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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.  
4

## Transmittal Checklist

Petitioner Name: Christine Laing  
Case Number: RSQ19-08443  
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 (separate attachment)

Reviewed By: Jessica Gallegos



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**Case Number**  
RSQ19-08443

**Hearing Date**  
9/12/2019

## PETITION SUMMARY

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### PETITIONER NAME

Christine Laing

### PETITION DATE

July 19, 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 July 1, 2019.

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### PROPERTY ADDRESS

1237 W. 87<sup>th</sup> Street Los Angeles, California 90044

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### KEY ISSUES

- Rent was increased from \$1,300.00 to \$1,430.00, effective July 1, 2019
- Total increase is in the amount of 10%
- Per the effective date of the rent increase, the July through September 2019 rent payments (3 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. RSQ19-08443**  
**Christine Laing vs. Tom Dunn**  
**Hearing Officer Meeting: September 12, 2019 – Agenda Item: 4**

### **Petition Description**

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

Tenant is disputing a rent increase issued for the covered rental unit located at 1237 W. 87<sup>th</sup> Street Los Angeles, California 90044 in the unincorporated area of West Athens in Los Angeles County.

The Petitioner reported receiving a Notice of Increase dated May 29, 2019 increasing the rent to \$1,430.00 – effective July 1, 2019. The Petitioner's base rent on September 11, 2018 was \$1,300.00 – which constitutes a \$130.00 rent increase. The Notice of Increase states that the rent is being increased as a result of an additional tenant residing in the unit. However, the IRSO does not allow for rent increases as a result of additional tenants residing at the covered rental unit. The petition was filed with the Department of Consumer & Business Affairs (DCBA) on July 19, 2019.

### **Use Type**

Multi-Family Residential; 0200

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

1958

### **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 1237 W. 87<sup>th</sup> Street Los Angeles, California 90044 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 \$130.00 increased the Petitioner's rent from \$1,300.00 to \$1,430.00 (10%). According to the ordinance, the tenant's maximum allowable rent should be \$1,339.00. 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 \$273.00 for the months of July through September 2019. **Ordinance No. 2018-0045 Section 3(A)(1).**

***Lump Sum Credit Option***

<i>October 1, 2019</i>	<i>\$273.00</i>
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***Six Month Credit Option***

<i>November 1, 2019</i>	<i>\$45.50</i>
<i>December 1, 2019</i>	<i>\$45.50</i>
<i>January 1, 2020</i>	<i>\$45.50</i>
<i>February 1, 2020</i>	<i>\$45.50</i>
<i>March 1, 2020</i>	<i>\$45.50</i>
<i>April 1, 2020</i>	<i>\$45.50</i>

**Proof of Service/Notice of Hearing**

The Petitioner, Christine Laing, returned the Proof of Service form to DCBA on July 26, 2019. DCBA sent the Notice of Hearing on August 27, 2019.

**Public Comments**

N/A

**Fees/Deposits**

N/A

**Landlord Contact**

On July 22, 2019, DCBA contacted the landlord respondent to counsel them on their rights under Ordinance No. 2018-0045. The DCBA left a voicemail for a return call.

On July 22, 2019, DCBA made a second attempt to contact the landlord respondent to counsel them on their rights under Ordinance No. 2018-0045. The DCBA left a voicemail for a return call.

On August 12, 2019, DCBA made a second attempt to contact the landlord respondent to counsel them on their rights under Ordinance No. 2018-0045. The DCBA left a voicemail for a return call.

On August 20, 2019, DCBA made a second attempt to contact the landlord respondent to counsel them on their rights under Ordinance No. 2018-0045. The DCBA left a voicemail for a return call.

### **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 RSQ19-08443.

### **SUGGESTED STATEMENT**

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE INTERIM RENT STABILIZATION ORDINANCE PETITION FOR NONCOMPLIANCE – CASE NUMBER RSQ19-08443 IS **APPROVED**, SUBJECT TO THE ATTACHED CONDITIONS.

### **Suggested Approval Statement**

Prepared by Shannon Louis  
Reviewed by Jessica Gallegos

### **Attachments**

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

## BURDEN OF PROOF STATEMENT

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

INcrease in Rent Which is unfair and  
not valid previous Rent amount was \$1300.00  
but Land Lord Mr Tom DUNN wants to do an  
INcrease of 10% of Rent which is \$130 and  
not even given a 30 Day Notice

DEPT. OF COMPTROLLER AND CLERK OF SUPERIOR COURT  
FOR WISCONSIN  
IS THIS MATTER URGENT?  
☒ Yes ☐ No  
REASON FOR URGENCY (must attach relevant documents in order to be considered):

OWNER Tom DUNN says he will Evict me  
or do legal proceedings

### Section V: Signature of Petitioner

CHRISTINE LAING

Petitioner Name (Print)

TOM DUNN

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