



## DEPARTMENT OF CITY PLANNING

### APPEAL RECOMMENDATION REPORT

#### West Los Angeles Area Planning Commission

**Date:** August 16, 2023  
**Time:** after 4:30 p.m.  
**Place:** Palms-Rancho Park Branch Library  
2920 Overland Avenue  
Los Angeles, CA 90064

This meeting may be available virtually, in a hybrid format. The meeting's telephone number and access code number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissions-boards-hearings> and/or by contacting [apcwestla@lacity.org](mailto:apcwestla@lacity.org)

**Case No.:** VTT-82689-CC-1A  
**CEQA No.:** ENV-2019-7606-CE  
**Related Cases:** None  
**Council No.:** 5 – Yaroslavsky  
**Plan Area:** West Los Angeles  
**Plan Overlay:** Exposition Corridor Transit  
Neighborhood Plan, West Los Angeles  
Transportation Improvement and  
Mitigation  
**Certified NC:** West Los Angeles Sawtelle  
**GPLU:** Medium Residential  
**Zone:** R3-1  
**Applicant:** Kelton Equities, LLC  
**Representative:** Steve Nazemi, DHS & Associates Inc.  
**Appellant A:** Joanna Grzeskowiak  
**Appellant B:** Andrew Hammond and Iva Radosevic

**Public Hearing:** Required

**Appeal Status:** Appealable to City Council

**Expiration Date:** August 16, 2023

**Multiple Approval:** No

**PROJECT LOCATION:** 2969 South Kelton Avenue  
[2969 South Kelton Avenue and 10905-10911 West National Boulevard]

**PROPOSED PROJECT:** A Vesting Tentative Tract Map for the merger and resubdivision of three (3) existing lots for the condominium conversion of an existing 3-story, 18-unit apartment building into 18 residential condominium units, with 34 parking stalls in a subterranean parking level, on an approximately 13,620 square foot lot in the R3-1 Zone. No construction is proposed. The applicant requests to provide a ten-foot easement in lieu of the otherwise required ten-foot dedication along National Boulevard, and a 15-foot by 15-foot cut corner easement in lieu of the otherwise required 20-foot radius or 15-foot property line corner cut dedication at the intersection with Kelton Avenue.

**REQUESTED ACTION:** An appeal of the entire May 3, 2023 Deputy Advisory Agency Determination which:

1. Determined, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines Article 19, Section 15301 (Class 1) and 15305 (Class 5), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies; and
2. Approved, pursuant to Los Angeles Municipal Code Sections 17.03, 17.06, 17.15, and 12.95.2, a Vesting Tentative Tract Map for the merger and resubdivision of three (3) existing lots for the condominium conversion of an existing 18-unit apartment building into 18 residential condominium units with 34 parking stalls in a subterranean parking

level, on an approximately 13,620 square foot lot in the R3-1 Zone, as shown on the map stamp-dated December 19, 2019.

3. Approved, pursuant to LAMC Sections 17.03, 17.06, and 12.37, a Waiver of Dedication and Improvements to permit a 10-foot wide easement to be provided along National Boulevard and a 10-foot corner radius easement be provided at the intersection with Kelton Avenue.

#### RECOMMENDED ACTIONS:

1. **Deny** the appeal.
2. **Determine** that, based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Article 19, Section 15301 (Class 1) and 15305 (Class 5), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
3. **Sustain** the Deputy Advisory Agency's Determination to approve Vesting Tentative Tract Map No. VTT-82689-CC.
4. **Adopt** the Deputy Advisory Agency's Conditions of Approval and Findings.

VINCENT P. BERTONI, AICP  
Director of Planning

*Theodore L. Irving*

Theodore Irving, Principal City Planner

*Theodore L. Irving* for

Michelle Singh, Senior City Planner

*Connie Chau*

Connie Chau, Deputy Advisory Agency

*Daisy Benicia*

Daisy Benicia, City Planning Associate  
Daisy.benicia@lacity.org

**ADVICE TO PUBLIC:** \*The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 273, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.



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## **PROJECT ANALYSIS**

### **APPELLATE DECISION BODY**

Pursuant to Section 17.06 of the Los Angeles Municipal Code (“LAMC”), appeals of Tentative Tract Map cases are heard by the Area Planning Commission as the Appeal Board. The appellate decision of the Area Planning Commission is further appealable to the City Council as provided in LAMC Section 17.06 A.3.

### **PROJECT SUMMARY**

On May 3, 2023, the Deputy Advisory Agency approved Vesting Tentative Tract Map No. VTT-82689-CC composed of one lot, for a maximum of 18 residential condominium units as shown on the map stamp-dated December 19, 2019, and approved the requested waiver of dedication and improvement along Kelton Avenue. The Deputy Advisory Agency determined that the project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines, Article 19, Section 15301 (Class 1), and 15305 (Class 5) and that there is no substantial evidence demonstrating that an exception to a categorical exemption, pursuant to Section 15300.2, applies.

The project proposes to convert the existing 18-unit apartment building to an 18-unit residential condominium building. No exterior construction is proposed. There are five (5) existing street trees along National Boulevard and three (3) existing street trees along Kelton Avenue which shall be preserved. In conjunction with the condominium conversion, the applicant also requested a ten-foot easement in lieu of the otherwise required ten-foot dedication along National Boulevard, and a 15-foot by 15-foot cut corner easement in lieu of the otherwise required 20-foot radius or 15-foot property line corner cut dedication at the intersection with Kelton Avenue. The approved Vesting Tentative Tract Map and related project plans are provided in Exhibit B and D to the staff report, respectively.

The Deputy Advisory Agency’s Determination is provided in Exhibit C herein. The environmental clearance under Case No. ENV-2019-7606-CE is provided in Exhibit E herein.

The appeal period ended on May 15, 2023. On May 10 and 12, 2023, two (2) appeals were filed by current tenants. The appeal documents are provided in Exhibit A herein.

### **BACKGROUND**

#### **Subject Property**

The subject site is a slightly-sloping, rectangular-shaped lot comprised of three parcels, consisting of approximately 13,620 square feet of lot area (14,870 square feet with half-alley). The site is located within the West Los Angeles Community Plan area, with a land use designation of Medium Residential and is zoned R3-1. The R3-1 Zone would permit a maximum of 18 dwelling units. The site is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP, Ordinance 186,105 and 186,108); the Project is subject to Department of Transportation clearance of the WLA TIMP. The site is located within the Exposition Corridor Transit Neighborhood Plan; however, the scope of work is not a project per the Specific Plan. The site is not located in a potentially hazardous area or a designated hillside area, as provided in Exhibit F.

The subject site is currently developed with an existing 3-story, 18-unit apartment building with 34 parking stalls in a subterranean parking level; Certificate of Occupancy No. 02010-10000-01976 was issued on March 24, 2005 for the existing building. The unit mix includes one-, two-, and three-bedroom units. The proposed Project would convert the existing 18-unit apartment building to an 18-unit residential condominium building. No exterior construction or tree removal is proposed.

On May 3, 2023, the Director of Planning approved the Vesting Tentative Tract Map, stamped dated December 19, 2019, for the merger and resubdivision of three (3) existing lots for the condominium conversion of an existing 18-unit apartment building into 18 residential condominiums with 34 parking stalls in a subterranean parking level.

### Surrounding Uses

The properties adjacent to the subject site to east, west, and across National Boulevard to the south are similarly zoned R3-1 and are developed with multiple family dwellings between one and three stories in height. Properties across the alley to the north and further south of National Boulevard site are zoned R1-1 and are developed with single family homes.

### Public Hearing

Due to concerns over COVID-19, the public hearing was conducted remotely on July 13, 2022, at approximately 9:30 a.m. The hearing was conducted by the Deputy Advisory Agency, Connie Chauv, who took testimony for Case No. VTT-82689-CC and ENV-2019-7606-CE. All interested parties were invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project. The purpose of the hearing was to obtain testimony from affected and/or interested parties regarding this application. Interested parties are also invited to submit written comments regarding the request prior to the hearing. The environmental impact analysis was among the matters to be considered at the hearing. The public hearing was attended by the applicant, applicant's representative (Steve Nazemi) and one (1) member from the community who spoke in opposition at the hearing. There was no representative from the Council District 5 Office present at the hearing.

### Applicant's Presentation

- The applicant is requesting to change Condition 1 from BOE to change the radius to 10 feet instead of 20 feet, because there are stairs, steps, and railways that go down into the basement. The 20-foot radius will be in conflict with the staircase and steps. The applicant has provided a sketch showing the 10-foot radius.
- If the applicant dedicates land to the city, shaving 10 feet of land will cause 2 problems. The project will not meet 1) the front setback requirement of 15 feet from National, or 2) the density requirement to allow for 18 unit apartment building.
- The lot was built 20 years ago. If it was a new building, they would comply with setback and provide dedications. But this is already built, and BOE in the past for other cases has allowed easements.
- The project will still provide the sidewalk, curb, and gutter through the easement.

### Public Comments In Opposition

- Assumes the city and applicant has done surveys and legal details to make sure this is a legitimate condo conversion.
- What is apartment vacancy or occupancy rate of neighborhood? If below 5% then renters/occupants can fight the condo conversion and there have been cases of apartment buildings in the neighborhood that have won that. Assumes lower than 5%.

- Why is this condo conversion happening in general? Displacing 18 units is roughly 40 people to find housing elsewhere in inflation and tight housing market doesn't address housing shortage or needs. Wants to know justification for the condo conversion.

Applicant's Response to Comments:

- The vacancy rates based on the time of filing the subdivision were provided at that time for the surrounding area, but it changes constantly. They don't have the rates right now.
- If land is dedicated to the city, the project can't have 18 units and can't meet the requirements for the 15-foot setback on National Boulevard.
- There are staircases on the Kelton side. They submitted a sketch that shows that a 10-foot radius will work at the corner with the sidewalk easement to keep the stairs/stairway going into the basement intact.
- The applicant has sent letters to all tenants and provided copies into the file.
- The applicant will comply with all state and city regulations for notifying tenants for the condo conversion before selling units. The owner wants to get the tract map approval, but will probably take a while before they can proceed with selling. If the owner sells, they will approach tenants to see if they're willing to purchase the units at market rate before offering to anyone outside.
- There is room to provide bicycle parking.
- The applicant will comply with BOE requirements for widening and sidewalk.
- There are 5 street trees along National Boulevard that would be removed for widening the street. The applicant would like this to be reflected in the CEQA for the tree removal permit from Urban Forestry.

Subdivision Committee Deliberations:

- Department of City Planning
  - Overall vacancy rate is 8.63% based on 2019 American Community Survey 5-year estimates which is the latest data available.
  - Existing tenants can reach out to LAHD to get more information on tenant relocation process. There are standard conditions in the staff report for condominium conversion including noticing to existing tenants, fees to LAHD, housing inspections, and other reports/analyses, that are enforced by LAHD.
- Bureau of Engineering
  - Will consider corner cut and radius because of existing conditions if there is reasonable engineering justification.
  - Density, financial hardship, and setbacks are not engineering considerations. BOE only considers engineering justifications. By state map law, any subdivision has to comply with all standards before the subdivision can be approved.
  - Requests the case be taken under advisement for opportunity to review information for the staircase, exit, and reduced radius.

At the conclusion of the hearing, the Deputy Advisory Agency placed the case under advisement for two (2) weeks for additional public comments to be submitted, and for further review based on the comments received from BOE regarding the dedication, easement, corner, and other issues raised.

During the advisement period, approximately nine (9) public comment letters were submitted to the case file; the public comments are attached as Exhibit K herein and raised concerns regarding:

- Rental vacancy rate is at 3.5% to 4% based on news articles and US Census Bureau
- The majority of the 600-foot radius is R1-zoned single family residential properties which would not have been eligible for condo conversions
- The project is not compatible with the West Los Angeles Community Plan
- There is an insufficient number of comparable units within 1.5-mile radius
- Relocation assistance fees do not cover cost of moving, and should include security deposit, moving services, rental applications, Wi-Fi/utility setup costs, loss of wages to move, etc
- The applicant did not provide reasoning as to why condo conversion is taking place
- Tenants were told they have opportunity to purchase, but it is not affordable to do so
- Other tenants received no notice prior to rental application or lease agreement (from July 2021 or November 2020) regarding the condo conversion project
- The existing crosswalk is dangerous, and roadway thinning would make it even worse.

### Tenant Relocation

Condominium Conversion Condition No. 6 of the Deputy Advisory Agency's Determination (see Exhibit C, page 9) requires the Applicant to execute and record a Covenant and Agreement (Planning Department General Form CP-6771 – Exhibit H) binding the Applicant to provide relocation assistance in a manner consistent with LAMC 12.95.2-G and 47.06. Furthermore, when the Applicant submits the required forms to the Los Angeles Housing Department (LAHD) to remove the subject units from rental housing use, which happens when the applicant is ready to serve eviction notices to the tenants, the City's relocation contractor will contact the tenants to begin to provide relocation assistance. LAHD staff contacts the City's relocation contractor no later than five business days after the applicant filed the Ellis application forms.

In addition to monetary compensation, relocation assistance services from the City's relocation contractor include the following:

1. Obtain at no cost to the tenant the services of persons who prepare rental availability reports.
2. Make available to each tenant an updated report concerning the availability of comparable rental housing in the area of the tenants present unit.
3. Drive tenants without cars and assist tenants with cars in order to inspect units.
4. Hire an ambulance or similar vehicle (at no cost to the tenant) and assist any handicapped or disabled tenant with relocation-related activities.
5. Provide other personal services related to relocation to each tenant.

The relocation assistance contractor is also tasked with issuing a determination regarding the dollar amount each tenant is entitled to receive in relocation assistance. Based on the status (i.e. disabled, over the age of 62, low income etc.) of the tenant, the relocation amount due will be between \$9,900 and \$24,650 (see Exhibit H – Notice of Intent to Withdraw Units from Rental Housing Use (Ellis Act) – Form E-2). The determination is provided to the Applicant informing the Applicant of the amount they will be obligated to provide to the tenant. The Applicant is required to make the relocation assistance payment available to the tenants within 15 days of service of the eviction notice (LAMC 151.09 G.2). The Applicant can either pay the tenant directly in one lump sum payment or set-up a relocation assistance escrow account through which a tenant will be able to withdraw the funds as needed for relocation related services (i.e. moving expenses, deposits for new units or utility connection charges).

The relocation assistance plan will commence once the Applicant files the forms with the LAHD to begin the process of eviction. Therefore, the relocation plan entails relocation assistance services provided to the tenant at no cost, as well as, monetary compensation. Details of this relocation plan have been previously established by the LAMC and through a contract between the LAHD and the City's relocation assistance contractor and by a recorded covenant between the Applicant and the City.

## **APPEAL ANALYSIS**

Two (2) appeals were filed in a timely manner within the appeal period ending on May 15, 2023 by existing tenants. The appellants include:

- A      Joanna Grzeskowiak (May 10, 2023) – for the entire decision including select conditions
- B      Andrew Hammond and Iva Radosevic (May 12, 2023) – for the entire decision including select findings

The following is a summary of the appeal points (provided in Exhibit A) and staff's response. Appeal points are organized by appeal point topic (1, 2, 3, etc.) and then by appellant (A and B). Similar appeal points are grouped for staff response.

**APPEAL POINT 1-A:** *All tenants here oppose this conversion, as we would be required to move and this presents undue hardship on all of us at a time when we are moving into a recession, and reasonable housing in this area is difficult to find. How would evicting 40+ tenants, seniors, elderly, disabled people (each unit here has roughly 2-4 people) help anymore. Who will now have to go through the arduous, laborious, and frankly unnecessary task of looking for new rentals and paying time and money to move ourselves out.*

**Staff Response:** As provided in the Deputy Advisory Agency's Determination, Section 12.95.2-F.6 of the LAMC reads in pertinent part: "After considering the following criteria, the Advisory Agency may approve a tentative map or preliminary parcel map for a residential conversion project, unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect on the rental housing market in the planning area of successive residential...conversion projects (past, present and future) is significant." In determining whether there is a significant cumulative effect, the section requires the Advisory Agency to consider the following criteria: (a) the number of tenants who are willing and able to purchase a unit in the building; (b) the number of units in the existing building prior to conversion; (c) the number of units which will be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements; (d) the adequacy of the relocation assistance plan proposed by the subdivider; and (e) any other factors pertinent to the determination.

The subdivider provided a list of tenants (see Exhibit G). The list identifies 35 tenants, including nine (9) units with tenants that meet the definition of a Qualified Tenant as defined by LAMC Section 47.06 (62 years of age or older, physically disabled, or have minor children living in the unit). At the time of application, all eighteen (18) units in the subject property were occupied, and none of the tenants has yet to express a willingness to purchase their unit. Each tenant will have an opportunity to purchase their unit pursuant to LAMC 12.95.E.3, which requires the Applicant to offer the tenants an exclusive right to purchase their unit. All units are proposed to be converted to condominiums.

