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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  
09/12/2019  
Agenda Item No.  
2

## Transmittal Checklist

Petitioner Name: Andrea Ola  
Case Number: RSQ19-09312  
Case(s): IRSO Petition for Noncompliance  
DCBA Staff: Shannon Louis

- ☒ Petition Summary
- ☒ Parcel Profile Report (separate attachment)
- ☒ Staff Report
- ☒ Burden of Proof Statement(s)
- ☒ Lease Agreement (separate attachment)
- ☒ Canceled Checks (separate attachment)

Reviewed By: Jessica Gallegos



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**Case Number**  
RSQ19-09312

**Hearing Date**  
9/12/2019

## PETITION SUMMARY

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### PETITIONER NAME

Andrea Ola

### PETITION DATE

August 5, 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. The Petitioners' rent increase became effective on April 1, 2019.

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### PROPERTY ADDRESS

2615 Lake Avenue, Apt. 3 Altadena, California 91001

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### KEY ISSUES

- Rent was increased from \$1,793.00 to \$1,993.00, effective April 1, 2019
- The tenant was provided a new rental agreement on April 1, 2019 and expected to pay the rent increase on the same date
- Total increase is in the amount of 11.15%
- Per the effective date of the rent increase, the April through September 2019 rent payments (6 months) 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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September 3, 2019

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

**FROM:** Shannon Louis

**Case No. RSQ19-09312**  
**Andrea Ola vs. Ellie H. Anderson Jr.**  
**Hearing Officer Meeting: September 12, 2019 – Agenda Item: 2**

### **Petition Description**

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

Tenant is disputing a rent increase issued for the covered rental unit located at 2615 Lake Avenue, Apt. 3 Altadena, California 91001 in the unincorporated area of Altadena in Los Angeles County.

The Petitioner reported receiving a new rental agreement on April 1, 2019 increasing the rent to \$1,993.00 – effective April 1, 2019. The Petitioner's base rent on September 11, 2018 was \$1,793.00 – which constitutes a \$200.00 rent increase. The Petitioner was not issued a Notice of Increase. Per California Civil Code Section 827, the rent increase should have become effective no sooner than May 31, 2019 – which is 60 days from the issue date, due to the rent increase being 10% or above. If the rent increase was 10% or less, a 30-day notice should have been issued in writing. The petition was filed with the Department of Consumer & Business Affairs (DCBA) on August 5, 2019.

### **Use Type**

Multi-Family Residential; 0500

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

1963

### **Previous Petitions/History**

N/A

### **Staff Evaluation & Burden of Proof**

According to Ordinance No. 2018-0045, DCBA has determined that the rental unit located at 2615 Lake Avenue, Apt. 3 Altadena, California 91001 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 IRSO regulates Housing Service Adjustments and indicates that a decrease in Housing Services can be considered an increase in Rent. Rent and Housing Services are defined in Section 2 of the IRSO. **Ordinance No. 2018-0045 Section 3(C).**

The rent increase in the amount of \$200.00 increased the Petitioner's rent from \$1,793.00 to \$1,993.00 (11.15%). According to the ordinance, the tenant's maximum allowable rent should be \$1,846.79. If approved and the tenant has paid the requested increase, the landlord respondent will need to credit the tenant for any overpayments above 3% that have occurred since the rent increase took effect – which would total \$877.26 for the months of April through September 2019. **Ordinance No. 2018-0045 Section 3(A)(1).**

***Lump Sum Credit Option***

<i>October 1, 2019</i>	<i>\$877.26</i>
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***Six Month Credit Option***

<i>October 1, 2019</i>	<i>\$146.21</i>
<i>November 1, 2019</i>	<i>\$146.21</i>
<i>December 1, 2019</i>	<i>\$146.21</i>
<i>January 1, 2020</i>	<i>\$146.21</i>
<i>February 1, 2020</i>	<i>\$146.21</i>
<i>March 1, 2020</i>	<i>\$146.21</i>

**Proof of Service/Notice of Hearing**

The Petitioner, Andrea Ola, returned the Proof of Service form to DCBA on August 12, 2019. DCBA sent the Notice of Hearing on August 27, 2019.

**Public Comments**

N/A

**Fees/Deposits**

N/A

**Landlord Contact**

On August 6, 2019, DCBA contacted the landlord respondent to counsel them on their

Staff Report  
RSQ19-09312

rights under Ordinance No. 2018-0045. The call was not answered. DCBA left a voicemail.

On August 20, 2019, DCBA contacted the landlord respondent to counsel them on their rights under Ordinance No. 2018-0045. The call was not answered. DCBA left a voicemail.

**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 RSQ19-09312.

**SUGGESTED STATEMENT**

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE INTERIM RENT STABILIZATION ORDINANCE PETITION FOR NONCOMPLIANCE – CASE NUMBER RSQ19-09312 IS **APPROVED**, SUBJECT TO THE ATTACHED CONDITIONS.

**Suggested Approval Statement**

Prepared by Shannon Louis

Reviewed by Jessica Gallegos

**Attachments**

Notice of Increase

Initials JMN:JG: sl  
(9/3/19)



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## BURDEN OF PROOF STATEMENT

DCBA Case #: RSQ19-09312

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

My landlord has increase my rent to 13 percent insted of the 3 percent he is not in compliance and doesnt want to Make changes. I have been Making payments over the 3 percent Since April 1, 2019.

Current Rent:	Proposed Rent (if known):
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HAVE YOU RECEIVED OR ISSUED A NOTICE OF RENT INCREASE IN EXCESS OF THE ALLOWABLE LIMIT?

☒ Yes ☐ No

IS THIS MATTER URGENT?

☐ Yes ☐ No

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

### Section IV: Respondent Information

Respondent Type: ☐ Tenant(s) ☒ Landlord ☐ Mobilehome Homeowner(s) ☐ Mobilehome Park Owner

ELLIE H. ANDERSON JR.

Respondent Name/Organization (Please list the names of each Tenant or Mobilehome Homeowner who received a copy of this petition below)

Landlord

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