



BOARD OF SUPERVISORS

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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  
05/23/2019  
Agenda Item No.  
3

**Transmittal Checklist**

**Petitioner Name:** Brenda Colin  
**Case Number:** RSQ19-03309  
**Case(s):** IRSO Petition for Noncompliance  
**DCBA Staff:** Shannon Louis

- Petition Summary
- Parcel Profile Report (separate attachment)
- Staff Report
- Burden of Proof Statement(s)
- Notice of Increase
- Rent Receipt

**Reviewed By:** Dana Pratt



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# COUNTY OF LOS ANGELES DEPARTMENT OF CONSUMER AND BUSINESS AFFAIRS

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**Case Number**  
RSQ19-03309

**Hearing Date**  
5/23/2019

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## PETITION SUMMARY

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**PETITIONER NAME**

Brenda Colin

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**PETITION DATE**

March 27, 2019

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**PETITION OVERVIEW**

Petitioner has filed a Petition for Noncompliance, requesting a reduction in rent in accordance with the Interim Rent Stabilization Ordinance, Ordinance Number 2018-0045. According to the Notice of Increase, the rent increase was supposed to become effective on April 21, 2019. However, DCBA determined that the rent increase should have gone into effect on April 22, 2019.

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**PROPERTY ADDRESS**

**7537 Maie Avenue Los Angeles, California 90001**

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**KEY ISSUES**

- Rent was increased from \$790.00 from \$869.00
- Total increase is in the amount of 10.00%
- 60-day notice of increase was issued on February 21, 2019
- Per the effective date of the rent increase, both the April and May 2019 rent payments will be due by the hearing date.

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**STAFF RECOMMENDATION**

Approval

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**DCBA STAFF:**

Shannon Louis 213-974-4118 SLouis@dcba.lacounty.gov

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May 13, 2019

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

**FROM:** Shannon Louis

**Case No. RSQ19-03309  
Brenda Colin vs. Alejandro Ortiz-Martinez  
Hearing Officer Meeting: May 23, 2019 – Agenda Item: 3**

**Petition Description**

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

Tenant is disputing a rent increase issued for the covered rental unit located at 7537 Maie Avenue Los Angeles, CA 90001 in the unincorporated area of Florence-Firestone in Los Angeles County.

The Petitioner reported receiving a 60-day Notice of Increase on February 21, 2019 increasing the rent to \$869.00, effective April 21, 2019. The Petitioner's base rent on September 11, 2018 was \$790.00 – which constitutes a \$79.00 rent increase. The petition was filed with the Department of Consumer & Business Affairs (DCBA) on March 27, 2019. The Petitioner's Notice of Increase was issued on February 21, 2019 and per California Civil Code Section 827, the rent increase should have actually become effective on April 22, 2019 – which is 60 days from the issue date, due to the rent increase being 10% or above.

**Use Type**

Certificate of Occupancy or equivalent was not available

**Previous Petitions/History**

Certificate of Occupancy or equivalent was not available

**Staff Evaluation & Burden of Proof**

According to Ordinance No. 2018-0045, DCBA has determined that the rental unit located at 7537 Maie Avenue Los Angeles, CA 90001 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 \$869.00 would increase the Petitioner's rent from \$790.00 to \$869.00 or by 10.00%. According to the ordinance, the tenant's maximum allowable rent would be \$813.70. If approved and the tenant has paid the requested increase, the landlord respondent needs to credit the tenant for any overpayments above 3% that have occurred since the rent increase took effect – which would total \$110.60 for the months of April and May 2019. **Ordinance No. 2018-0045 Section 3(A)(1).**

***Lump Sum Credit Option***

<i>June 21, 2019</i>	<i>\$110.60</i>
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***Six Month Credit Option***

<i>June 21, 2019</i>	<i>\$18.45</i>
<i>July 21, 2019</i>	<i>\$18.43</i>
<i>August 21, 2019</i>	<i>\$18.43</i>
<i>September 21, 2019</i>	<i>\$18.43</i>
<i>October 21, 2019</i>	<i>\$18.43</i>
<i>November 21, 2019</i>	<i>\$18.43</i>

**Proof of Service/Notice of Hearing**

The Petitioner, Brenda Colin, returned the Proof of Service form to DCBA on March 27, 2019. DCBA sent the Notice of Hearing on May 3, 2019.

**Public Comments**

N/A

**Fees/Deposits**

N/A

**Landlord Contact**

On April 3, 2019, DCBA contacted the landlord respondent counsel the landlord respondent on his rights under Ordinance No. 2018-0045. The call was not answered, and a voicemail was not available.

On May 3, 2019, DCBA mailed the Notice of Hearing to the landlord respondent at 16220 Indian Creek Road Cerritos California, 90703.

On April 11, 2019, DCBA made a second attempt to contact the landlord respondent counsel the landlord respondent on his rights under Ordinance No. 2018-0045. The phone number was disconnected.

On May 8, 2019, DCBA made a third attempt to contact the landlord respondent to counsel the landlord respondent on his rights under Ordinance No. 2019-0045 and to determine if the Notice of Hearing was received. The phone number remains disconnected.

It should be noted that DCBA attempted to retrieve additional contact information including an email address, different physical address, and an updated phone number – for the landlord respondent at every attempt above, but was unsuccessful.