The subject units are not subject to the Rent Stabilization Ordinance as they were built in 2005. However, the project will be subject to tenant relocation assistance procedures as conditioned under Condition No. CC-6, which requires the recordation of a covenant to provide relocation assistance in a manner consistent with Section 12.95.2-G and 47.06 of the Los Angeles Municipal Code pertaining to rental subsidies for tenants either terminating tenancy or evicted for condominium conversions and any additional ordinances that may provide greater relocation assistance. Therefore, the Advisory Agency hereby determines that adequate tenant protections have been and will be provided consistent with established law as required by Condition Nos. CC-



2 and CC-6. Those protections include advanced notice of intent to convert, guaranteed periods of continued tenancy, monetary payments to offset moving expenses and potentially higher rent and assistance in finding replacement housing as specifically enumerated in the California State Subdivision Map Act, the Ellis Act, Rent Stabilization Ordinance and LAMC Sections 12.95.2 and 47.06. These established state and local regulations assure compliance with the criteria required to permit the condominium conversion.

The Advisory Agency has determined that it cannot make both findings set forth in Section 12.95.2-F.6, and therefore, the condominium conversion shall be approved. The appellants have not provided any evidence of violations of tenant relocation processes, therefore the appeal points should be rejected.

**APPEAL POINT 2-A:** *Condos for sale are too numerous in this area, West LA needs more single-family homes, not more condos. A brand new condo complex was built 6 months ago literally half a block from our apartment complex on National Boulevard – it has been sitting empty as a church. No one is buying the new units for sale. There is an oversupply of condos for sale in West LA.*

**APPEAL POINT 2-B:** *The claim that there are zero condominium conversions in a 500-foot radius of the site since 2000 is of little significance, considering that the majority of the 500-foot radius consists almost entirely of R1-zoned single family residential properties, and 500 feet represents 0.00053% of the total residential square footage in the West Los Angeles Community Plan.*

Staff Response: As provided in the Deputy Advisory Agency's Determination, the project does not have a significant cumulative effect on the rental housing market. There have been zero condominium conversions having occurred within 500-foot radius of the project since at least 2000. Furthermore, a review of condominium conversion applications filed for the West Los Angeles Community Plan Area reveals that from 2013 to present, 43 rental units were approved for conversion to condominiums across three (3) other residential condominium conversion cases. Building records show that none (0) of the 43 dwelling units have been issued Certificates of Occupancy for condominiums. Therefore, to date, condominium conversions have resulted in no (0) loss of rental units in the West Los Angeles Community Plan Area over the last 10 years (see Exhibit J). In calendar year 2021, a total of 735 new dwelling units were proposed through Planning Entitlements in the West Los Angeles Community Plan area. At the time of the application, all eighteen (18) units in the subject property were occupied, and none of the tenants has yet to express a willingness to purchase their units. Each tenant will have an opportunity to purchase their unit pursuant to LAMC 12.95.E.3, which requires the Applicant to offer the tenants an exclusive right to purchase their unit. All units are proposed to be converted to condominiums.

The appellants have not provided any evidence of cumulative effects on the rental housing market in the West Los Angeles Community Plan Area, and the appeal points should be rejected.

**APPEAL POINT 3-B:** *The proposed project is in violation of LAMC Section 12.95.2 F.6 part 1, specifically that the vacancy rate is less than 5%. The claim that the vacancy rate is under 5% is outdated, referring to the 2021 data from the American Community Survey conducted by the US Census Bureau. Updated data for the First Quarter of 2023 from the US Census Bureau calculates the vacancy rate for the Los Angeles metropolitan area to be 3.5%, which is significantly below the 5% threshold.*

Staff Response: As provided in the Deputy Advisory Agency's Determination, the Department of City Planning Demographics Unit reports that the overall vacancy rate is 11.1 percent (see Exhibit I), which is more than 5 percent. The vacancy rate was calculated using 2021 American Community Survey 5-year Estimate data.

The appellant contends that as the US Census data from the first quarter of 2023 indicates a 3.5% vacancy rate for the entire Los Angeles metropolitan area, the project should be denied, as the vacancy rate is below 5%.

However, LAMC Section 12.95.2 F.6 states the following regarding the vacancy rate in approving a residential condominium conversion: "Vacancy rate" shall refer to the most current vacancy rate for multiple-family dwelling units as published by the Department of City Planning in its Semi-Annual Population Estimate and Housing Inventory, or other estimate or survey satisfactory to the Advisory Agency. "Planning area" shall refer to those areas established by the Director of Planning for purposes of community planning pursuant to Section 11.5.6 of the Municipal Code".

Standard City procedures were used to determine that the 11.1% vacancy rate for the West Los Angeles Community Plan Area was the appropriate figure for use in making this finding. The Advisory Agency has in the past utilized the vacancy rate calculated by the Department of City Planning's Demographics Unit for condominium conversion projects. The most recent data from the Demographics Unit was dated January 25, 2023 and was based on the 2019 American Community Survey 5-year Estimate data. The 3.5% vacancy rate referenced by the appellant is for the Los Angeles – Long Beach – Anaheim metropolitan statistical area. It would be incorrect to extrapolate the 3.5% vacancy rate for the entire Los Angeles metropolitan area, which includes other city and county jurisdictions, to the West Los Angeles Community Plan area, which encompasses 7.1 square miles. Instead, the Advisory Agency has relied on the information from the Demographics Unit as the source of the data necessary to make the vacancy rate finding, as it has done in the past on previous cases. This is consistent with the fact that the Zoning Code allows the use of an estimate or survey in establishing the vacancy rate that is satisfactory to the Advisory Agency.

Therefore, the appellants have not provided substantial evidence that the vacancy rate for the Community Plan Area is less than 5 percent, and the appeal points should be rejected.

**APPEAL POINT 4-B:** *The proposed project is not compatible with the West Los Angeles Community Plan, as it would reduce the amount of affordable housing, the choice of housing type, and would lead to the displacement of residents by converting rental properties to condominiums.*

Staff Response: The Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land. The subject site is within the West Los Angeles Community Plan. The site is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP, Ordinance 186,105 and 186,108); the Project is subject to Department of Transportation clearance of the WLA TIMP. The site is located within the Exposition Corridor Transit Neighborhood Plan; however, the scope of work is not a project per the Specific Plan. The site is not located in a potentially hazardous area or a designated hillside area.

The adopted West Los Angeles Community Plan designates the subject property for Medium Residential land uses with the corresponding zone of R3. The property contains approximately 0.31 acres (13,620 square feet) of lot area, comprises 14,870 square feet (with one-half of the width of the alley per LAMC 12.22 C.16), and is zoned R3-1.

In accordance with LAMC 12.95.2 F, there is no applicable general plan or specific plan that contains a definite statement of policies and objectives applicable to condominium conversion projects in the West Los Angeles Community Plan.

The project is compatible with the West Los Angeles Community Plan which encourages projects that:

Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.2: Promote neighborhood preservation in all residential neighborhoods.

Program: With the implementation of the Community Plan, all discretionary actions, specific plans, community and neighborhood residential projects are to be consistent with Plan recommendations.

Objective 12-2: To promote pedestrian - oriented mobility for commuter, school, recreational use, economic activity and access to transit facilities.

Policy 12-2.1: Encourage the safe utilization of public utility easements and other public rights-of-way along flood control channels, railroad rights-of-way, and streets wherever feasible for the use of pedestrians.

Policy 12-2.3: Protect and improve pedestrian - oriented street segments.

The appellant contends that the project is not compatible with the West Los Angeles Community Plan, as it would reduce the amount of affordable housing, the choice of housing type, and would lead to the displacement of residents by converting rental properties to condominiums. However, the project will preserve existing housing and the residential neighborhood in that it does not promote to demolish or construct any new housing. The existing 18 dwelling units will remain on the subject site. The subject units are not subject to the Rent Stabilization Ordinance as they were built in 2005. However, the project will be subject to tenant relocation assistance procedures as conditioned under Condition No. CC-6, which requires the recordation of a covenant to provide relocation assistance in a manner consistent with Section 12.95.2-G and 47.06 of the Los Angeles Municipal Code pertaining to rental subsidies for tenants either terminating tenancy or evicted for condominium conversions and any additional ordinances that may provide greater relocation assistance. Therefore, the Advisory Agency hereby determines that adequate tenant protections have been and will be provided consistent with established law as required by Condition Nos. CC-2 and CC-6. Those protections include advanced notice of intent to convert, guaranteed periods of continued tenancy, monetary payments to offset moving expenses and potentially higher rent and assistance in finding replacement housing as specifically enumerated in the California State Subdivision Map Act, the Ellis Act, Rent Stabilization Ordinance and LAMC Sections 12.95.2 and 47.06. These established state and local regulations assure compliance with the criteria required to permit the condominium conversion.

Therefore, the appellants have not provided substantial evidence that the project is not consistent with the Community Plan, and the appeal points should be rejected.

**APPEAL POINT 5-B:** *The evidence was presented to the City Planning Commission was ignored, claimed to be the contrary, and no opportunity to dispute, challenge, or explain was offered.*

Staff Response: The public hearing was conducted remotely on July 13, 2022, at approximately 9:30 a.m. The hearing was conducted by the Deputy Advisory Agency, Connie Chauv, who took testimony for Case No. VTT-82689-CC and ENV-2019-7606-CE. All interested parties were invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project. The purpose of the hearing was to obtain testimony from affected and/or interested parties regarding this application. Interested parties are also invited to submit written comments regarding the request prior to the hearing. The environmental impact analysis was among the matters to be considered at the hearing.

At the conclusion of the hearing, the Deputy Advisory Agency placed the case under advisement for two (2) weeks for additional public comments to be submitted, and for further review based on the comments received from BOE regarding the dedication, easement, corner, and other issues raised. During the advisement period, approximately nine (9) public comment letters were submitted to the case file; the public comments are attached as Exhibit K herein and raised concerns regarding:

- Rental vacancy rate is at 3.5% to 4% based on news articles and US Census Bureau
- The majority of the 600-foot radius is R1-zoned single family residential properties which would not have been eligible for condo conversions
- The project is not compatible with the West Los Angeles Community Plan
- There is an insufficient number of comparable units within 1.5-mile radius
- Relocation assistance fees do not cover cost of moving, and should include security deposit, moving services, rental applications, Wi-Fi/utility setup costs, loss of wages to move, etc
- The applicant did not provide reasoning as to why condo conversion is taking place
- Tenants were told they have opportunity to purchase, but it is not affordable to do so
- Other tenants received no notice prior to rental application or lease agreement (from July 2021 or November 2020) regarding the condo conversion project
- The existing crosswalk is dangerous, and roadway thinning would make it even worse.

As provided under Appeal Point No. 3, standard City procedures were used to determine that the 11.1% vacancy rate for the West Los Angeles Community Plan Area was the appropriate figure for use in making this finding. The 3.5% vacancy rate referenced by the appellant is for the Los Angeles – Long Beach – Anaheim metropolitan statistical area. It would be incorrect to extrapolate the 3.5% vacancy rate for the entire Los Angeles metropolitan area, which includes other city and county jurisdictions, to the West Los Angeles Community Plan area.

As provided under Appeal Point No. 2, a review of condominium conversion applications filed for the West Los Angeles Community Plan Area reveals that from 2013 to present, 43 rental units were approved for conversion to condominiums across three (3) other residential condominium conversion cases. Building records show that none (0) of the 43 dwelling units have been issued Certificates of Occupancy for condominiums. Therefore, to date, condominium conversions have resulted in no (0) loss of rental units in the West Los Angeles Community Plan Area over the last 10 years (see Exhibit I).

As provided under Appeal Point No. 2, there is no applicable general plan or specific plan that contains a definite statement of policies and objectives applicable to condominium conversion projects in the West Los Angeles Community Plan. However, the project is consistent with the

policies provided under Appeal Point No. 2, as the project will preserve existing housing and the residential neighborhood in that it does not promote to demolish or construct any new housing.

The Ellis Act is a provision in California Law (Government Code section 7060-7060.7) that provides landlords in California with a legal way to go out of the rental market business. Relocation procedures and fees are established by LAMC Section 47.06 and provided under Condition Nos. CC-2 and CC-6. The project owner has submitted a statement certifying that any person who applies for rental applicant or becomes a tenant after the date of application will be given written notice of the pending condominium conversion application prior to written or oral rental agreement (see Exhibit G). The Applicant also submitted a map at the time of filing showing there were approximately 831 units available for rent within 1.5-mile radius of the subject site (see Exhibit G). Through the relocation assistance plan as shown in Exhibit G, the tenants will receive assistance in finding new housing as part of the condo conversion process.

The Advisory Agency determines that adequate tenant protections have been and will be provided consistent with established law as required by Condition Nos. CC-2 and CC-6. Those protections include: advanced notice of intent to convert, guaranteed periods of continued tenancy, monetary payments to offset moving expenses and potentially higher rent and assistance in finding replacement housing as specifically enumerated in the California State Subdivision Map Act, the Ellis Act, Rent Stabilization Ordinance and Los Angeles Municipal Code (LAMC) Sections 12.95.2 and 47.06. These established state and local regulations assure compliance with the criteria required to permit the condominium conversion.

Lastly, the Advisory Agency's Determination granted a Waiver of Dedication and Improvements to permit a 10-foot wide easement to be provided along National Boulevard and a 10-foot corner radius easement be provided at the intersection with Kelton Avenue. Therefore, the dedications will instead be provided as easements, and no roadway widening will be required.

The Deputy Advisory Agency's Determination was made based on the whole of the administrative record, including public comment letters submitted to the case file. The Deputy Advisory Agency's Determination was issued on May 3, 2023 with the requisite findings required under the LAMC, with the appeal period ending on May 15, 2023. On May 10 and 12, 2023, two (2) appeals were filed by current tenants. However, the appellants have not provided any evidence of violations of tenant relocation processes or cumulative effects on the rental housing market in the West Los Angeles Community Plan Area, and have not provided any substantial evidence that the vacancy rate for the Community Plan Area is less than 5 percent or that the project is not consistent with the Community Plan; therefore the appeal points should be rejected.

## **CONCLUSION**

In consideration of the foregoing, it is submitted that the Deputy Advisory Agency acted reasonably in approving Vesting Tentative Tract No. VTT-82689-CC. For the reasons stated above, and as provided in the Findings in the Deputy Advisory Agency's Determination, the proposed project does comply with the applicable provisions of the State Subdivision Map Act. The appeals of the Deputy Advisory Agency's Determination cannot be substantiated and therefore should be denied. Staff recommends that the Area Planning Commission deny the appeals; sustain the Deputy Advisory Agency's Determination; and determine that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines, Article 19, Section 15301 (Class 1), and 15305 (Class 5), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies.

**EXHIBIT A**

**APPEAL DOCUMENTS**



## APPLICATIONS:

# APPEAL APPLICATION

## Instructions and Checklist

**Related Code Section:** Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

**Purpose:** This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

### A. APPELLATE BODY/CASE INFORMATION

#### 1. APPELLATE BODY

- ☐ Area Planning Commission ☒ City Planning Commission ☐ City Council ☐ Director of Planning  
☐ Zoning Administrator

Regarding Case Number: VTT-82689-CC

Project Address: 2969 South Kelton Avenue

Final Date to Appeal: May 15, 2023

#### 2. APPELLANT

**Appellant Identity:**  
(check all that apply)

- ☐ Representative ☐ Property Owner  
☐ Applicant ☐ Operator of the Use/Site

☒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

☒ Person affected by the determination made by the **Department of Building and Safety**

- ☐ Representative ☐ Owner ☒ Aggrieved Party  
☐ Applicant ☐ Operator

#### 3. APPELLANT INFORMATION

Appellant's Name: Joanna Grześkowiak

Company/Organization: \_\_\_\_\_

Mailing Address: 2969 Kelton Ave. #201

City: Los Angeles State: CA Zip: 90064

Telephone: (310) 936-6621 E-mail: joanna@uclabruins.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self ☐ Other: \_\_\_\_\_

b. Is the appeal being filed to support the original applicant's position? ☐ Yes ☒ No



#### 4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): \_\_\_\_\_  
Company: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
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#### 5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☒ Entire ☐ Part

b. Are specific conditions of approval being appealed? ☒ Yes ☐ No

If Yes, list the condition number(s) here: 12.37 (0), pg 8 CC-A - S-3

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☐ The reason for the appeal ☐ How you are aggrieved by the decision  
☐ Specifically the points at issue ☐ Why you believe the decision-maker erred or abused their discretion

#### 6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: \_\_\_\_\_

Date: May 8, 2023

#### GENERAL APPEAL FILING REQUIREMENTS

#### B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

##### 1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates)  
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- ☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

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- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.  
☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

##### d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC  
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

**SPECIFIC CASE TYPES - APPEAL FILING INFORMATION**

**C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITIES (TOC)**

**1. Density Bonus/TOC**

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

**NOTE:**

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

**D. WAIVER OF DEDICATION AND OR IMPROVEMENT**

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

**NOTE:**

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

**E. TENTATIVE TRACT/VESTING**

**1. Tentative Tract/Vesting** - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

☐ Provide a copy of the written determination letter from Commission.

