



BOARD OF SUPERVISORS

Hilda L. Solis  
Mark Ridley-Thomas  
Sheila Kuehl  
Janice Hahn  
Kathryn Barger

COUNTY OF LOS ANGELES  
**DEPARTMENT OF CONSUMER  
AND BUSINESS AFFAIRS**

*"To Enrich Lives Through Effective and Caring Service"*



Joseph M. Nicchitta  
Director

Joel Ayala  
Chief Deputy

Rafael Carbajal  
Chief Deputy

**Hearing Officer/Department of  
Consumer & Business Affairs**

Hearing Date  
03/21/2019  
Agenda Item No.  
2

**Transmittal Checklist**

**Petitioner Name:** Shalene Dyer  
**Case Number:** RSQ19-00493  
**Case(s):** IRSO Petition for Noncompliance  
**DCBA Staff:** Shannon Louis

- Petition Summary
- Parcel Profile Report (separate attachment)
- Staff Report
- Draft Findings
- Burden of Proof Statement(s)
- Correspondence
- Notice of Increase

**Reviewed By:** Dana Pratt



BOARD OF SUPERVISORS

Hilda L. Solis  
Mark Ridley-Thomas  
Sheila Kuehl  
Janice Hahn  
Kathryn Barger

---

COUNTY OF LOS ANGELES  
**DEPARTMENT OF CONSUMER  
AND BUSINESS AFFAIRS**

---



Joseph M. Nicchitta  
Director

Joel Ayala  
Chief Deputy

Rafael Carbajal  
Chief Deputy

*"To Enrich Lives Through Effective and Caring Service"*

**Case Number**  
RSQ19-00493

**Hearing Date**  
3/21/2019

---

## PETITION SUMMARY

---

**PETITIONER NAME**

Shalene Dyer

---

**PETITION DATE**

January 25, 2019

---

### PETITION OVERVIEW

Petitioner has completed a Petition for Noncompliance, requesting a reduction in rent in accordance with the Interim Rent Stabilization Ordinance, Ordinance Number 2018-0045. The petitioners' rent increase became effective on February 1, 2019.

---

### PROPERTY ADDRESS

**1743 1/2 West 105th Street Los Angeles, California 90047**

---

### KEY ISSUES

- Rent was increased from \$1,500.00 from \$1,900.00
- Total increase is in the amount of 26.67%
- 60-day notice was provided on November 14, 2018
- Per effective date of the rent increase, both the February and March 2019 rent payments will be due by the hearing date

---

### STAFF RECOMMENDATION

Approval

---

**DCBA STAFF:**

Shannon Louis 213-974-4118 [SLouis@dcba.lacounty.gov](mailto:SLouis@dcba.lacounty.gov)

---



BOARD OF SUPERVISORS

Hilda L. Solis  
Mark Ridley-Thomas  
Sheila Kuehl  
Janice Hahn  
Kathryn Barger

---

COUNTY OF LOS ANGELES  
**DEPARTMENT OF CONSUMER  
AND BUSINESS AFFAIRS**

---

*"To Enrich Lives Through Effective and Caring Service"*



Joseph M. Nicchitta  
Director

Joel Ayala  
Chief Deputy

Rafael Carbajal  
Chief Deputy

March 12, 2019

**TO:** Gina Natali, AICP  
Hearing Officer

**FROM:** Shannon Louis

**Case No. RSQ19-00493**  
**Shalene Dyer vs. Cedric Greene**  
**Hearing Officer Meeting: March 21, 2019 – Agenda Item: 2**

**Petition Description**

*Interim Rent Stabilization Ordinance(IRSO) Petition for Noncompliance*

Tenant is disputing a rental increase issued for the covered rental unit located at 1743 1/2 West 105th Street Los Angeles, California 90047 in the unincorporated area of West Athens in Los Angeles County.

The Petitioner reported receiving a 60-day Notice of Increase on November 14, 2018 raising the rent to \$1,900.00, effective February 1, 2019. The petitioner's base rent on September 11, 2018 was \$1,500.00 – which constitutes a \$400.00 rent increase. The petition was filed with the Department of Consumer & Business Affairs (DCBA) on January 14, 2019. The petitioner states that she received a rent increase on September 3, 2018 raising her rent to \$1,500.00 and reports receiving the November 2018 Notice of Increase as a result of retaliation, as she states that she was injured on the property.

**Use Type**

Multi-Family Residential; 0300

**Year Built/Certificate of Occupancy(COO)**

1948

**Previous Petitions/History**

N/A

**Staff Evaluation & Burden of Proof**

According to Ordinance No. 2018-0045, DCBA has determined that the property 1743 1/2 West 105th Street Los Angeles, California 90047 is covered under the Los Angeles County Interim Rent Stabilization Ordinance and is subject to its conditions.