**Staff Recommendation**

The following recommendation is made prior to the public hearing and is subject to 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 RSQ19-03309.

**SUGGESTED STATEMENT**

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE INTERIM RENT STABILIZATION ORDINANCE PETITION FOR NONCOMPLIANCE – CASE NUMBER RSQ19-03309 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  
(5/13/19)

### BURDEN OF PROOF STATEMENT

DCBA Case #: RSQ19-03309

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

I HAVE RECEIVED A 10% RENT INCREASE NOTICE FROM MY LANDLORD. THIS IS MORE THAN THE 3% INTERIM RENT STABILIZATION ORDINANCE THAT HAS GONE INTO EFFECT. EVEN THOUGH THIS PROPERTY IS REGISTERED AS A SINGLE FAMILY HOME, I ALONG WITH THE OTHER TENANTS IN THE PROPERTY BELIEVE IT DOES NOT QUALIFY AS A SINGLE FAMILY HOME. THIS HOME HAS BEEN MODIFIED TO FIT THREE SEPARATE FAMILIES IN THE FRONT UNIT AND ONE MORE FAMILY IN THE BACK UNIT. ALL FOUR FAMILIES HAVE A KITCHEN AND RESTROOM IN THEIR UNITS AND WE ALL HAVE A MAIL BOX.

IS THIS MATTER URGENT?

Yes  No

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

MY RENT WITH INCREASE IS DUE ON APRIL 21, 2019. THIS IS LESS THAN THE 60 DAYS.

**Section V: Signature of Petitioner**

BRENDA COLN  
Petitioner Name (Print)

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

323-812-0838  
Petitioner Telephone Number

BRENDA COLN  
Signature

03/27/2019  
Date

**NOTICE OF INCREASE**

**Change of Terms of Tenancy**

To: Brenda Colin

Address 7537 Maie Ave., Los Angeles CA 90001

This shall constitute formal notice that your monthly rent shall increase to the sum of  
\$ 869.00, effective 4/21/2019.

This notice is in accordance with Civil Code Section 827.

Date 2/21/2019

Landlord/Agent Alejandro Ortiz

(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

RENT RECEIPTS

RECEIPT

DATE 8/20/18 No. **7979030**

RECEIVED FROM Bronna Colvin \$790

Seven hundred ninety dollars DOLLARS

FOR RENT 7537 MAINE AVE, LA, CA 90001

FOR \_\_\_\_\_

ACCOUNT		<input type="checkbox"/> CASH
PAYMENT		<input type="checkbox"/> CHECK
BAL DUE		<input type="checkbox"/> MONEY ORDER

FROM 8-20-18 TO 9-21-18

BY \_\_\_\_\_

RECEIPT

DATE 10-21-18 No. **7979038**

RECEIVED FROM Bronna Colvin \$790

Seven hundred ninety dollars DOLLARS

FOR RENT 7537 MAINE AVE LA CA 90001

FOR \_\_\_\_\_

ACCOUNT		<input type="checkbox"/> CASH
PAYMENT		<input type="checkbox"/> CHECK
BAL DUE		<input type="checkbox"/> MONEY ORDER

FROM 10-21-18 TO 11-20-18

BY \_\_\_\_\_

RECEIPT

DATE 11-21-18 No. **7979042**

RECEIVED FROM Bronna Colvin \$790

Seven hundred ninety dollars DOLLARS

FOR RENT 7537 MAINE AVE, LA, CA 90001

FOR \_\_\_\_\_

ACCOUNT		<input type="checkbox"/> CASH
PAYMENT		<input type="checkbox"/> CHECK
BAL DUE		<input type="checkbox"/> MONEY ORDER

FROM 11-21-18 TO 12-20-18

BY \_\_\_\_\_



RENT RECEIPTS

**RECEIPT**

DATE 12-21-18 No. 7979046

RECEIVED FROM BRENDA COLIN \$790-

Seven hundred ninety dills DOLLARS

FOR RENT  
 FOR 7537 MARIE AVE LA CA 90001

ACCOUNT		<input type="checkbox"/> CASH
PAYMENT		<input type="checkbox"/> CHECK
BAL. DUE		<input type="checkbox"/> MONEY ORDER

FROM 12-21-18 TO 1-20-19  
BY Guillermo MARINEZ

**RECEIPT**

DATE 1-21-19 No. 7979048

RECEIVED FROM BRENDA COLIN \$790-

Seven hundred ninety dills DOLLARS

FOR RENT  
 FOR 7537 MARIE AVE LA CA 90001

ACCOUNT		<input type="checkbox"/> CASH
PAYMENT		<input type="checkbox"/> CHECK
BAL. DUE		<input type="checkbox"/> MONEY ORDER

FROM 1-21-19 TO 2-20-19  
BY [Signature]

**RECEIPT**

DATE 2-21-19 No. 0077452

RECEIVED FROM BRENDA COLIN \$790-

Seven hundred ninety dills DOLLARS

FOR RENT  
 FOR 7537 MARIE AVE, LA CA 90001

ACCOUNT		<input type="checkbox"/> CASH
PAYMENT		<input type="checkbox"/> CHECK
BAL. DUE		<input type="checkbox"/> MONEY ORDER

FROM 2-21-19 TO 3-20-19  
BY Guillermo MARINEZ