**F. BUILDING AND SAFETY DETERMINATION**

- ☐ 1. Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

**a. Appeal Fee**

☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

**b. Notice Requirement**

☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ 2. Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

**a. Appeal Fee**

☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

**b. Notice Requirement**

☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.

☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.



## G. NUISANCE ABATEMENT

### 1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

#### NOTE:

- Nuisance Abatement is only appealable to the City Council.

#### a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

### 2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

#### a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- ☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

## NOTES

*A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.*

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

FROM THE DESK OF  
**JOANNA GRZEŚKOWIAK**

May 8, 2023

City of Los Angeles  
Department of City Planning  
201 N. Figueroa Street, 4th Floor  
Los Angeles, CA 90012  
Phone: (213) 482-7077

**RE:**

**Case Number: VTT-82689-CC**

**Related Case: N/A**

**Address: 2969 South Kelton Ave**

**[2969 South Kelton Avenue and 10905 - 10911 West National Boulevard]**

Community Plan: West Los Angeles

Zone: R3-1

District Map: 123B157

Council District: 5 - Yaroslavsky

CEQA No.: ENV-2019-7606-CE

Legal Description: Lots 441 - 443, Tract 6939

Last Day to File an Appeal: May 15, 2023

Dear City Planning Council and Members,

Firstly, thank you for your service to us and to your community. I've found the City very receptive and attentive to previous requests I've submitted (i.e. installing a light-up crosswalks and extra lights at the high traffic and dangerous intersection of Kelton Ave and National Blvd), so I thank you again for your assistance and attentiveness to our community and its members.

I am writing to you today to appeal the City's decision to approve the conversion of our apartment building at 2969 South Kelton Ave, Los Angeles CA 90064. I am one of the tenants and an aggrieved party in this 18-unit building who would be negatively and adversely impacted by this decision. We, the residents of 2969 South Kelton— kindly ask you to reconsider reversing the decision.

All tenants here oppose this conversion, as we would be required to move and this presents undue hardship on all of us at a time when we are moving into a recession, and reasonable housing in this area is difficult to find. Condos for sale are too numerous in this area, West LA needs more single-family homes, not more condos. A brand new condo complex was built 6 months ago literally half a block from our apartment complex on National Blvd – it has been sitting empty as a church in the 7th ring of hell. No one is buying the new units for sale. Ask yourselves, how would evicting 40+ tenants (each

unit here has roughly 2-4 people) help anyone? There is an oversupply of condos for sale in West Los Angeles.

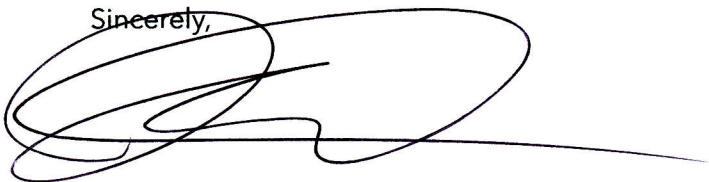
Many of the tenants at 2969 South Kelton Ave have lived in this building for 10-15 years! Including my elderly parents (both in their 80s, my father with Parkinson's and difficulty walking), and at least 3 other sets of elderly seniors with serious illnesses and/or disabilities. Tell me, and more importantly ask yourselves— how does kicking us out for the sake a developer help any of us? Will you feel good about yourself going to sleep at night knowing you're kicking out 40+ long-term tenants, seniors, elderly, disabled people, who will now have to go through the arduous, laborious, and frankly unnecessary task of looking for new rentals and paying time and money to move ourselves out? As esteemed council members and city planners, you serve the community—not the interests of outside developers looking to capitalize on their investments.

I, on behalf all the tenants at 2969 South Kelton, am appealing to your kindness and humanity to please consider reversing this decision. It serves no one well but the developer, and harms 40+ tenants here who very much DO NOT want to move, and obviously do NOT approve at all of this condo conversion.

I was on the initial public hearing for this condo conversion with the City and as a member of this community and current tenant/aggrieved party, I vehemently voiced my disapprove and dismay with this condo conversion.

Again, thank you very much for your consideration and all you have done for this community in the past and future.

Sincerely,

A handwritten signature in dark ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Joanna Grześkowiak





## APPLICATIONS:

# APPEAL APPLICATION

## Instructions and Checklist

**Related Code Section:** Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

**Purpose:** This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

### A. APPELLATE BODY/CASE INFORMATION

#### 1. APPELLATE BODY

- ☐ Area Planning Commission    ☒ City Planning Commission    ☐ City Council    ☐ Director of Planning  
☐ Zoning Administrator

Regarding Case Number: VTT-82689-CC

Project Address: 2969 Kelton Ave Los Angeles CA 90064

Final Date to Appeal: 05/15/2023

#### 2. APPELLANT

**Appellant Identity:**  
(check all that apply)

- ☐ Representative    ☐ Property Owner  
☐ Applicant    ☐ Operator of the Use/Site

☒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

☐ Person affected by the determination made by the **Department of Building and Safety**

- ☐ Representative    ☐ Owner    ☒ Aggrieved Party  
☐ Applicant    ☐ Operator

#### 3. APPELLANT INFORMATION

Appellant's Name: Andrew Hammond

Company/Organization: \_\_\_\_\_

Mailing Address: 2969 Kelton Ave #306

City: Los Angeles State: CA Zip: 90064

Telephone: (310) 968-0908 E-mail: andrewhammond@hotmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self    ☐ Other: \_\_\_\_\_

b. Is the appeal being filed to support the original applicant's position?    ☐ Yes    ☒ No

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Representative/Agent name (if applicable): \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### 5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☒ Entire ☐ Part

b. Are specific conditions of approval being appealed? ☒ Yes ☐ No

If Yes, list the condition number(s) here: 12.95.2F.6, Findings of Fact (a) & (m)

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☒ The reason for the appeal ☒ How you are aggrieved by the decision  
☒ Specifically the points at issue ☒ Why you believe the decision-maker erred or abused their discretion

#### 6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature:  Date: 5/11/23

#### GENERAL APPEAL FILING REQUIREMENTS

#### B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

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- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.  
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**SPECIFIC CASE TYPES - APPEAL FILING INFORMATION**

**C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)**

**1. Density Bonus/TOC**

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

**NOTE:**

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
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**D. WAIVER OF DEDICATION AND OR IMPROVEMENT**

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

**NOTE:**

- Waivers for By-Right Projects, can only be appealed by the owner.
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**a. Appeal Fee**

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**b. Notice Requirement**

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## G. NUISANCE ABATEMENT

### 1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

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#### a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

### 2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

#### a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
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## NOTES

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Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)



## APPLICATIONS:

# APPEAL APPLICATION

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☐ Person affected by the determination made by the **Department of Building and Safety**

- ☐ Representative    ☐ Owner    ☒ Aggrieved Party  
☐ Applicant    ☐ Operator

#### 3. APPELLANT INFORMATION

Appellant's Name: Iva Radosevic

Company/Organization: \_\_\_\_\_

Mailing Address: 2969 Kelton Ave #306

City: Los Angeles State: CA Zip: 90064

Telephone: (626) 298-1920 E-mail: ivaradosevic@hotmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self    ☐ Other: \_\_\_\_\_

b. Is the appeal being filed to support the original applicant's position?    ☐ Yes    ☒ No



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Representative/Agent name (if applicable): \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.  
☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

##### d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC  
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

<b>SPECIFIC CASE TYPES - APPEAL FILING INFORMATION</b>
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**C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)****1. Density Bonus/TOC**

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

**NOTE:**

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- ☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

**D. WAIVER OF DEDICATION AND OR IMPROVEMENT**

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

**NOTE:**

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

**E. TENTATIVE TRACT/VESTING****1. Tentative Tract/Vesting** - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- ☐ Provide a copy of the written determination letter from Commission.

**F. BUILDING AND SAFETY DETERMINATION**

- ☐ **1. Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.**

**a. Appeal Fee**

- ☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

**b. Notice Requirement**

- ☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ **2. Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.**

**a. Appeal Fee**

- ☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

**b. Notice Requirement**

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

## G. NUISANCE ABATEMENT

### 1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

#### NOTE:

- Nuisance Abatement is only appealable to the City Council.

#### a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

### 2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

#### a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- ☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

## NOTES

*A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.*

**Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)



Andrew Hammond  
Iva Radosevic  
2969 Kelton Ave #306  
Los Angeles CA 90064

**RE: Appeal of Case Number VTT-82689-CC**

Dear LA Department of City Planning

Further to the above referenced case numbers, we are writing as aggrieved parties under the approval that was granted to the application proposed under VESTING TENTATIVE TRACT NO. 82689-CC requesting to convert the existing 18-unit apartment building located at 2969 Kelton Avenue to an 18-unit residential condominium building.

Our appeal request and aggrievement are based on the following objections:

1. The proposed project is in violation of Los Angeles Municipal Code (LAMC) Section 12.95.2F.6 part 1), specifically that the vacancy rate is less than 5%;
2. The proposed project is not compatible with the West Los Angeles Community Plan; and
3. The evidence further to the first two points was already presented to the City Planning Commission and it was ignored, claimed to be the contrary, and no opportunity to dispute, challenge or explain was offered.

Please accept the following comments in elaboration of the points raised above. All page references refer to the document "VESTING TENTATIVE TRACT NO. 82689-CC" issued by the Department of City Planning on May 3, 2023.

**1. The proposed project is in violation of Los Angeles Municipal Code (LAMC) Section 12.95.2F.6**

On page 18, part m), it is stated that, "THE VACANCY RATE OF THE PLANNING AREA IN WHICH THE PROPERTY IS LOCATED IS NOT LESS THAN 5 PERCENT."

On page 19, paragraph 2, the Advisory Agency states that, "Consistent with the requirements of Los Angeles Municipal Code (LAMC) Section 12.95.2F.6 the Advisory Agency considered the criteria enumerated in this subsection. The Department of City Planning Demographics Unit reports that the overall vacancy rate is 11.1 percent, which is more than 5 percent. The vacancy rate was calculated using 2021 American Community Survey 5-year Estimate data."

The claim that the vacancy rate is under 5% is outdated, referring to 2021 data from the American Community Survey conducted by the US Census Bureau. Updated data for the First Quarter of 2023 is available from the US Census Bureau calculating the vacancy rate for the Los Angeles metropolitan area to be 3.5%, which is significantly below the 5% threshold. In fact, a May 17, 2022 Los Angeles Times article entitled, "Finding a place to rent in Los Angeles has become a competitive sport," makes it clear that the number of apartments available for rent in Los Angeles County is the lowest it's been in two decades, and the vacancy rate in Los Angeles County in the first quarter of this year was the lowest since 2001.

You may find the US Census Bureau data here: <https://www.census.gov/housing/hvs/data/rates.html>



And the Los Angeles Times article here: <https://www.latimes.com/business/story/2022-05-17/california-housing-market-rental-vacancies>

On page 18, paragraph 3, the Advisory Agency claims that, "The project does not have a significant cumulative effect on the rental housing market. There have been zero condominium conversions having occurred within a 500-foot radius of the project site since at least 2000."

This claim is of little significance considering that a) the majority of the 500-foot radius of the project site within the West Los Angeles Community Plan area consists almost entirely of R1-zoned single family residential properties which would never have been eligible for a condominium conversion project, and b) 500 feet represents 0.00053% of the total residential square footage in the West Los Angeles Community Plan. Note that the West Los Angeles Community Plan area comprises an area of 4,565 acres, 2,161 of which are zoned residential, this is equivalent to 94,133,160 square feet. Furthermore, the vast majority of the Medium density, R-3 zoned rental property inventory in the West Los Angeles Community Plan area is located in the northwest portions of the Plan area. In the areas immediately adjacent to the proposed project property, there are very few Medium density R-3 zoned properties, and the removal of even a single one would in fact represent a significant change to the rental housing market for that same 500-foot radius area noted by the Advisory Agency.

## **2. The proposed project is not compatible with the West Los Angeles Community Plan**

On Page 13, part a), the Advisory Agency offers their view that the project is compatible with the West Los Angeles Community Plan, and in particular claims compliance with Objective 1-1, and Policy 1-1.2 of the West Los Angeles Community Plan. These claims are without merit and the project is actually in opposition to the goals, objectives, and policies of the West Los Angeles Community Plan.

Goal 1 of the West Los Angeles Community Plan (WLACP) is to provide, "A SAFE, SECURE, AND HIGH-QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY."

Objective 1-1 supports this goal by stating the importance of providing, "for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area."

Policy 1-1.2 specifically states the priority to preserve all residential neighborhoods.

First and foremost, the WLACP places an emphasis on preserving the existing character of residential housing in the Community. This existing character includes a mix of owner-occupied dwellings, and tenant occupied dwellings. Furthermore, it includes a diverse economic and demographic background of residents. Rather than preserving the existing character of residential housing in the community, the proposed conversion would change the existing character by reducing the number of tenant-occupied dwellings and removing access to affordable housing units.

This is in direct contravention of Objective 1-4 of the WLACP which specifically requires the promotion of "adequate and affordable housing," and increasing its accessibility to more segments of the population, especially students and senior citizens. In addition, Policy 1-4.1 provides for the promotion of greater individual choice in type, quality, price and location of housing, and Policy 1.4-2 is to ensure that new housing opportunities minimize displacement of residents.

The proposed conversion would serve to reduce the amount of affordable housing, the choice of housing type, and would lead to the displacement of residents by converting rental properties to condominiums. On page 18, part j), paragraph 3, the Advisory Agency contends that, "(t)he project will provide new homeownership opportunities in the West Los Angeles Community Plan area," but with the cost of home ownership at an all-time high, the new home ownership opportunities will only apply to the wealthy, and not to the diverse set of potential residents served by rental housing opportunities in the community.

**3. The Advisory Agency approved the proposed project despite having been provided evidence that it was in violation of Los Angeles Municipal Code (LAMC) Section 12.95.2F.6 part 1), that it was not compatible with the West Los Angeles Community, and provided no opportunity to review that evidence.**

The points raised in part 1. and 2. above were already provided to the City Planning Department on July 25, 2022. The Advisory Agency appears to have ignored these points based on the findings in their approval of the proposed project.

The vacancy rate data from the US Census Bureau is readily available to the public and to ignore it in favor of an outdated and potentially 'cherry-picked' data source is either a careless error or a blatant omission. If it is the latter, this would appear to be motivated by a predisposed desire to be in favor of the proposed project at the expense of the current tenants and would-be future tenants of the rental property. While this is only a suspicion, some credence is lent to it when you consider that the Advisory Agency has also interpreted the West Los Angeles Community Plan (WLACP) in favor of the project, again at the expense of all tenants who reside within the borders of that plan area. The WLACP is very clear in its language, which more strongly argues for denying this proposed project.

We are aggrieved that the facts that we presented were ignored, that contrary and inaccurate claims were presented as 'Findings of Fact' by the Advisory Agency, and that no attempt was made to engage with us even after we presented this information. It feels as though the Advisory Agency had no intention of reviewing this project proposal through an objective lens. There is no way of knowing why the Advisory Agency acted in the manner that it did, but based on the facts we have presented here it is clear that they were in favor of approving this project and were willing to do so despite the evidence to the contrary that they should not. This is unfair, unethical, and infringes upon our rights.

Thank you for your review and consideration of our objections to the proposed project. We are available for further consultation on our concerns, and we look forward to receiving confirmation that this project proposal has been denied.

Sincerely,



Andrew Hammond

&



Iva Radosevic

5/11/23

**EXHIBIT B**

**VESTING TENTATIVE TRACT MAP**

**VTT-82689-CC**

**LOT 1**  
 AREA=13,620 S.F. (0.312 ACR.)  
 EXIST. FOUR-STORY BLDG.  
 TO REMAIN

**STREETS AND EASEMENTS:**  
 - **ALLEY:** 125' wide, 10' and 20' sections.  
 - **NATIONAL BLVD:** 143' wide, 22' and 18' sections.  
 - **KELTON AVE:** 30' wide, 12' and 18' sections.  
 - **PROPOSED 10' WIDE SIDEWALK EASEMENT TO CITY OF LOS ANGELES:** Along the west side of the lot.

