of the following circumstances occur:
  - 1. Demolition. A landlord or property owner seeks to recover possession of the unit for purpose of demolition.
  - 2. Government Order to Vacate. The landlord seeks to recover possession of the rental unit in order to comply with a governmental agency's order to vacate, order to comply, order to abate, or any other order that necessitates vacating the rental unit as a result of a significant or extended violation of housing, health, building or safety laws of the state of California or the city of Pasadena which would result in a constructive eviction.
    - a. Non-exclusive Remedy. This provision does not in any manner limit the rights of the city or tenant to recover from the landlord or property owner any relocation or placement assistance provided to assist eligible renters and/or

other city costs incurred for the correction/abatement of distressed properties which the city is legally entitled to recover.

- b. **Permanent Removal of Unit from Rental Market.** The landlord seeks to remove the rental unit permanently from the rental housing market.

(Ord. 6992 § 1 (part), 2004)

#### **9.75.070 Temporary relocation.**

- A. If a landlord is required to temporarily recover possession of a rental housing unit in order to comply with housing, health, building, safety laws of the state of California or the city of Pasadena, or if a tenant is required to vacate a unit upon the order of any government officer or agency, the landlord shall not be required to pay the relocation allowance as defined in this chapter, but shall provide temporary relocation benefits to the displaced tenant as provided for in this section.
- B. Landlord shall pay tenant an amount based on a daily rate equal to two (2) times the daily pro-rata portion of the rental rate of the tenant's unit. For each day that temporary housing is required tenant shall not be required to pay rent.
- C. Landlord shall pay the actual costs of moving and storage if tenant is required to remove personal property from the rental unit. Landlord may select a storage facility within a five (5) mile radius of tenant's rental unit.
- D. The displacement and relocation of a tenant pursuant to this section shall not terminate the tenancy of the displaced tenant. The displaced tenant shall have the right to reoccupy his/her unit upon the completion of the work necessary for the unit to comply with housing, health, building or safety laws or any governmental order and the tenant shall retain all rights of tenancy that existed prior to the displacement.
- E. Should temporary relocation exceed 120 days, landlord may opt to terminate tenancy. Landlord shall however be required to comply with Section 9.75.060 of this chapter including paying all relocation fees.

(Ord. 6992 § 1 (part), 2004)

#### **9.75.080 Remedies.**

- A. Any landlord who fails to provide relocation assistance as required by this section shall be liable in a civil action to the tenant to whom such assistance is due for damages in the amount of the relocation fee the landlord has failed to pay, a civil penalty in the amount of five hundred dollars and reasonable attorney's fees and costs as determined by the court. The court may also award punitive damages in a proper case. The tenant and/or the city, may enforce the provisions of this chapter by means of a civil action.
- B. No landlord shall attempt to secure from a tenant any waiver of any provision of this chapter. Any agreement, whether written or oral, whereby any provision of this chapter is waived, shall be deemed against public policy and shall be void.

(Ord. 6992 § 1 (part), 2004)