The IRSO covers residential dwellings on properties with two or more units in the unincorporated areas of Los Angeles County with initial certificates of occupancy or equivalent issued on or before February 1, 1995. **Ordinance No. 2018-0045 Section 1(A) and Section 1(B).**

The IRSO limits rent increases to 3% once per 12-month period and applies to any rent increase taking effect on or after September 11, 2018. **Ordinance No. 2018-0045 Section 3(A).**

The proposed increase in the amount of \$400.00 raises the petitioner's rent from \$1,500.00 to \$1,900.00 and by 26.67%. According to the ordinance, the tenant's maximum allowable rent would be \$1,545.00. If approved the landlord needs to credit the tenant for any overpayments above 3% that have occurred since the rent increase took effect – which would total \$710.00 for the months of February and March 2019. **Ordinance No. 2018-0045 Section 3(A)(1).**

***Lump Sum Credit Option***

<i>April 1, 2019</i>	<i>\$710.00</i>
----------------------	-----------------

***Six Month Credit Option***

<i>April 1, 2019</i>	<i>\$118.34</i>
<i>May 1, 2019</i>	<i>\$118.34</i>
<i>June 1, 2019</i>	<i>\$118.34</i>
<i>July 1, 2019</i>	<i>\$118.34</i>
<i>August 1, 2019</i>	<i>\$118.34</i>
<i>September 1, 2019</i>	<i>\$118.30</i>

**Proof of Service/Notice of Hearing**

The Petitioner, Shalene Dyer, returned the Proof of Service form to DCBA on January 25, 2019. The DCBA sent the Notice of Hearing on March 7, 2019.

**Public Comments**

N/A

**Fees/Deposits**

N/A

**Landlord Contact**

On March 14, 2019, DCBA contacted the landlord respondent to determine if the Notice of Hearing was received and to counsel the landlord on his rights under Ordinance No. 2018-0045. The landlord stated that he was not aware of the ordinance and was provided options to rescind the rent increase. Landlord declined to rescind the rent increase and will be attending the hearing on March 21, 2019 with his lawyer.

**Staff Recommendation**

The following recommendation is made prior to the public hearing and is subject to

Staff Report  
RSQ19-00493

change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends APPROVAL of the Interim Rent Stabilization Ordinance Petition for Noncompliance – Case Number RSQ19-00493.

**SUGGESTED STATEMENT**

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE INTERIM RENT STABILIZATION ORDINANCE PETITION FOR NONCOMPLIANCE – CASE NUMBER RSQ19-00493 IS **APPROVED**, SUBJECT TO THE ATTACHED CONDITIONS.

**Suggested Approval Statement**

Prepared by Shannon Louis  
Reviewed by Dana Pratt

**Attachments**

Notice of Increase

Initials JMN:DP: sl  
(3/11/19)



BOARD OF SUPERVISORS

Hilda L. Solis  
Mark Ridley-Thomas  
Sheila Kuehl  
Janice Hahn  
Kathryn Barger

---

COUNTY OF LOS ANGELES  
**DEPARTMENT OF CONSUMER  
AND BUSINESS AFFAIRS**

---

*"To Enrich Lives Through Effective and Caring Service"*



Joseph M. Nicchitta  
Director

Joel Ayala  
Chief Deputy

Rafael Carbajal  
Chief Deputy

**March 12, 2019**

Re: 1743 1/2 West 105th Street Los Angeles, California 90047

**Case No. RSQ19-00493  
Shalene Dyer vs. Cedric Greene**

Hearing Officer, Gina Natoli, by her action of March 21, 2019 has approved the Interim Rent Stabilization Ordinance (IRSO) Petition for Noncompliance hearing for the above referenced project. Enclosed are the Hearing Officer's Findings and Conditions. Please carefully review the included information. This decision is effective until February 1, 2020.

For questions or for additional information, please contact Shannon Louis of the Rent Stabilization Program at 213-974-4118, or by email at [slouis@dcbalacounty.gov](mailto:slouis@dcbalacounty.gov). Our office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m.

Sincerely,  
DEPARTMENT OF CONSUMER AND BUSINESS AFFAIRS  
Shannon Louis

Dana Pratt, Chief  
Rent Stabilization Program

Enclosures: Draft Findings, Conditions of Approval

JMN:DP: sl

**DRAFT FINDINGS AND CONDITIONS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
CASE NUMBER RSQ19-00493**

1. The Los Angeles County (“County”) Hearing Officer conducted a duly-noticed public hearing in the matter of Interim Rent Stabilization Ordinance Petition for Noncompliance, Case Number RSQ19-00493 on March 21, 2019.
2. The petitioner(s), Shalene Dyer, received a proposed or actual residential rent increase above three percent (3%) for the covered rental unit(s) located at 1743 1/2 West 105th Street Los Angeles, California 90047 in the amount of \$400.00 or 26.67%. The \$400.00 proposed or actual rent increase raises the petitioner’s rent from \$1,500.00 to \$1,900.00. According to Ordinance 2018-0045, the tenant’s current maximum allowable rent is \$1,545.00. If Case Number RSQ19-00493 is approved, the landlord, Cedric Greene must credit petitioner, Shalene Dyer, for any overpayments above 3% that have occurred since the rent increase took effect – which would be a total of \$710.00 for the overpayments from the months of February and March 2019. Ordinance No. 2018-0045 Section 3(A)(1).