**EXISTING FEATURES:**  
 - **BLDG:** Four-story building to remain.  
 - **SIDEWALKS:** EX. SIDEWALK along the west and south sides.  
 - **CURBS:** EX. CONC. CURB along the east and south sides.  
 - **TREES:** 10" DIA TREE (multiple), 16" DIA TREE (one).  
 - **SEWER:** EXIST. 8" DIA. S. SEWER along the north side.  
 - **SMH:** EX. SMH (Sanitary Main Hole) along the north side.

**PROPOSED FEATURES:**  
 - **10' WIDE SIDEWALK EASEMENT TO CITY OF LOS ANGELES:** Along the west side of the lot.

**DIMENSIONS:**  
 - **LOT 1:** 110' x 125' (approximate).  
 - **ALLEY:** 125' wide.  
 - **NATIONAL BLVD:** 143' wide.  
 - **KELTON AVE:** 30' wide.

**NOTES:**  
 - (98.02) F.S. (Front Setback)  
 - (101.46) F.S. (Front Setback)  
 - (100.0) F.S. (Front Setback)  
 - (104.32) F.S. (Front Setback)

**EXHIBIT C**

**DEPUTY ADVISORY AGENCY'S**

**DETERMINATION**

**VTT-82689-CC**



**DEPARTMENT OF  
CITY PLANNING**

COMMISSION OFFICE  
(213) 978-1300

**CITY PLANNING COMMISSION**

SAMANTHA MILLMAN  
PRESIDENT

CAROLINE CHOE  
VICE-PRESIDENT

MARIA CABILDO  
MONIQUE LAWSHE  
HELEN LEUNG  
KAREN MACK  
DANA M. PERLMAN  
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**CITY OF LOS ANGELES  
CALIFORNIA**



KAREN BASS  
MAYOR

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DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

May 3, 2023

Kelton Equities, LLC (A/O)  
1730 South Colby Avenue Unit 100  
Los Angeles, CA 90025

Steve Nazemi (R)  
DHS & Associates Inc.  
275 Centennial Way Unit 205  
Tustin, CA 92780

RE: Case Number: VTT-82689-CC  
Related Case: N/A  
Address: 2969 South Kelton Avenue  
[2969 South Kelton Avenue and 10905 – 10911  
West National Boulevard]  
Community Plan: West Los Angeles  
Zone: R3-1  
District Map: 123B157  
Council District: 5 - Yaroslavsky  
CEQA No.: ENV-2019-7606-CE  
Legal Description: Lots 441 - 443, Tract 6939  
Last Day to File an Appeal: May 15, 2023

In accordance with provisions of Section 17.03, 17.06, 17.15, and 12.95.2 of the Los Angeles Municipal Code (LAMC), the Advisory Agency determined, based on the whole administrative record, that the project is exempt from CEQA pursuant to CEQA Guidelines Article 19, Sections 15301 (Class 1) and 15305 (Class 5), and there is no substantial evidence demonstrating that an exception to a categorical exemption, pursuant to Section 15300.2, applies. The Advisory Agency also approves Vesting Tentative Tract Map No. VTT-82689-CC composed of one lot, located at 2969 South Kelton Avenue for a maximum of **18 residential condominium units**, as shown on map stamp-dated December 19, 2019; and approves the requested waiver of dedication and improvement along Kelton Avenue. This unit density is based on the R3-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

*Any questions regarding this report should be directed to Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8588.*

1. That a 10-foot wide easement be provided along National Boulevard and a 10-foot corner radius easement be provided at the intersection with Kelton Avenue.

**DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

*Grading Division approvals are conducted at 221 North Figueroa Street, 12<sup>th</sup> Floor suite 1200. The approval of this Tract Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.*

2. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

*An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Wong at (213) 482-6876 to schedule an appointment.*

3. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. Provide a copy of affidavit AFF-10936. Show compliance with all the conditions/requirements of the above affidavit as applicable. Termination of above affidavit(s) may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
  - b. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

Notes: The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy, or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

**DEPARTMENT OF TRANSPORTATION**

4. That the project be subject to any recommendations from the Department of Transportation.

**FIRE DEPARTMENT**

*The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of*

*waiting please call (213) 482-6543. You should advise any consultant representing you of this requirement as well.*

5. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
  - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - c. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
  - d. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).
  - e. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - f. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
  - g. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - h. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
  - i. 2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)
    - a. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
    - b. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
    - c. This policy does not apply to single-family dwellings or to non-residential buildings.
  - j. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
  - k. Site plans shall include all overhead utility lines adjacent to the site.
  - l. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
  - m. No proposed development utilizing cluster, group, or condominium design of one- or two-family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.



- n. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
  - a. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
  - b. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
  - c. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
  - d. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
  - e. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.
- o. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
- p. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- q. Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.
- r. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.
- s. Entrance to the main lobby shall be located off the address side of the building.
- t. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- u. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- v. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- w. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction

#### **DEPARTMENT OF WATER AND POWER**

- 6. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be

deemed cleared at the time the City Engineer clears Condition No. S-1. (c).)

**BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS**

*Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office, see condition S-3. (c).*

7. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

**BUREAU OF SANITATION**

8. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated January 16, 2020. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

**INFORMATION TECHNOLOGY AGENCY**

9. To assure that cable television facilities will be installed in the same manner as other required improvements, please email [ita.cabletvclearance@lacity.org](mailto:ita.cabletvclearance@lacity.org) that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

**DEPARTMENT OF RECREATION AND PARKS**

*Park fees are paid at 221 North Figueroa Street. Suite 400, Los Angeles. Please contact Park Fees staff at (213) 202-2657 for any questions or comments, at your convenience.*

10. VTT-82689-CC, as described, has no anticipated recreation and park impacts therefore RAP has no recommendations regarding this project.

**URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**

11. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway tree removals shall be replanted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

**DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS**

*Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, which can be requested at [planning.lacity.org](http://planning.lacity.org).*

12. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to a maximum of 18 dwelling units.
- b. The 34 existing parking spaces for the structure shall be maintained.
- c. The project shall provide a minimum of eight (8) bicycle parking spaces.
- d. The project shall maintain the existing five (5) street trees along National Boulevard and three (3) street trees along Kelton Avenue. No street trees are permitted to be removed.
- e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a Certificate of Occupancy.
- f. Note to City Zoning Engineer and Plan Check.

The Advisory Agency, as permitted by Section 12.95.2 of the Los Angeles Municipal Code, has modified the parking requirements for the proposed project. The Advisory Agency is approving the condominium conversion with existing density and parking ratio.

The Advisory Agency is hereby approving the proposed condominium conversion as it currently exists with 18 dwelling units and 34 parking spaces that were legally built in 2005. This allows for a reduction of two parking stalls otherwise required pursuant to the Advisory Agency's Residential Parking Policy for Division of Land (AA 2000-1). As such, the Advisory Agency is allowing for the existing parking space ratio to remain as it is legally non-conforming.

g. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial

- deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
  - (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

- h. That prior to the recordation of the final map, the subdivider shall apply to the Department of Building and Safety for a Certificate of Completion for a change from apartments to condominiums.
- i. Certified Parking Plan. The subdivider shall submit two copies of a parking plan, certified by a licensed surveyor or registered civil engineer and approved by the Department of Building and Safety, to the Satisfaction of the Advisory Agency prior to recordation of the final map, indicating the number of spaced required, driveways, aisle widths, column locations or any other type of obstructions.

**DEPARTMENT OF CITY PLANNING - STANDARD CONDOMINIUM CONVERSION CONDITIONS**

- CC-1. That prior to final map recordation, the applicant shall execute and record a covenant and agreement stating that each tenant shall be given at least a 180-day written notice of intention to convert, prior to termination of tenancy, due to the conversion or proposed conversion. (201 N. Figueroa Street, 4<sup>th</sup> Floor) Government Code section 66452.19 This notification supersedes Los Angeles Municipal Code (LAMC) 12.95.2-E.2.
- CC-2. That prior to final map recordation, the applicant execute a covenant and agreement stating that each tenant of the proposed condominium conversion project shall be given written notice within five days after receipt of the subdivision public report of an exclusive right to contract for the purchase of the dwelling unit, occupied by the tenant, upon the same or more favorable terms and conditions than those initially offered to the general public. If a tenant's existing unit is to be combined with an adjacent unit, another unit of comparable size and amenities shall be offered to that tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the California Business and Profession Code, unless the applicant receives prior written notice of the tenant's intention not to exercise the right. (201 N. Figueroa Street, 4<sup>th</sup> Floor) (Los Angeles Municipal Code (LAMC) 12.95.2-E.3).
- CC-3. Prior to recordation of the final map, the subdivider shall pay a Rental Housing Production Fee for each unit, prior to the conversion. This fee shall be paid to the Rental Housing Production Account of the Housing Department in accordance with Section 12.95.2-K of the LAMC. (1200 W. 7<sup>th</sup> Street, 1<sup>st</sup> Floor Public Counter).

NOTE: All fees collected pursuant to this LAMC 12.95.2 K. shall be deposited and held in the Rental Housing Production Account of the Community Development Department (currently the Housing Department), the account is established to be administered by the Community Development Department (currently the Housing Department) separately from all other money expended by the Department. Money in this account shall be used exclusively for the development of low and moderate income rental housing in the City, pursuant to guidelines carrying out this purpose prepared by the Department and approved by resolution of the City Council.

- CC-4. That prior to recordation of the final map, a Housing Inspection Report, prepared by a Licensed Engineer, shall be submitted to the Advisory Agency. The report shall be prepared by a registered civil or structural engineer, licensed general building contractor, licensed general engineering contractor or architect. As necessary, the inspection shall be conducted by a team of experts certified by the International Conference of Building Officials, with specialty in mechanical, electrical, plumbing and structural engineering. The report shall indicate the condition and estimated remaining useful life of the roof, foundation, plumbing, electrical, heating, air conditioning, and other mechanical and structural systems. The report shall show substantial compliance with applicable provisions of Chapter IX of the Los Angeles Municipal Code (LAMC) for existing residential buildings, taking into account nonconforming rights. In addition, prior to inspecting the building, the subdivider or owner shall obtain from the tenants a list of defects and necessary repairs, which in their opinion exist on the site, common areas, unit or apartment structure. Prior to recordation of the final map, any deficiencies determined by the inspection shall be corrected and satisfactory evidence shall be submitted to the Advisory Agency that said corrections have been made. Form CP-6711 will not be prepared unless a list of deficiencies per the Housing Inspection Report Guidelines and a

tenant's list of defects are submitted. A certified parking plan shall be required as a part of this condition and all spaces shall be in place prior to recordation. The Advisory Agency has Housing Inspection Report Guidelines available at 201 N. Figueroa Street, 4<sup>th</sup> Floor for the preparation of Housing Inspection reports.

**OR**

Prior to the issuance of a Certificate of Completion for condominiums or recordation of the Final Map, whichever occurs first, the Department of Building and Safety shall certify to the satisfaction of the Advisory Agency that the existing structure meets all applicable Codes to its satisfaction for a residential use.

- CC-5. That an acoustical report prepared by a licensed acoustical engineer be submitted to the Department of City Planning for approval prior to recordation of the final map or concurrently with any required Housing Inspection Report. The acoustical report shall indicate (a) the type of construction between dwelling units and the general sound attenuation. (Note: The acoustical report may be included in the Housing Inspection Report as a separate section.)

**OR**

Prior to the issuance of Certificate of Occupancy for condominiums or recordation of the Final Map, whichever occurs first, the Department of Building and Safety shall certify to the satisfaction of the Advisory Agency that the existing structure meets all applicable Codes to its satisfaction for a residential use for sound attenuation.

- CC-6. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6771) in a form satisfactory to the Advisory Agency, binding the applicant and any successor in interest to provide relocation assistance in a manner consistent with Section 12.95.2-G and 47.06 of the Los Angeles Municipal Code pertaining to rental subsidies for tenants either terminating tenancy or evicted for condominium conversions and any additional ordinances that may provide greater relocation assistance. The covenant and agreement shall be executed and recorded within 10 days after expiration of appeal period (and final action thereon) and a copy provided to each tenant within five days of recordation of the covenant and agreement. **Failure to meet the requirement of this condition – including time limits – may be grounds to disapprove the final map.** (201 N. Figueroa Street, 4<sup>th</sup> Floor)
- CC-7. That prior to final map recordation, the applicant shall execute a covenant and agreement stating that proof shall be submitted (Certified mail or Affidavit) to the Advisory Agency, indicating that each tenant of the proposed condominium conversion project shall be given written notification of the condominium conversion within 30 days after final map recordation.

Prior to issuance of any building permit proof shall be submitted to the Advisory agency that written notification of the condominium conversion within 30 days after final map recordation was given to each tenant of the proposed condominium conversion project.

- CC-8 That prior to final map recordation, the applicant shall execute a covenant and agreement for, **or** provide a receipt, satisfactory to the Advisory Agency, in connection with this condominium conversion. The receipt that the subdivider provides shall show that a Park and Recreation fee, (or a \$200 per unit Dwelling Unit Construction tax has been paid to Building and Safety [201 N. Figueroa Street, 3<sup>rd</sup> Floor, Station 17] if a Certificate of

Occupancy was issued more than 5 years before final map recordation) and a Residential Development Tax of \$300 per dwelling unit has been paid. (221 N. Figueroa Street, Suite 100).

CC-9 That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Development Services Center of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-O of the Los Angeles Municipal Code (LAMC) shall be fully complied with satisfactory to the Department of Building and Safety.

#### **BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.

- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
  - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
  - (k) That no public street grade exceeds 15%.
  - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
  - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - (d) All improvements within public streets, private streets, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
  - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
  - (b) Construct any necessary drainage facilities.
  - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
    - (1) Construct new street lights: one (1) on Kelton Avenue and one (1) on National Boulevard.

Notes: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.



Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
  - (1) Improve National Boulevard adjoining the subdivision by the construction of a 2-foot wide concrete gutter, concrete curb, and 5-foot concrete sidewalk and landscaping of the parkway, including any necessary removal and reconstruction of existing improvements, except that existing street trees shall be preserved.
  - (2) Improve Kelton Avenue adjoining the subdivision by the construction of a new 2-foot wide concrete gutter, concrete curb, and a full-width concrete sidewalk with tree wells or a 5-foot concrete sidewalk and landscaping of the parkway, including any necessary removal and reconstruction of existing improvements, except that existing street trees shall be preserved.
  - (3) Improve the alley adjoining the subdivision by the construction of a 2-foot wide longitudinal concrete gutter and reconstruction of a suitable surfacing to complete a 20-foot wide alley including the reconstruction of the alley intersection with Kelton Avenue and any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
  - (4) That satisfactory arrangement be made with West Los Angeles Engineering District Office for the existing sewer permit.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract map action. However, the existing or proposed zoning may not permit this number of units.

Any removal of the existing street trees shall require Board of Public Works approval.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

The final map must be recorded within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon request.

#### **FINDINGS OF FACT (CEQA)**

The Advisory Agency determines, based on the whole of the administrative record, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Sections 15301 (Class 1) and 15305 (Class 5), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies. The project proposes to convert the existing 18-unit apartment building to an 18-unit residential condominium building. No exterior construction is proposed. There are five (5) existing street trees along National Boulevard and three (3) existing street trees along Kelton Avenue which shall be preserved.

Class 1 (Existing Facilities) is intended for projects that involve no expansion of use and includes division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt.

Class 5 (Minor Alterations in Land Use Limitations) consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which does not result in any changes in land use or density.

#### **FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Vesting Tentative Tract Map No. VTT-82689-CC the Advisory Agency of the City of Los Angeles, pursuant to Section 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for

future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land. The subject site is within the West Los Angeles Community Plan. The site is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP, Ordinance 186,105 and 186,108); the Project is subject to Department of Transportation clearance of the WLA TIMP. The site is located within the Exposition Corridor Transit Neighborhood Plan; however, the scope of work is not a project per the Specific Plan. The site is not located in a potentially hazardous area or a designated hillside area.

The adopted West Los Angeles Community Plan designates the subject property for Medium Residential land uses with the corresponding zone of R3. The property contains approximately 0.31 acres (13,620 square feet) of lot area, comprises 14,870 square feet (with one-half of the width of the alley per LAMC 12.22 C.16), and is zoned R3-1.

In accordance with LAMC 12.95.2 F, there is no applicable general plan or specific plan that contains a definite statement of policies and objectives applicable to condominium conversion projects in the West Los Angeles Community Plan.

The project is compatible with the West Los Angeles Community Plan which encourages projects that:

Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.2: Promote neighborhood preservation in all residential neighborhoods.

Program: With the implementation of the Community Plan, all discretionary actions, specific plans, community and neighborhood residential projects are to be consistent with Plan recommendations.

Objective 12-2: To promote pedestrian - oriented mobility for commuter, school, recreational use, economic activity and access to transit facilities.

