

ORDINANCE NUMBER 2601 (CCS)

(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF SANTA MONICA
AMENDING SECTION 4.36.040 OF THE SANTA MONICA MUNICIPAL CODE TO
UPDATE PERMANENT TENANT RELOCATION REGULATIONS

WHEREAS, Government Code Section 7060.1(c) authorizes local governments to mitigate any adverse impact resulting from tenants being permanently displaced from their homes through no fault of their own; and

WHEREAS, judicial decisions interpreting section 7060.1(c) consistently authorize monetary payments as a form of mitigation for displaced tenants; and

WHEREAS, the City's long established relocation benefits are vital to Santa Monica tenants, especially to those who must vacate their homes through no fault of their own, and such benefits are consistent with section 7060.1 and decisional precedents; and

WHEREAS, relocation benefits must be sufficient in amount to reasonably mitigate the multitude of adverse impacts faced by tenants being permanently displaced from their homes through no fault of their own; and

WHEREAS, the Santa Monica Rent Control Board and City Staff has conducted an analysis of necessary relocation benefits to adequately mitigate involuntary displacement impacts in today's rental market place; and

WHEREAS, that analysis concludes that modest adjustments to the City's permanent relocation benefits are necessary to adequately mitigate involuntary displacement impacts on tenants.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Santa Monica Municipal Code Section 4.36.040 is hereby amended to read as follows:

4.36.040 Amount of relocation fee—Permanent relocation.

(a) If a tenant is evicted from more than one rental housing unit on a property, the tenant shall not be entitled to receive separate permanent relocation fees for each rental housing unit. The tenant shall receive a single relocation fee based on the combined total number of bedrooms in the rental housing units from which the tenant is being evicted. If one of the rental housing units is a bachelor or single unit, it shall be counted as a one bedroom unit for purposes of determining the amount of the relocation fee (e.g., a tenant who is evicted from a bachelor rental housing unit and a one bedroom rental housing unit would receive relocation benefits for a two bedroom unit).

(b) Any tenant still in possession of a rental unit after the permanent relocation amounts have been updated pursuant to this Section, shall be entitled to the updated relocation amounts even if the landlord commenced the termination of the tenancy prior to the update. In the event that a landlord has already complied with the provisions of Section 4.36.060 based on the relocation amounts previously in effect, but has not yet received a written request from a tenant for distribution of the fee pursuant to Section 4.36.070, the landlord shall place in escrow the additional amount of relocation fee required by this Section within five working days of the effective date of the updated amount.

SECTION 2. Any provision of the Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

APPROVED AS TO FORM:



LANE DILG
City Attorney

Approved and adopted this 22nd day of January, 2019.

Gleam Davis
Gleam Davis (Feb 21, 2019)

Gleam Davis, Mayor

State of California)
County of Los Angeles) ss.
City of Santa Monica)

I, Denise Anderson-Warren, City Clerk of the City of Santa Monica, do hereby certify that the foregoing Ordinance No. 2601 (CCS) had its introduction on January 8, 2019, and was adopted at the Santa Monica City Council meeting held on January 22, 2019, by the following vote:

AYES: Councilmembers Himmelrich, Jara, McKeown, Morena, Winterer
 Mayor Pro Tem O'Day, Mayor Davis

NOES: None

ABSENT: None

ATTEST:

Denise Anderson-Warren
Denise Anderson-Warren, City Clerk

Feb 21, 2019
Date

A summary of Ordinance No. 2601 (CCS) was duly published pursuant to California Government Code Section 40806.