The landlord respondent must elect a return option and provide this information to the Hearing Officer within ten (10) days of receiving the Hearing Officer’s decision.

***Lump Sum Credit Option***

<i>April 1, 2019</i>	<i>\$710.00</i>
----------------------	-----------------

***Six Month Credit Option***

<i>April 1, 2019</i>	<i>\$118.34</i>
<i>May 1, 2019</i>	<i>\$118.34</i>
<i>June 1, 2019</i>	<i>\$118.34</i>
<i>July 1, 2019</i>	<i>\$118.34</i>
<i>August 1, 2019</i>	<i>\$118.34</i>
<i>September 1, 2019</i>	<i>\$118.30</i>

3. The property is located in the unincorporated area of West Athens in Los Angeles County, is a residential dwelling on property with two or more units, and was built in 1948.
4. Ordinance 2018-0045 was adopted on November 20, 2018, which established rent levels as they existed on September 11, 2018 and limited rental increases to no more than three percent (3%) within a twelve month period.
5. No comments have been received from the public at this time.
6. The petitioner, Shalene Dyer, visited the Department of Consumer and Business Affairs(DCBA) on January 14, 2019 to determine if the property qualified for the newly approved IRSO and filed an Interim Rent Stabilization Ordinance Petition for Noncompliance. The petitioner states that she received a rent increase in the amount of \$400.00, increasing the base rent from \$1,500.00 to \$1,900.00, effective February 1, 2019. The petitioner has provided a copy of a Change in

Terms of Tenancy increasing rent to \$1,900.00.

7. The Hearing Officer finds that:

- a. RSQ19-00493 Interim Rent Stabilization Ordinance Petition for Noncompliance is approved subject to the following conditions:
  - i. The landlord, Cedric Greene, shall return the overpayment of \$710.00 to the tenant based on the lump sum or 6-month return option as reported to the hearing officer.
  - ii. Rent shall not exceed \$1,545.00 and cannot be increased until February 1, 2020. The landlord may then increase the rent an additional 3% (or whatever allowable cap is established) without the approval of DCBA, per Ordinance 2018-0045 and in accordance with California Civil Code Section 827. If the landlord desires to raise the rent above the allowable 3% limit, the landlord may file a Petition for Relief from Moratorium with DCBA. Rent increases above 3% for the affected unit(s) shall not occur until a decision is issued by the Hearing Officer.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The petitioner's proposed or actual residential rent increase is in excess of the allowable 3% per the Los Angeles County Interim Rent Stabilization Ordinance 2018-0045.

**THEREFORE, THE HEARING OFFICER:**

1. Approves RSQ19-00493 Interim Rent Stabilization Ordinance Petition for Noncompliance subject to the above conditions.
2. If monthly rent is due before the hearing officer decision is received by the petitioner and respondent, the tenant is responsible for the base rent as of September 11, 2018 plus 3% as allowed by Ordinance 2018-0045, which is no more than **\$1,545.00**.

**ACTION DATE:** 3/21/2019

JMN: DP: sl

3/13/2019



### BURDEN OF PROOF STATEMENT

DCBA Case #: RSQ19-00493

**Section IV: Reason for Petition** (explain in detail why you are requesting a hearing)

Landlord increased my rent on September 3, 2018 to \$1,500. & he is now raising my rent \$400.00 more for February 2019. Due to an injury I acquired on the premises that was due to his negligence on December 4, 2018, he chose not to give me his Rental Insurance information which forced me to get an attorney & now he is trying to harass me by deliberately raising my rent without probable cause.

IS THIS MATTER URGENT?

Yes  No

**REASON FOR URGENCY** (must attach relevant documents in order to be considered):

Trying to resolve before the new rent increase is effective

**Section V: Signature of Petitioner**

Shalene J. Dyer  
Petitioner Name (Print)

Tenant  
Petitioner Title (Tenant, Landlord, Mobilehome Homeowner or Park Owner)

310-594-1412  
Petitioner Telephone Number

Shalene J. Dyer  
Signature

1-14-19  
Date

### Change of Terms of Tenancy

To: Shalene Dyer  
Address 1743 1/2 W. 105 St

This shall constitute formal notice that your monthly rent shall increase to the sum of

\$ 1,900, effective February 1, 2019

This notice is in accordance with Civil Code Section 827.

Date 11/14/2018

Landlord/Agent Cedric Greene

(Landlord's- If you are increasing the rent in excess of 10%, 60 days advance notice is necessary.)

**This form created by the Law Firm of Dennis P. Block & Associates**

Los Angeles 323 938-2868 Encino 818 986-3147 Inglewood 310 673-2996

Orange 714 644-8232 Ventura 805 653-7264 Pasadena 626 798-1014

San Bernardino 909 877-6565