Policy 12-2.1: Encourage the safe utilization of public utility easements and other public rights-of-way along flood control channels, railroad rights-of-way, and streets wherever feasible for the use of pedestrians.

Policy 12-2.3: Protect and improve pedestrian - oriented street segments.

As conditioned, the project will also be compatible with the Mobility Plan 2035 which encourages projects that:

Policy 2.3: Pedestrian Infrastructure: Recognize walking as a component of every trip, and ensure high quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

The project will provide new homeownership opportunities in the West Los Angeles Community Plan area through the conversion of the existing apartment building into

condominiums. Conditions have been imposed to preserve existing street trees in order to maintain existing mature healthy landscaping along National Boulevard and Kelton Avenue and ensure a comfortable walking environment. Therefore, as conditioned, the proposed subdivision is substantially consistent with the applicable general and specific plans.

- (b) THE DESIGN OR IMPROVEMENT OF THE PROPOSED SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The tract map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended dedication and improvements to the public right-of-way along Kelton Avenue, National Boulevard, and the adjacent Alley consistent with the standards of the Mobility Element. The Bureau of Engineering has found the subdivision layout generally satisfactory. The site was previously issued a Certificate of Occupancy on March 25, 2005, from the Department of Building and Safety (Permit No. 02010-10000-01976) for the existing three story, 18-unit apartment building over a subterranean parking garage; and no new construction or major modifications are proposed.

Therefore, as conditioned, the design and improvements of the proposed subdivision are consistent with the applicable general and specific plans.

- (c) THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT.

The project site is developed with a three story, 18-unit apartment building over a subterranean parking garage. The site is not located within a designated hillside area, a high fire hazard severity zone, flood zone, landslide, liquefaction, methane, or tsunami inundation zone. The site is located in a BOE Special Grading Area, but no grading is proposed as a part of this project.

The proposed project is a residential condominium conversion and will preserve the existing structures on the site without any major modifications.

The Bureau of Engineering has found the subdivision layout generally satisfactory. According to the Bureau of Engineering letter dated February 7, 2020, there is an existing sewer available in the street adjoining the subdivision. The site was previously issued a Certificate of Occupancy on March 25, 2005, from the Department of Building and Safety (Permit No. 02010-10000-01976) for the existing three story, 18-unit apartment building over a subterranean parking garage; and no new construction or major modifications are proposed.

Therefore, the site will be physically suitable for the proposed residential condominium conversion.

- (d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The project site is developed with a three story, 18-unit apartment building over a subterranean parking garage. The proposed project is a residential condominium conversion and will preserve the existing structures on the site without any major



modifications. The Bureau of Engineering has found the subdivision layout generally satisfactory. The site was previously issued a Certificate of Occupancy on March 25, 2005, from the Department of Building and Safety (Permit No. 02010-10000-01976) for the existing three story, 18-unit apartment building over a subterranean parking garage; and no new construction or major modifications are proposed.

The property contains approximately 0.31 acres (13,620 square feet) of lot area, comprises 14,870 square feet (with one-half of the width of the alley per LAMC 12.22 C.16), and is zoned R3-1. The R3 zone allows a density of one unit per 800 square feet of lot area, allowing 18 units on the subject site. Although the Bureau of Engineering has indicated requirements for the dedication of a 10-foot wide strip of land to complete a 50-foot wide half right-of-way along National Boulevard, the dedication would reduce the lot area to 13,620 square feet, which is not sufficient for the existing density of 18 dwelling units. Therefore, in accordance with LAMC Sections 17.03, 17.06, and 12.37, the Advisory Agency approves the waiver of the 10-foot dedication along National Boulevard. See Waiver of Dedication and Improvement Finding (o), below. As conditioned, the proposed tract map is physically suitable for the proposed density of the development.

- (e) THE DESIGN OF THE SUBDIVISION OR THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The project site is developed with a three story, 18-unit apartment building over a subterranean parking garage. The proposed project is a residential condominium conversion and will preserve the existing structures on the site without any major modifications. No exterior construction is proposed. Conditions have been imposed to preserve existing street trees in order to maintain existing mature healthy landscaping along National Boulevard and Kelton Avenue. The surrounding area is presently developed with structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. Therefore, the condominium conversion and the design of the subdivision and proposed improvements is not likely to cause substantial environmental damage or injury to wildlife or their habitat.

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along Kelton Avenue and National Boulevards which are public streets. There are no

known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the tract map, however the applicant requests to provide a ten-foot easement in lieu of the otherwise required ten-foot dedication along National Boulevard, and a 15-foot by 15-foot cut corner easement in lieu of the otherwise required 20-foot radius or 15-foot by 15-foot property line corner cut dedication at the intersection with Kelton Avenue. The project site contains legally recorded lots identified by the Assessor Parcel Record. The site is surrounded by private and public properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, public park or any officially recognized public recreation area. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

The project site is developed with a three story, 18-unit apartment building over a subterranean parking garage. The proposed project is a residential condominium conversion and will preserve the existing structures on the site without any major modifications. Design modifications are not feasible to an existing building.

#### **FINDINGS OF FACT (CONDOMINIUM CONVERSION)**

Furthermore, the Advisory Agency pursuant to Section 12.95.2 of the Los Angeles Municipal Code, makes the prescribed findings as follows:

- (i) THE PROPOSED MAP IS SUBSTANTIALLY CONSISTENT WITH APPLICABLE DENSITY PROVISIONS OF THE GENERAL PLAN OR SPECIFIC PLANS IN EFFECT AT THE TIME THE ORIGINAL BUILDING PERMIT WAS ISSUED AND THE APPLICATION FOR MAP APPROVAL IS FILED FIVE YEARS OR MORE FROM THE DATE THE ORIGINAL CERTIFICATE OF OCCUPANCY FOR THE BUILDING WAS ISSUED.

The West Los Angeles Community Plan was adopted in 1997 and designated the subject property for Medium Residential land uses with the corresponding zone of R3. The property contains approximately 0.31 acres (13,620 square feet) of lot area, comprises 14,870 square feet (with one-half of the width of the alley per LAMC 12.22 C.16), and is zoned R3-1. The R3 zone allows a density of one unit per 800 square feet of lot area, allowing 18 units on the subject site. Although the Bureau of Engineering has indicated requirements for the dedication of a 10-foot wide strip of land to complete a 50-foot wide half right-of-way along National Boulevard, the dedication would reduce the lot area to 13,620 square feet, which is not sufficient for the proposed density of development. Therefore, in accordance with LAMC Sections 17.03, 17.06, and 12.37, the Advisory Agency approves the waiver of the 10-foot dedication along National Boulevard. See Waiver of Dedication and Improvement Finding (o), below. As conditioned, the proposed tract map is substantially consistent with applicable density provisions of the General Plan.

The site is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP, Ordinance 186,105 and 186,108); the Project is

subject to Department of Transportation clearance of the WLA Timp. The site is located within the Exposition Corridor Transit Neighborhood Plan; however, the scope of work is not a project per the Specific Plan. The site was previously issued a Certificate of Occupancy on March 25, 2005, from the Department of Building and Safety (Permit No. 02010-10000-01976) for the existing three story, 18-unit apartment building over a subterranean parking garage; and no new construction or major modifications are proposed. This request was filed on December 19, 2019, which is more than five years after the date of the Certificate of Occupancy. Thus, this finding can be made in the affirmative.

- (j) THE PROPOSED MAP IS CONSISTENT WITH ANY APPLICABLE GENERAL PLAN OR SPECIFIC PLAN PROVISION WHICH CONTAINS A DEFINITE STATEMENT OF POLICIES AND OBJECTIVES EXPLICITLY APPLICABLE TO CONDOMINIUM CONVERSION PROJECTS.

See Subdivision Map Act Finding (a), above. There are no applicable general plan or specific plans that contains a definite statement of policies and objectives applicable to condominium conversion projects in the West Los Angeles Community Plan.

The project will provide new homeownership opportunities in the West Los Angeles Community Plan area through the conversion of the existing apartment building into condominiums. Conditions have been imposed to preserve existing street trees in order to maintain existing mature healthy landscaping along National Boulevard and Kelton Avenue and ensure a comfortable walking environment. Therefore, as conditioned, the proposed subdivision is substantially consistent with the applicable general and specific plans.

- (k) THE PROPOSED CONDOMINIUM CONVERSION DOES NOT CONTAIN ANY VIOLATIONS OF CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE (LAMC) THAT HAVE NOT BEEN CORRECTED OR AN ADEQUATE PLAN TO CORRECT SUCH VIOLATIONS HAS BEEN DEVELOPED OR ACCOMPLISHED. FOR PURPOSES OF THIS PROVISION, CHAPTER IX OF THE LAMC MEANS THE CODE IN EFFECT WHEN THE BUILDING PERMIT WAS ISSUED AND OTHER SUBSEQUENTLY ENACTED REGULATIONS EXPLICITLY MADE APPLICABLE TO EXISTING STRUCTURES.

The Subject Property has no known violations of Chapter IX of the Los Angeles Municipal Code.

- (l) THE BUILDING PROPOSED FOR CONVERSION IS NOT OF UNREINFORCED MASONRY FOR WHICH THE BUILDING PERMIT WAS ISSUED PRIOR TO OCTOBER 1, 1933, NOR IS IT MORE THAN THREE STORIES IN HEIGHT WITHOUT AN ELEVATOR.

The building is not unreinforced masonry, the building permit was issued in 2005, well after 1933, and contains an elevator.

- (m) THE VACANCY RATE OF THE PLANNING AREA IN WHICH THE PROPERTY IS LOCATED IS NOT LESS THAN 5 PERCENT. AS CONDITIONED, THE PROPOSED CONVERSION PROJECT WILL NOT HAVE A SIGNIFICANT CUMULATIVE EFFECT ON THE RENTAL HOUSING MARKET IN THE PLANNING AREA IN WHICH THE PROPOSED PROJECT IS LOCATED.

Section 12.95.2-F.6 of the LAMC reads in pertinent part: "After considering the following criteria, the Advisory Agency may approve a tentative map or preliminary parcel map for a residential conversion project, unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect on the rental housing market in the planning area of successive residential...conversion projects (past, present and future) is significant." In determining whether there is a significant cumulative effect, the section requires the Advisory Agency to consider the following criteria: (a) the number of tenants who are willing and able to purchase a unit in the building; (b) the number of units in the existing building prior to conversion; (c) the number of units which will be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements; (d) the adequacy of the relocation assistance plan proposed by the subdivider; and (e) any other factors pertinent to the determination.

Consistent with the requirements of Los Angeles Municipal Code (LAMC) Section 12.95.2-F.6 the Advisory Agency considered the criteria enumerated in this subsection. The Department of City Planning Demographics Unit reports that the overall vacancy rate is 11.1 percent, which is more than 5 percent. The vacancy rate was calculated using 2021 American Community Survey 5-year Estimate data.

The project does not have a significant cumulative effect on the rental housing market. There have been zero condominium conversions having occurred within a 500-foot radius of the project site since at least 2000. In calendar year 2021, a total of new 735 dwelling units were proposed through Planning Entitlements in the West Los Angeles Community Plan area.

At the time of application, all eighteen (18) units in the subject property were occupied, and none of the tenants has yet to express a willingness to purchase their unit. Each tenant will have an opportunity to purchase their unit pursuant to LAMC 12.95.E.3, which requires the Applicant to offer the tenants an exclusive right to purchase their unit. All units are proposed to be converted to condominiums.

A certified parking plan was submitted with the application. The parking plan shows a total of 34 parking spaces in a subterranean parking level. The Residential Parking Policy for Division of Land (No. AA 2000-1) requires a minimum of two (2) off-street parking spaces per dwelling unit for condominium conversion projects where the building is more than five years old from a temporary issuance of its Certificate of Occupancy, which requires two resident parking spaces per dwelling unit, for a total of 36 parking spaces. The project provides 34 residential parking spaces which does not conform to the Advisory Agency's Residential Parking Policy for Division of Land (AA 2000-1) for condominium conversions of two resident parking spaces per dwelling unit for projects more than five years from the issuance of a Certificate of Occupancy. The applicant has requested to deviate from the Advisory Agency Residential Parking Policy for Division of Land (AA 2000-1) to deviate from the parking policy by two (2) units to ensure there is not a loss of units.

The subject units are not subject to the Rent Stabilization Ordinance as they were built in 2005. However, the applicant has submitted a tenant relocation plan that cites LAMC 151.22-151.28 and Los Angeles Housing and Community Investment Department Bulletins related to tenant relocation assistance. The tenant relocation would also be required to comply with LAMC Sections 12.95.2 and 47.06. Therefore, the Advisory Agency hereby determines that adequate tenant protections have been and will be provided consistent with established law as required by Condition Nos. CC-2 and CC-6.



Those protections include advanced notice of intent to convert, guaranteed periods of continued tenancy, monetary payments to offset moving expenses and potentially higher rent and assistance in finding replacement housing as specifically enumerated in the California State Subdivision Map Act, the Ellis Act, Rent Stabilization Ordinance and LAMC Sections 12.95.2 and 47.06. These established state and local regulations assure compliance with the criteria required to permit the condominium conversion.

The Advisory Agency has determined that it cannot make both findings set forth in Section 12.95.2-F.6, and therefore, the condominium conversion may be approved.

- (n) THE OFF-STREET RESIDENT PARKING SPACES AND GUEST PARKING SPACES REQUIRED FOR THE PROPOSED CONDOMINIUM CONVERSION ARE REASONABLE AND FEASIBLE AND SUBSTANTIALLY CONSISTENT WITH THE PURPOSES OF THE LAMC.

A certified parking plan was submitted with the application. The parking plan shows a total of 34 parking spaces in a subterranean parking level. The Residential Parking Policy for Division of Land (No. AA 2000-1) requires a minimum of two (2) off-street parking spaces per dwelling unit for condominium conversion projects where the building is more than five years old from a temporary issuance of its Certificate of Occupancy, which requires two resident parking spaces per dwelling unit, for a total of 36 parking spaces. The project provides 34 residential parking spaces which does not conform to the Advisory Agency's Residential Parking Policy for Division of Land (AA 2000-1) for condominium conversions of two resident parking spaces per dwelling unit for projects more than five years from the issuance of a Certificate of Occupancy. The applicant has requested to deviate from the Advisory Agency Residential Parking Policy for Division of Land (AA 2000-1) to deviate from the parking policy by two (2) units to ensure there is not a loss of units.

The reduction of the two vehicle parking spaces will maintain the existing conditions on the site and ensure that there is not a loss of a residential units associated with the Project. The project will continue to maintain 34 vehicle parking spaces on the site, as it has done so since 2005. Over the intervening years the 34 vehicle parking spaces has been sufficient to service the 18-unit building and the condo conversion is not expected to result in a substantial increase in need to vehicle parking. Additionally, it is against City policy to prioritize vehicle parking spaces over residential units. Furthermore, state law under Assembly Bill 2097 ("AB" 2097) and Government Code Section 65863.2(a) prohibits public agencies or cities from imposing a minimum automobile parking requirement on most development projects located within a half-mile radius of a major transit stop. The subject site is within a Transit Priority Area as it is within one-half mile of the Los Angeles County Metropolitan Transit Authority ("Metro") Exposition ("E") Line Westwood Station, and is in close proximity to bus stops at the corner serving the Santa Monica Big Blue Bus 8 Line. The project is conditioned to provide a minimum of eight (8) bicycle parking spaces, consistent with the bicycle replacement provisions of LAMC Section 12.21 A.4, in lieu of the two vehicle parking spaces otherwise required. Lastly, the provided 34 parking spaces is substantially consistent with the total number of parking spaces required by LAMC Section 12.95.2.H. Therefore, the off-street parking spaces provided are reasonable, feasible, and substantially consistent with the provisions of the municipal code.

#### **FINDINGS OF FACT (WAIVER OF DEDICATION AND IMPROVEMENT)**

In connection with the approval of Vesting Tentative Tract Map No. VTT-82415-CC the Advisory Agency of the City of Los Angeles, pursuant to LAMC Section 17.03, 17.05, 17.06, 17.15, and

12.37, may waive, reduce, or modify the required dedication(s) or improvement(s) as appropriate after making any of the following finding, based on substantial evidence in the record that:

- i) the dedication or improvement requirement does not bear a reasonable relationship to any project impact;
  - ii) the dedication or improvement is not necessary to meet the City's mobility needs for the next 20 years based on the guidelines the Street Standards Committee has established; or
  - iii) the dedication or improvement requirement is physically impractical.
- (o) THE DEDICATION OR IMPROVEMENT REQUIREMENT IS PHYSICALLY IMPRACTICAL.

