

**PASADENA
RENTAL HOUSING BOARD
RESOLUTION NO. RHB-2024-23**

A RESOLUTION OF THE PASADENA RENTAL HOUSING BOARD RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF PASADENA THAT THE CITY COUNCIL ADOPT, EITHER BY RESOLUTION OR ORDINANCE, REGULATIONS IMPLEMENTING ALL AVAILABLE TENANT PROTECTIONS PROVIDED IN THE ELLIS ACT (GOVERNMENT CODE SECTION 7060 ET SEQ.)

WHEREAS, the Pasadena Fair and Equitable Charter Amendment ("Article XVIII") went into effect on December 22, 2022, and the Rental Housing Board ("Board") was appointed on April 19, 2023; and

WHEREAS, Article XVIII, Section 1806(a)(10) lists the withdrawal of rental units from the rental market as a just cause for eviction to the extent required pursuant to Government Code Section 7060 et seq. (the "Ellis Act"); and

WHEREAS, Article XVIII, Section 1806(d) provides that the Board shall adopt, in the manner specified in California Government Code Section 7060.5, regulations that implement all of the provisions set forth in the Ellis Act and that such regulations shall be updated from time to time to ensure consistency with the Ellis Act and to ensure the maximum protections authorized by law are afforded to tenants of rental units; and

WHEREAS, the Ellis Act authorizes jurisdictions with rent stabilization to adopt by ordinance or statute or by regulation, if such regulations are adopted by an elected body, certain protections for tenants subject to evictions pursuant to the Ellis Act; and

WHEREAS, the Board is not authorized to adopt ordinances and is not an elected body so, pursuant to California Government Code Section 7060.5, is not authorized to adopt the regulations necessary to implement the protections provided in the Ellis Act for tenants subject to an Ellis Act eviction despite the requirement to adopt such regulations set forth in Article XVIII, Section 1806(d); and

WHEREAS, the Board at its meetings on November 7, 2024 and November 21, 2024, discussed the Ellis Act tenant protections and received comments from the public.

NOW, THEREFORE, BE IT RESOLVED by the Pasadena Rental Housing Board that the Board recommends that the City Council of the City of Pasadena adopt by resolution or ordinance, regulations that implement all tenant protections allowed in California Government Code Section 7060 et seq. for tenants whose tenancies are terminated because the landlord is withdrawing the rental unit from the rental market, including but not limited to;

1. A right for the displaced tenant to return to the rental unit if the rental unit is returned to the rental market within 10 years of the withdrawal of the rental unit from the market;

2. A right for a displaced tenant to return to any rental unit that is returned to the rental market within five years at the rent paid by the tenant prior to the withdrawal plus any allowed annual general adjustments;

3. The right of the tenant or the City to recover damages including, if the rental unit is returned to the rental market within two years of withdrawal, the right to recover actual and exemplary damages and the right to recover an amount not to exceed six months' rent if the rental unit is returned to the rental market within ten years and is not offered to the displaced tenant who has requested notification of the right to return; and

4. The requirement that if rental units withdrawn from the rental market are demolished and new rental units constructed within five years of the withdrawal, the new rental units will be subject to Article XVIII.

The foregoing Resolution was regularly introduced and adopted at a Regular Meeting of the Rental Housing Board of the City of Pasadena, duly held on the 21st day of November 2024, by the following vote:

AYES: Board Member Dunlop, Gonzalez, Henry, Pitts, Chavez, Siegel, Santiago, Torres, Vice Chair Lamar, Chair Bell

NOES: None

ABSENT: None

ATTEST: None



RYAN J. BELL
CHAIR, RENTAL HOUSING BOARD

APPROVED AS TO FORM:


ALLYSA MARTINEZ
DEPUTY CITY ATTORNEY