The Bureau of Engineering (BOE) has indicated required dedication and improvements adjoining the subdivision along Kelton Avenue, National Boulevard, and the adjoining Alley in Interdepartmental Correspondence dated February 7, 2020. The BOE required dedications included:

- That a 10-foot wide strip of land be dedicated along National Boulevard adjoining the subdivision to complete a 50-foot wide half public right-of-way in accordance with Avenue I Standards of LA Mobility Plan including a 20-foot radius or 15-foot by 15-foot property line cut corner at the intersection with Kelton Avenue

The BOE required improvements included:

- Improve National Boulevard being dedicated and adjoining the subdivision by the construction of the followings:
  - A concrete curb, a concrete gutter, and a 15-foot full-width concrete sidewalk with tree wells or a 5-foot concrete sidewalk and landscaping of the parkway.
  - Suitable surfacing to join the existing pavements and to complete a 35-foot half roadway.
  - Any necessary removal of any obstructions within the newly dedication area and reconstruction of existing improvements.
  - The necessary transitions to join the existing improvements.
- Improve Kelton Avenue adjoining the subdivision by the construction of a new 2-foot wide concrete gutter, concrete curb, and a full-width concrete sidewalk with tree wells or a 5-foot concrete sidewalk and landscaping of the parkway including any necessary removal and reconstruction of existing improvements.
- Improve the alley adjoining the subdivision by the construction of a 2-foot wide longitudinal concrete gutter and reconstruction of a suitable surfacing to complete a 20-foot wide alley including the reconstruction of the alley intersection with Kelton Avenue and any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
- That satisfactory arrangement be made with West Los Angeles Engineering District Office for the existing sewer permit.

On March 9, 2022, the Applicant requested to provide a ten-foot easement, in lieu of the otherwise required ten-foot dedication along National Boulevard. On July 12, 2022, the Applicant requested to provide a 10-foot radius in lieu of the otherwise required 20-foot radius or 15-foot by 15-foot property line corner cut dedication at the intersection with Kelton Avenue.

The proposed Project would convert the existing 18-unit apartment building to an 18-unit residential condominium building. There are five (5) existing street trees along National Boulevard, and three (3) existing street trees along Kelton Avenue which shall be preserved. No exterior construction is proposed. There is no proposed change of use, increase in density, parking, traffic volumes, or exterior construction.

National Boulevard, abutting the subject site to the south, a designated Avenue I, is designated for a 100-foot right-of-way and 70-foot roadway, is dedicated to a width of 80-feet, and is improved with a roadway of 50-feet, and is improved with curb, gutter, sidewalk, landscaping, and other improvements. National Boulevard is not dedicated or improved to the required width when compared to the Mobility Plan standards. National Boulevard is identified on the Mobility Plan's Tier 2 Neighborhood Enhanced Network, however it is not on the Mobility Plan's Pedestrian, Bicycle, or Transit Enhanced Networks. The Neighborhood Enhanced Network does not include specific features ("enhancements may not be required if streets meet targeted speeds and volumes or they can take shape in the form of a variety of traffic calming features depending on local context need"), instead the Neighborhood Enhanced Network, "serves as a system of local streets that are slow moving and safe enough to connect neighborhoods through active transportation" (Mobility Plan 2.4). Streets on the Neighborhood Enhanced Network are not necessarily targeted towards implementation of active additional bicycle or transit facilities. Therefore, additional dedication areas would not be required for at least the next 20 years. Additionally, there is no evidence that the existing operation of the site (ongoing for 18 years) has caused any impacts related to traffic or circulation along National Boulevard and the Proposed Project will not increase trips coming to or from the site.

#### *Street Dedication*

The Applicant has requested to provide a ten-foot easement in lieu of the otherwise required ten-foot dedication along National Boulevard. Requiring a 10-foot dedication would reduce the lot area for density calculations from 14,870 square feet to 13,620 square feet, which is not sufficient lot area for the existing density of 18 dwelling units. Pursuant to LAMC Section 12.10 C.4, the minimum lot area per dwelling unit shall be 800 square feet. The property contains approximately 0.31 acres (13,620 square feet) of lot area, which totals 14,870 square feet with one-half of the width of the alley per LAMC Section 12.22 C.16, and is zoned R3-1. The R3 zone allows a density of one unit per 800 square feet of lot area, allowing 18 units on the subject site. Although the Bureau of Engineering has indicated requirements for the dedication of a 10-foot wide strip of land to complete a 50-foot wide half right-of-way along National Boulevard, the dedication would reduce the lot area for density calculations to 13,620 square feet, which would only allow 17 dwelling units, and is therefore not sufficient for the existing density of 18 dwelling units. Requiring a 10-foot dedication would also reduce the front yard setback from 18 feet to 8 feet. Pursuant to LAMC 12.10 C.1, the minimum front yard is 15 feet. The property existing front yard is 18 feet and complies with the required front yard setback. Therefore, in accordance with LAMC Sections 17.03, 17.06, and 12.37, the Advisory Agency approves the request to provide a 10-foot easement in lieu of the 10-foot dedication along National Boulevard.

*Corner Radius*

The Applicant has requested to provide a 10-foot radius easement be provided in lieu of the otherwise required 20-foot radius or 15-foot by 15-foot property line cut corner at the intersection of National Boulevard and Kelton Avenue. Requiring a 20-foot radius or 15-foot by 15-foot cut corner will encroach into the existing building corner which contains a staircase and railways leading into the building basement, therefore the existing building corner will project and obstruct into the public right-of-way. In addition, the larger corner dedication would restrict existing access into the building, and would require the pedestrian access and entrances be re-designed for the project. However, such improvements go beyond the scope of work of the project, as no exterior alterations are proposed. The applicant has instead proposed a 10-foot radius easement, and demonstrated that it will not encroach into the existing building and is therefore physically practical. Therefore, in accordance with LAMC Sections 17.03, 17.06, and 12.37, the Advisory Agency approves the request to provide a 10-foot radius easement in lieu of the otherwise required 20-foot radius or 15-foot by 15-foot property line cut corner.

*Roadway Widening and Improvements*

In connection with the request to provide a 10-foot easement, the Advisory Agency hereby grants a waiver from the roadway widening requirements along National Boulevard. Requiring a roadway widening from the existing 25 foot half-roadway to the otherwise required 35-foot half roadway would move the curb by 10 feet, and would be physically impractical as National Boulevard is currently improved with an existing roadway, curb, gutter, and sidewalk within the existing right-of-way. The proposed Project is converting the existing 18-unit apartment building to an 18-unit residential condominium building. There are five (5) existing street trees along National Boulevard. There is no proposed change of use, increase in density, parking, traffic volumes, or exterior construction. Requiring the roadway widening and improvements along National Boulevard would require the existing five (5) mature street trees to be removed and impact the existing landscaped parkway. However, surrounding properties along National Boulevard to the west and east of the subject site have consistent curb, gutter, and sidewalk improvements. Furthermore, it is unlikely that a significant number of properties will be improved in the near-term to enable enough sidewalk expansion to have a practical effect on pedestrian movement and demand, and thus the improvements requirement for the request herein would not result in any practical benefit towards meeting the City's needs. Therefore, in accordance with LAMC Sections 17.03, 17.06, and 12.37, the Advisory Agency hereby grants a waiver from the roadway widening requirements along National Boulevard. However, the project is conditioned to improve National Boulevard adjoining the subdivision by constructing a concrete curb, concrete gutter, five-foot wide concrete sidewalk and landscaping the parkway, which would improve the sidewalk functions and walkability and meet the designated sidewalk width of 15 feet on an Avenue I, except that existing street trees shall be preserved in order to maintain existing mature healthy landscaping along National Boulevard and Kelton Avenue and ensure a comfortable walking environment.

The requested Waiver of Dedications and Improvements is granted because the BOE requirement for dedication along National Boulevard, and corner dedication at Kelton Avenue, and roadway widening along National Boulevard is physically impractical, as it would require the loss of a dwelling unit in an existing building, would reduce the front yard setback, restrict access to the existing building corner, and would require the removal of existing street trees. Furthermore, National Boulevard and Kelton Avenue are currently

improved with an existing roadway, curb, gutter, and sidewalk within the existing right-of-way. The existing conditions are adequate for the city's mobility needs. The dedications will instead be provided as easements, and no roadway widening will be required, however other improvements are enforced in Condition S-3(i) to ensure that National Boulevard, Kelton Avenue, and the alley are in good repair, will provide pedestrian safety, properly manage stormwater flow, meet ADA requirements, and be proportionate to the impacts of the proposed project.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract No. VTT-82689-CC.

VINCENT P. BERTONI, AICP  
Advisory Agency

*Connie Chauv*

Connie Chauv  
Deputy Advisory Agency

CC:MS:DB

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission or Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

**Figueroa Plaza**  
201 North Figueroa Street 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
(213) 482-7077

**Marvin Braude San Fernando  
Valley Constituent Service Center**  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
(818) 374-5050

**West Los Angeles Development  
Services Center**  
1828 Sawtelle Blvd., 2<sup>nd</sup> Floor  
Los Angeles, CA 90025  
(310) 231-2912

**Forms are also available on-line at <http://cityplanning.lacity.org>**

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90<sup>th</sup> day following the date on which the City's decision becomes final.



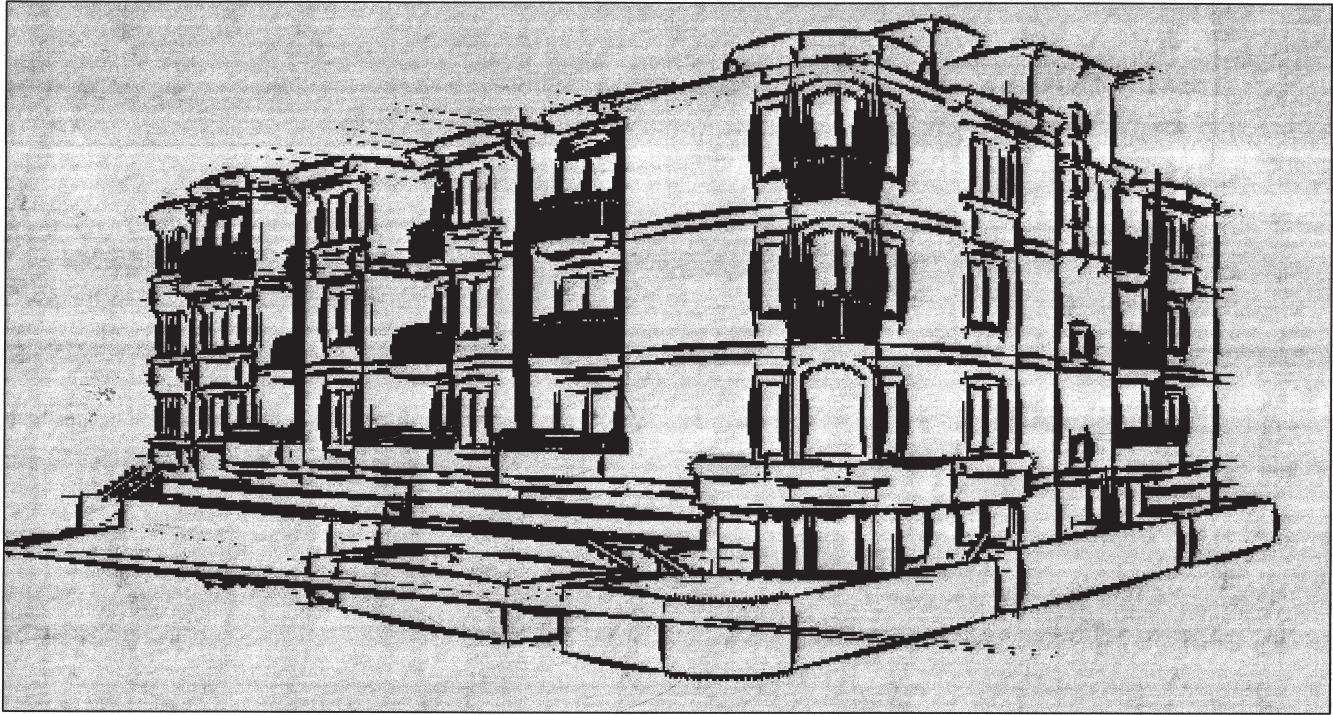
**EXHIBIT D**

**PROJECT PLANS**

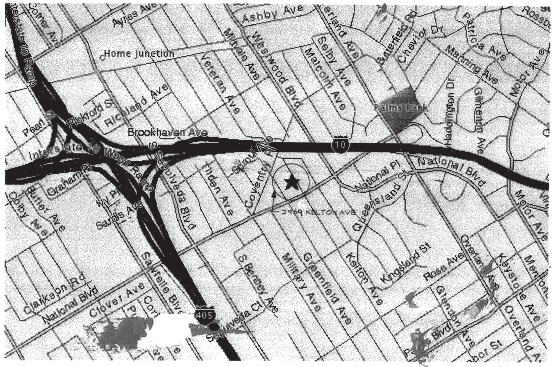
**VTT-82689-CC**



18 UNIT APARTMENT BLDG.  
2969 KELTON AVE.  
LOS ANGELES, CALIFORNIA



VICINITY MAP



SHEET INDEX

SHEET NO	DESCRIPTION	SCALE
A-1	PROJ. INFO, VICINITY MAP, DRAWING SCHEDULE	NO SCALE
A-1.1	PLOT PLAN	1/8"=1'-0"
A-1.2	SURVEY	1/8"=1'-0"
A-2	PARKING GARAGE PLAN	1/4"=1'-0"
A-3	FIRST FLOOR PLAN	1/4"=1'-0"
A-4	SECOND FLOOR PLAN	1/4"=1'-0"
A-5	THIRD FLOOR PLAN	1/4"=1'-0"
A-6	ROOF PLAN	1/4"=1'-0"
A-7	BUILDING SECTIONS A-A, B-B	1/4"=1'-0"
A-8	NORTH & EAST EXTERIOR ELEVATIONS	1/4"=1'-0"
A-9	SOUTH & WEST EXTERIOR ELEVATIONS	1/4"=1'-0"
A-10	FRAMING DETAILS	1"-1'-0"
A-11	GENERAL NOTES, L.A.D. NOTES, SECURITY NOTES, SOUND RESIST, TRASH CHUTE SECTION	AS NOTED
A-12	INTERIOR ELEVATIONS	1/2"=1'-0"
A-13	L.A. DBS DISABLED ACCESS & REQ'S	NO SCALE
A-14	NOTES & DETAILS DISABLED ACCESS & REQ'S	NO SCALE
A-15	TITLE 24 ENERGY APPENDIX, L.A. GRAB & LETTER	NO SCALE
A-16	DETAILS FOR CLG/WALL PENETRATION PROTECTION	
A-17	L.A. CITY GROUNDWATER PROVISIONS & REQUIREMENTS	
S-1	STRUCTURAL NOTES AND SPECS. GIS - GRADING & EXCAVATION PLAN	1/2"=1'-0"
S-2	FOUNDATION PLAN	1/4"=1'-0"
S-3	TOP OF SLAB PLAN	1/4"=1'-0"
S-4	N-S STEEL REINF. PLAN	1/4"=1'-0"
S-5	E-W STEEL REINF. PLAN	1/4"=1'-0"
S-6	STRUCT'L WALLS/COL. DETAILS	AS NOTED
S-7	STRUCT'L WALL DETAILS, & FRAMING	AS NOTED
F-1	FIRST FLOOR CEILING FRAMING PLAN	1/4"=1'-0"
F-2	SECOND FLOOR CEILING FRAMING PLAN	1/4"=1'-0"
F-3	THIRD FLOOR CEILING FRAMING PLAN	1/4"=1'-0"
F-4	ROOF FRAMING PLAN	1/4"=1'-0"
F-5	FRAMING DETAILS	AS NOTED
F-6	"HARDY" FRAME DETAILS	AS NOTED
F-7	FRAMING DETAILS	AS NOTED

KATZMAN ASSOCIATES ARCHITECTURE  
3424 MOTOR AVE. LOS ANGELES, CA  
TEL: (310) 559-0505 FAX: (310) 559-6220 E-MAIL: KATZMAN@ARTLINK.NET

BUILDING DATA

**PROJECT ADDRESS:** 2969 KELTON AVENUE  
LOS ANGELES, CA

**LEGAL DESCRIPTION:** LOTS 441, 442 & 443 TRACT NO. 6439, CITY OF LA, COUNTY OF LA BOOK 93 PAGE 92 OF MAPS

**JOB DESCRIPTION:** 3 STORY WOOD FRAME TYPE V-1 HR. O/1 LEVEL TYPE I SUBTERRANEAN PARKING GARAGE, FULLY SPRINKLER ENTIRE BLDG.

**LOT AREA:** 13,618.55 S.F.

**ZONING CLASSIFICATION:** R3-1

**OCCUPANCY TYPE:** R-1/S-3

OPEN SPACE:

REQ'D OPEN SPACE

13 UNITS W/3 HAB. RM. @ 125 = 1,625 S.F.  
2 UNITS (105, 205) W/4 HAB. RM. @ 175 = 350 S.F.  
3 UNITS (101, 201, 301) W/2 HAB. RM. @ 100 = 300 S.F.  
TOTAL OPEN SPACE REQUIRED = 2,275 S.F.

**PROVIDED OPEN SPACE**

10 PRIVATE BALCONIES @ 50.0 S.F. (ALLOWED) = 500 S.F.  
ROOF AREA PROVIDED W/25% PLANTED AREA = 56.5 X 32.5 = 1,836.25 S.F.  
TOTAL OPEN SPACE PROVIDED = 2,336.25 S.F.  
2,336.25 S.F. > 2,275.0 S.F. => OK.

FLOOR AREA CALCULATIONS

BUILDING SQUARE FOOTAGE:

PARKING GARAGE (S1): 9,489.13 S.F.  
FIRST FLOOR: 9,121.84 S.F.  
SECOND FLOOR: 9,121.84 S.F.  
THIRD FLOOR: 9,121.84 S.F.

TOTAL FLOOR AREA: 36,854.65 S.F.  
TOTAL (NOT INCLUDE GARAGE): 27,365.52 S.F.

PARKING CALCULATIONS

**REQUIRED PARKING (CITY OF LOS ANGELES STANDARDS)**

13 UNITS W/3 HAB. ROOM = 13 X 2 = 26 AUTOS  
2 UNITS W/4 HAB. ROOM = 2 X 2 = 4 AUTOS  
3 UNIT W/2 HAB. ROOM = 3 X 1.5 = 4.5 AUTOS  
TOTAL PARKING REQUIRED = 34.5 AUTOS

PROVIDED PARKING

17 STD. AUTO SPACES -> 8'-6" X 18'-0"  
1 HANDICAP SPACES -> 9'-0" X 18'-0"  
16 COMPACT SPACES -> 7'-6" X 15'-0"  
TOTAL PARKING PROVIDED: 34 AUTOS  
(NO SUBST. PARKING PROVIDED)

PROJECT INFORMATION

BUILDING AREA CALC.

- AREA INCREASES ALLOW DUE TO STREET ON 2 SIDES:  
60'-20" X 40' X 1.25% = 50% ALLOW EXTRA

- BY CODE ALLOWED 2X10,500 = 21,000 S.F.  
AREA INCREASE = 150% X 21,000 = 31,500 S.F.  
TOTAL 31,500 S.F.

TOTAL TYPE V - 1HR. 27,365.5 S.F. < 31,500.0 OK.

- BUILDING AREA ALLOWED BY ZONING:

ALLOWABLE 3X BUILDING AREA  
109,444 (18'5") X 125.01 (2X5) = 86,499 X 115.01 = 10,004.72

ALLOWED BY ZONING:  
10,004.72 X 3 = 30,014.16 S.F. < 31,500 S.F. => OK.

- BUILDING AREA PROVIDED (W/EXEMPTED AREA AS PER ZONING ALLOWANCES SECT. 12.03)

NOTE: ENTIRE BLDG. TO HAVE INSTALLED AN AUTOMATIC FIRE SPRINKLER SYSTEM. SPRINKLER SYSTEM TO BE APPROVED BY THE PLUMBING DIVISION PRIOR TO INSTALLATION.

DENSITY CALC.

ACTUAL LOT AREA = 13,618.55 S.F.  
ACTUAL ALLEY ADDN. = 1,238.16 S.F.  
TOTAL = 14,856.71 S.F.

REQ:  
16 UNITS X 800 = 12,800 S.F.  
2 UNITS X 1000 = 2,000 S.F.  
TOTAL = 14,800 S.F. < 14,856.71 S.F. => OK.

PROJECT DIRECTORY

**APPLICANT/OWNER:** WEST END PROPERTIES  
1402 WELLESLEY AVE.  
SUITE 100  
LOS ANGELES, CA 90025  
CONTACT: BOB DAVIS  
TEL: (310) 207-8543  
FAX: (310) 826-0632

**ARCHITECT:** KATZMAN ASSOCIATES  
3424 MOTOR AVE.  
LOS ANGELES, CA 90034  
TEL: (310) 559-0505  
FAX: (310) 559-6220

**SURVEYOR:** ALFRED AGUIRE  
2814 ROWENA AVE. #1  
LOS ANGELES, CA 90034  
TEL: (213) 661-3557

**SOIL ENGINEER:** CHANG AND ASSOCIATES  
2130 SEPULVEDA BLVD.  
LOS ANGELES, CA 90025  
TEL: (310) 477-6086  
FAX: (310) 473-0160

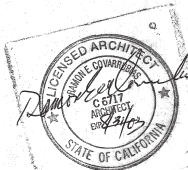
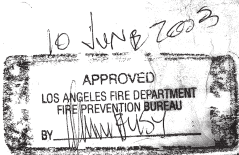
**MECH. ENGINEER, TITLE 24 ENERGY DATA:** KHALIFEH & ASSOCIATES  
2020 SANTA MONICA BL.  
SUITE 440  
SANTA MONICA, CA 90404  
TEL: (310) 453-9471  
FAX: (310) 453-8053

**ELECTRICAL ENGINEER:** JOHN HANZLIK & ASSOC.  
ELECTRICAL CONSULTING ENGRS.  
7100 HAYVENHURST AVE.  
SUITE 301  
VAN NUYS, CA 91406  
TEL: (818) 901-1778  
FAX: (818) 901-1902

DOOR & WINDOW SCHEDULES

DOOR SCHEDULE						
ID	QTY	WIDTH (FFI)	HEIGHT (FFI)	THK. (FFI)	MATL	CORE
1	18	3'	6'-8"	1 3/4"	WOOD	S.G.
10	6	3'	6'-8"	1 3/4"	WOOD	H.G.
11	12	3'	6'-8"	1 3/4"	WOOD	S.G.
12	3	3'	6'-8"	1 3/4"	WOOD	S.G.
13	3	3'-6"	6'-8"	---	MTL	---
14	1	4'	6'-8"	---	MTL	---
15	4	3'	6'-8"	---	MTL	---
16	1	3'-6"	7'-11"	4"	WD/SLD	S.G.
17	93	3'	6'-8"	4"	WOOD	CASED OPENING
18	4	4'	5'	1 3/4"	WOOD	FR. 3'X8'-0" SLDG. DR.
2	100	2'-10"	6'-8"	4"	WOOD	H.G.
20	3	5'	9'-6"	4"	WOOD	FR. 4'-0"X8'-0" SLDG. DR. W/ ARG. ABV.
21	2	5'	9'	4"	WOOD	FR. 2'-6"X8'-0" FR. DR.
23	3	9'	9'-6"	4"	WOOD	FR. 4'-0"X8'-0" SLDG. DR. W/ ARG. ABV.
3	24	2'	5'-8"	4"	WOOD	H.G.
4	4	4'	5'-8"	4"	WOOD	H.G.
6	10	6'	5'-8"	1 3/8"	WOOD	H.G.
7	6	6'	5'	1 3/4"	WOOD	FR. 3'X8'-0" SLDG. DR. (CLOSET)
8	4	5'	5'	1 3/4"	WOOD	FR. 3'X8'-0" SLDG. DR.
9	23	4'	5'-8"	1 3/8"	WOOD	H.G.
22	5	5'-6"	6'-8"	1 3/4"	MTL	S.G.

WINDOW SCHEDULE				
ID	Q	WIDTH (FFI)	HEIGHT (FFI)	T.O.A.
A	30	6'	6'	8'-0"
B	2	5'	6'	8'-0"
C	12	4'	2'	8'-0"
D	12	3'	6'	8'-0"
E	3	5'	4'	8'-0"
F	1	5'	7'-5"	4'-3"
G	12	2'	2'	2'
H	2	3'	3'	3'
J	1	5'	6'	8'-0"
K	3	5'	6'	8'-0"
L	2	4'	6'	8'-0"
80				
80				



18 UNIT APTS. BLDG.  
FOR: WEST END PROPERTIES LLC  
AT: 2969 KELTON AVE.  
LOS ANGELES, CA

DRAWN BY: MICHAL

DESIGNED BY: JOHN N. Z.

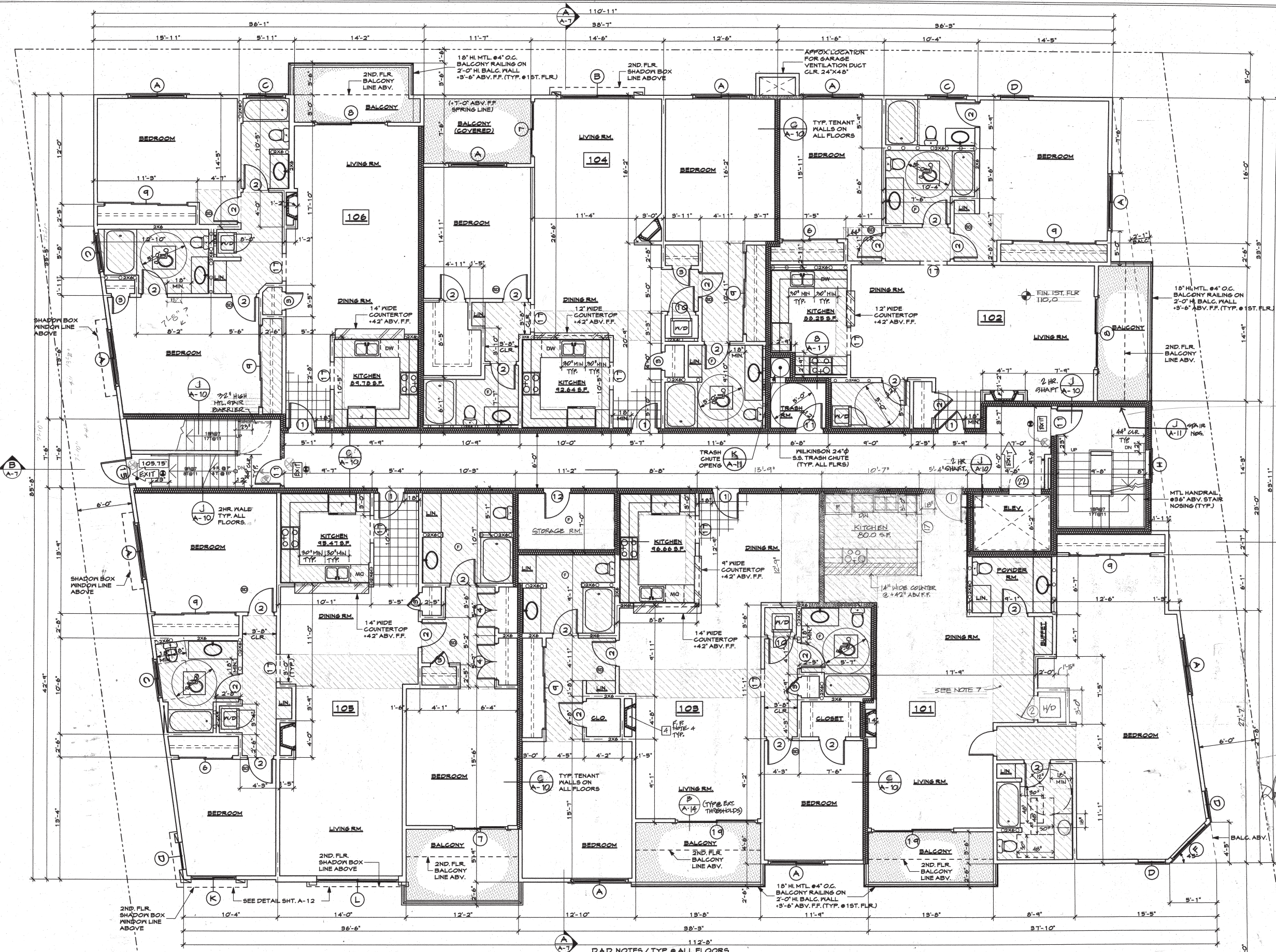
SHEET NO: A-1

JUN 04 2003









# FLOOR PLAN NOTES:

1. SMOKE DETECTOR TO BE HARD WIRED WITH BATTERY BACKUP LOCATED AS FOR PLAN
2. FAN TO PROVIDE 5 MIN. AIR CHANGE (DUCTED).
3. STAIRS HANDRAIL SHALL BE 36" ABV. THE NOSING OF THE TREADS AND WILL PROJECT 1 1/2" FROM A WALL.

4. ELECTRICAL FIREPLACE MODEL DIMPLEX DFC 3000 SEE SHT. A-1 FOR DETAILS. TYP. ALL FLR. UL # E71416, NO VENT REQ'D.

5. ON ALL FLOORS USE 3X4 STUDS @ EXTERIOR AND BEARING WALLS. USE 2X6 AS SHOWN.

6. @: PROVIDE WATER CURTAIN OVER OPENING TO ASSURE 1 HR. EQUIVALENT PROTECTION @ EXIT COURT (REFER TO BLDG. DEPT. MODIFICATION)

7. FURRED CEILING TO 8'-0" ABOVE FIN. FL. FOR HTG/AC DUCTS & EQUIP. VERIFY W/MECH. CONTR. TYP. @ ALL FLOORS.

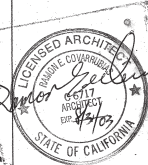
8. UNIT BALCONIES USED FOR OPEN SPACE REQUIRMENTS UNITS 101, 102, 103, 104, 105, 106 ALLOWED 6x50 = 300.0 S.F.

## D.A.D. NOTES / TYP. @ ALL FLOORS

1. ALL KITCHEN COUNTERS WILL BE FINISHED IN HARD SURFACE MATERIALS. I.E. STONE, CULTURED STONE OR TILE. TYP. ALL KITCHENS. MIN 30" SINK COUNTER.
2. IN ALL DWELLING UNITS REQUIRED TO BE ACCESSIBLE, BASE CABINETS DIRECTLY UNDER THE KITCHEN SINK COUNTER AREA INCLUDING TOE BOARD AND SHELIVING, SHALL BE REMOVABLE WITHOUT THE USE OF SPECIALIZED TOOLS OR SPECIALIZED KNOWLEDGE TO PROVIDE CLEARANCE FOR A WHEEL CHAIR (30" X 28" X 24"). THE FLOOR FINISH MAT'L WILL BE CARRIED THRU TO BACK WALL BENEATH COUNTER TOP.

3. AT ALL ACCESSIBLE BATHROOMS (1 PER UNIT) THE TOP OF THE FIXTURE RIM SHALL BE A MAX. OF 2'-5" ABOVE THE FIN. FLR.

FIRST FLOOR PLAN 1/4"=1'-0"



REVISION:

1. ARCHITECTURE

2. ASSOCIATES

3. KATZMAN

4. ASSOCIATES

5. ARCHITECTURE

6. 16 UNIT APTS. BLDG.

7. FOR: WESTEND PROPERTIES, LLC

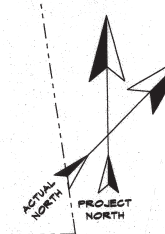
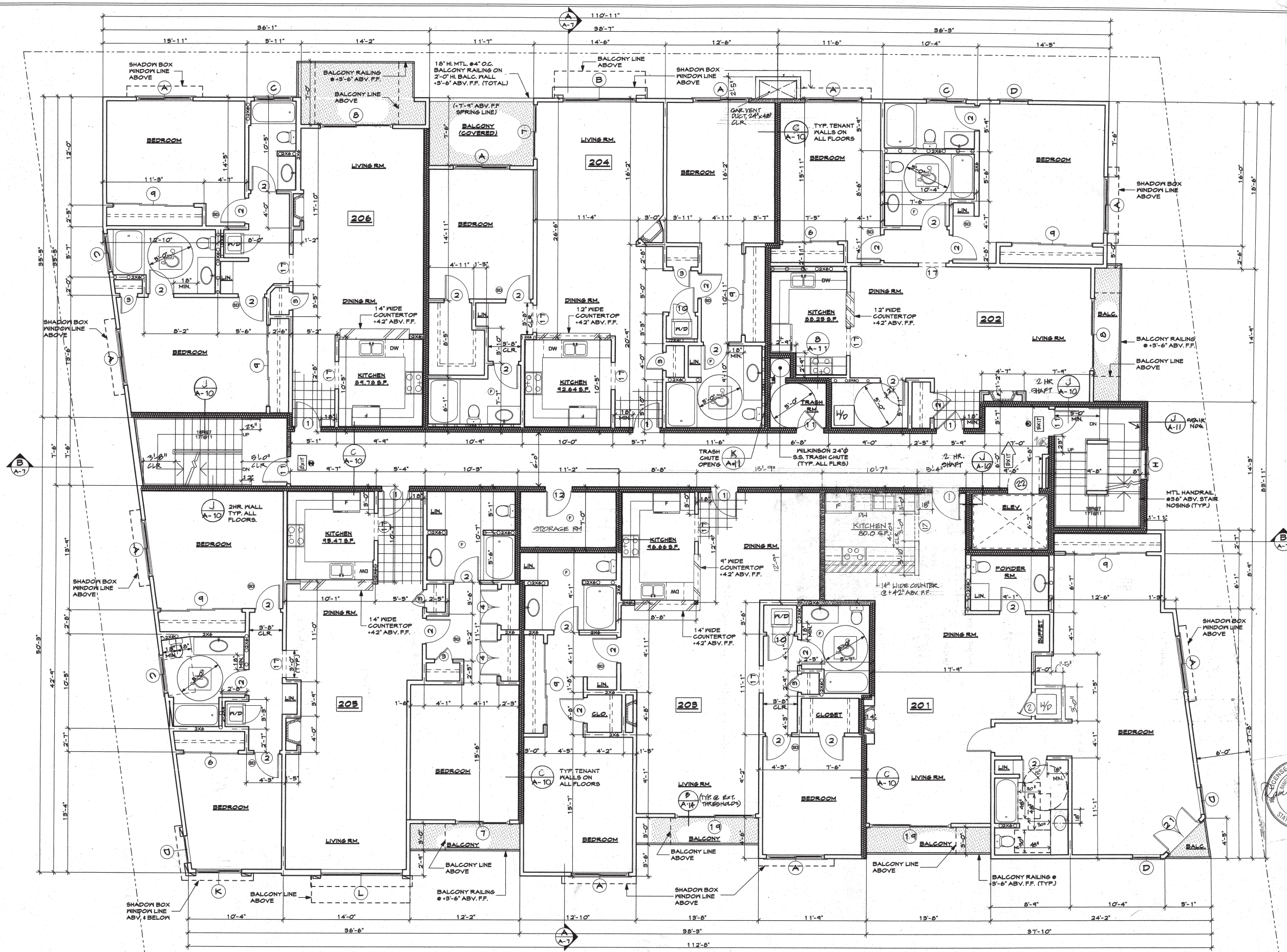
8. AT: 2461 KELTON AVE. LOS ANGELES, CA

3424 MOTOR AVE. LOS ANGELES, CA  
PHONE: 310-551-0505 FAX: 310-551-6220 E-MAIL: PKATZMAN@ARTLINK.NET

9/27/02

9/27/02 - 4-30-03





SECOND FLOOR PLAN 1/4"=1'-0"

19 UNIT APTS. BLDG. FOR: WESTEND PROPERTIES LLC AT: 2569 KELTON AVE. LOS ANGELES, CA	REVISION	1	
		2	
		3	
		4	
DRAWN BY	MICHAEL		
DRAWN	1		
JOB NO.	466		
SHEET NO.	A-4		

KATZMAN ASSOCIATES ARCHITECTURE  
 3424 MOTOR AVE. LOS ANGELES, CA  
 PHONE: 310-551-0505 FAX: 310-551-6220 E-MAIL: PKATZMAN@ARTLINK.NET



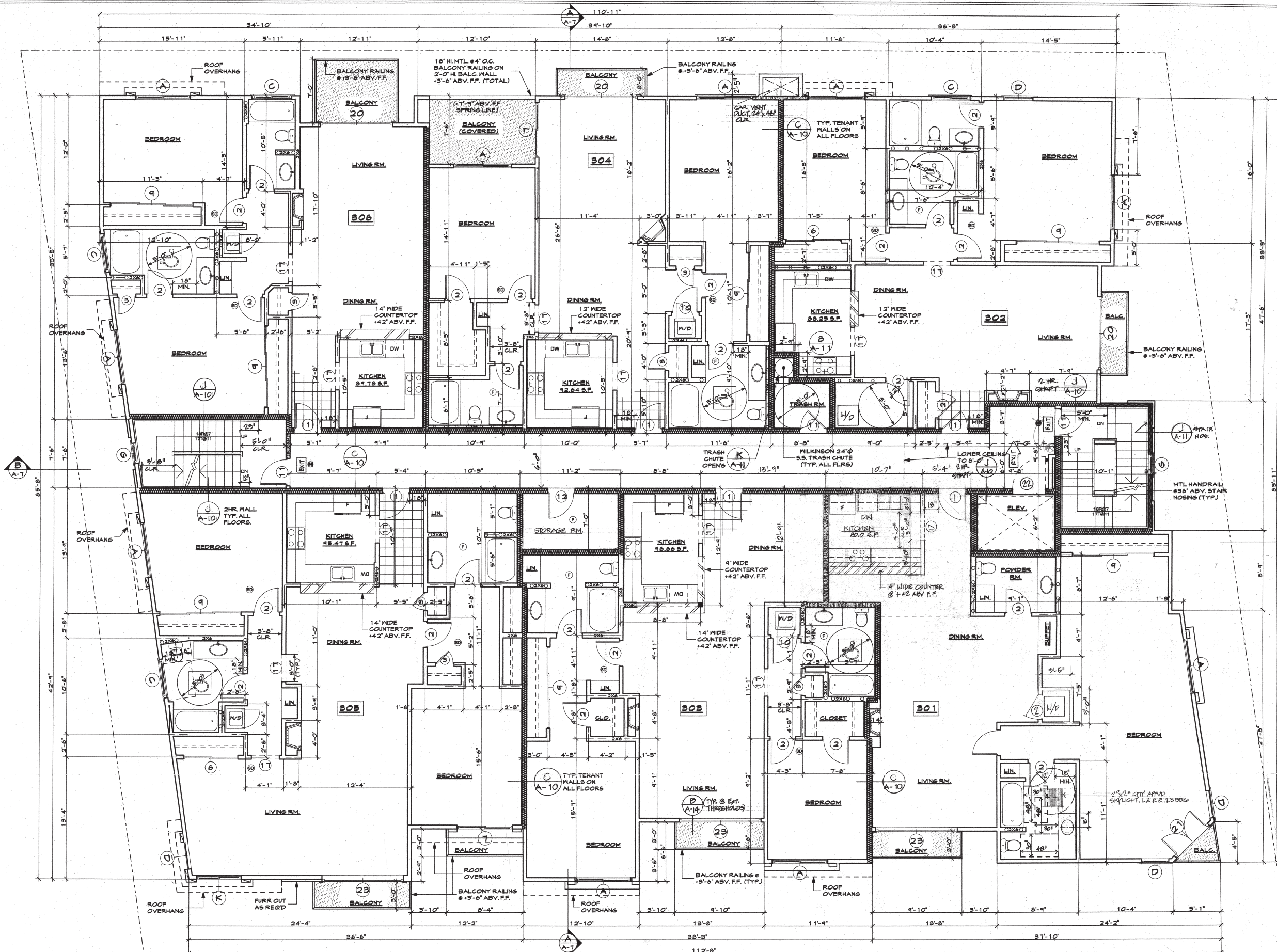
REVISION:  
1  
2  
3

KATZMAN ASSOCIATES ARCHITECTURE  
3424 MOTOR AVE. LOS ANGELES, CA  
PHONE: 310-554-0505 FAX: 310-554-6220 E-MAIL: PKATZMAN@ARTLINK.NET



18 UNIT APTS. BLDG.  
FOR: WESTEND PROPERTIES, LLC  
AT: 2469 KELTON AVE  
LOS ANGELES, CA

DRAWN BY: MICHAEL  
DRAWN: 7  
JOB NO: 466  
SHEET NO: A-5



**D.A.D. NOTES / TYP. @ ALL FLOORS**

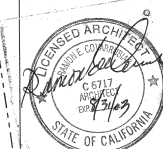
1. ALL KITCHEN COUNTERS WILL BE FINISHED IN HARD SURFACE MATERIALS, I.E. STONE, CULTURED STONE OR TILE.

2. UNIT 102 KITCHEN WILL HAVE 2-15" BREAD BOARDS AS SHOWN WITH HEIGHT TO SAME SET AT 28" MIN. ABOVE THE FIN. FLR.

3. IN ALL DWELLING UNITS REQUIRED TO BE ACCESSIBLE, BASE CABINETS DIRECTLY UNDER THE KITCHEN SINK COUNTER AREA INCLUDING TOE BOARD AND SHELVING, SHALL BE REMOVABLE WITHOUT THE USE OF SPECIALIZED TOOLS OR SPECIALIZED KNOWLEDGE TO PROVIDE CLEARANCE FOR A WHEEL CHAIR (30"W X 28"H X 24"D). THE FLOOR FINISH MATL. WILL BE CARRIED THRU TO BACK WALL BENEATH COUNTER TOP.

NOTE: SEE 1ST FLR PLAN FOR FURRED CEILINGS

**THIRD FLOOR PLAN 1/4" = 1'-0"**



18 UNIT APTS. BLDG.  
FOR: WESTEND PROPERTIES, LLC  
AT: 2469 KELTON AVE  
LOS ANGELES, CA



REVISION

KATZMAN ASSOCIATES ARCHITECTURE



18 UNIT APTS. BLDG.  
FOR WEST END PROPERTIES LLC  
AT: 2969 KELTON AVE.  
LOS ANGELES, CA

DRAWN BY  
MICHAEL

DRAWER  
7

JOB NO.  
466

SHEET NO.  
A-5

3424 MOTOR AVE. LOS ANGELES, CA



PHONE: 310-551-0505 FAX: 310-551-6220 E-MAIL: PKATZMAN@ATTNLINK.NET

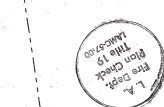
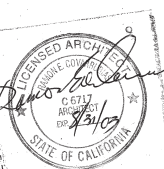
DRAWN BY  
MICHAEL

DRAWER  
7

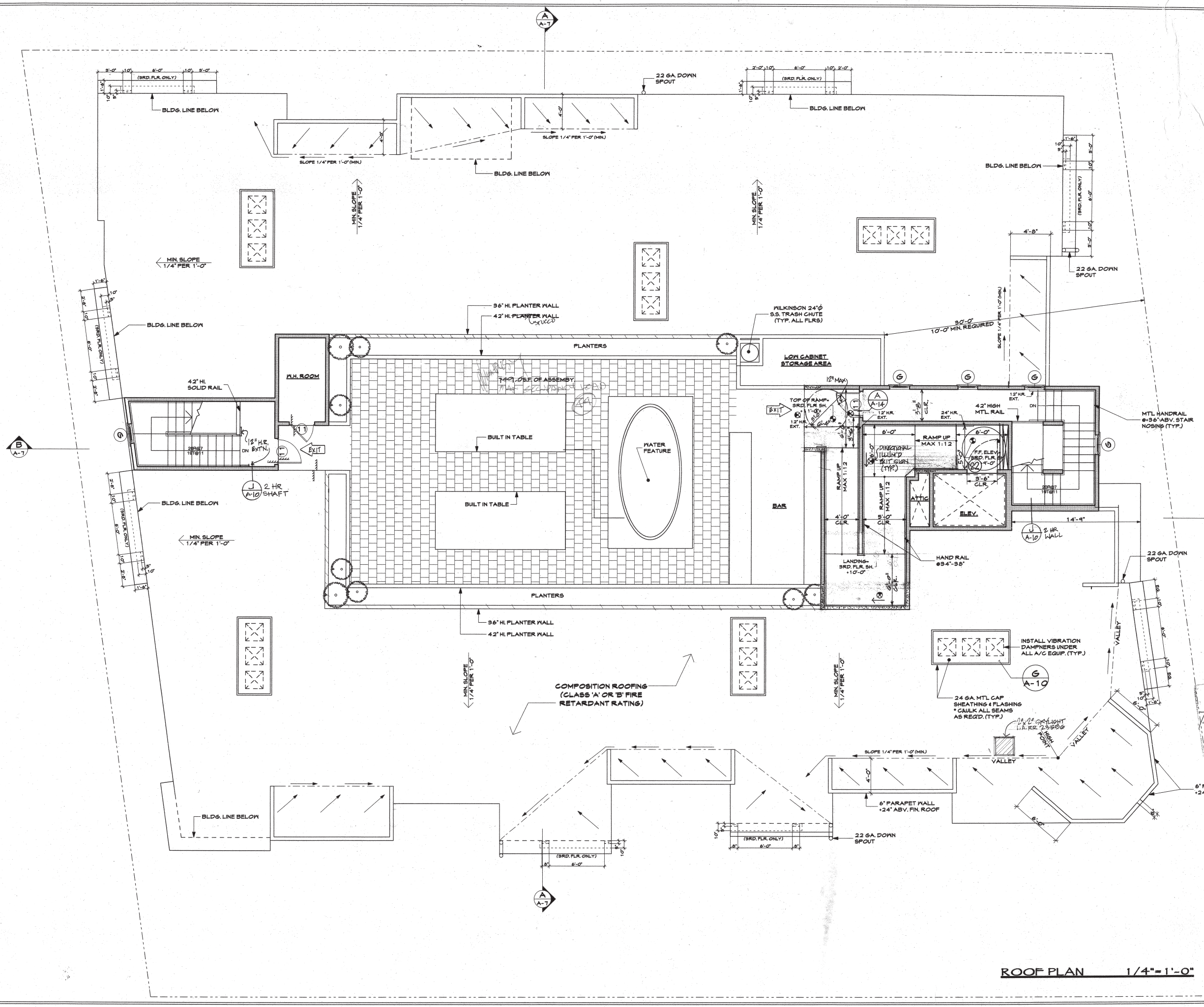
JOB NO.  
466

SHEET NO.  
A-5

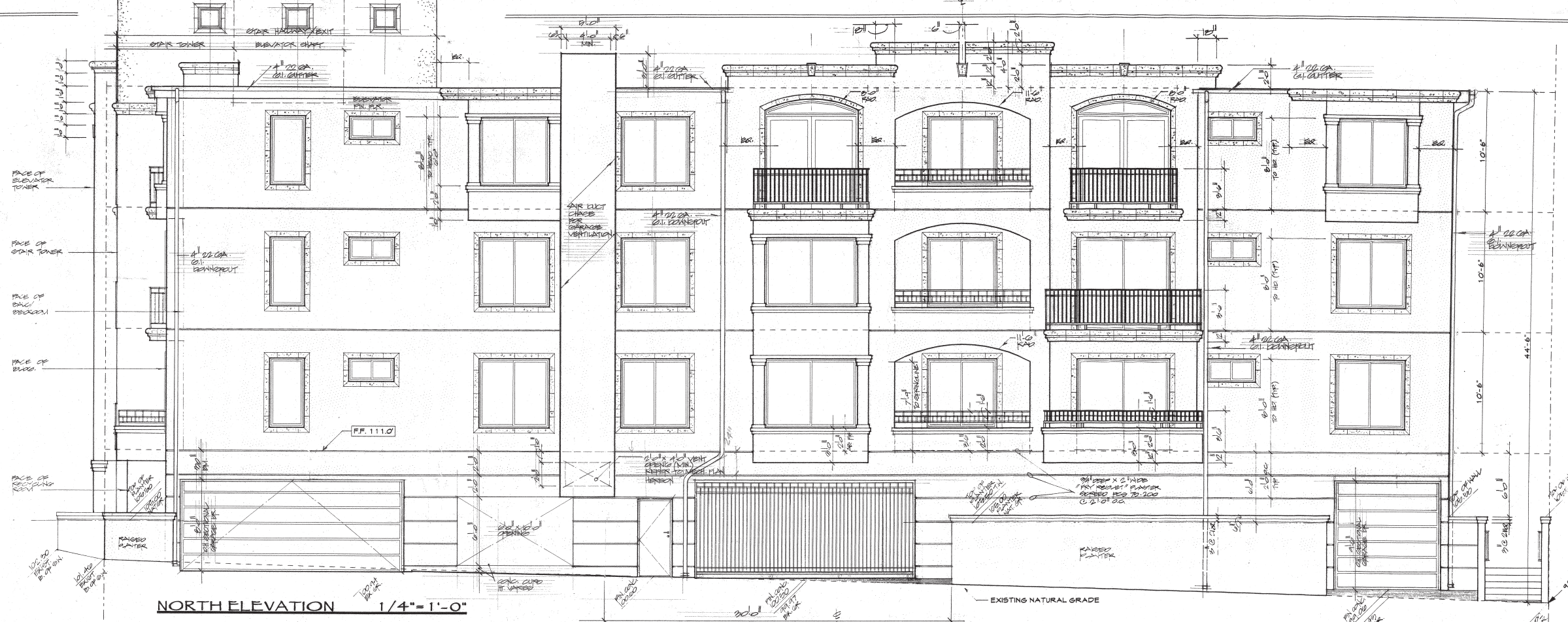
10/2/02



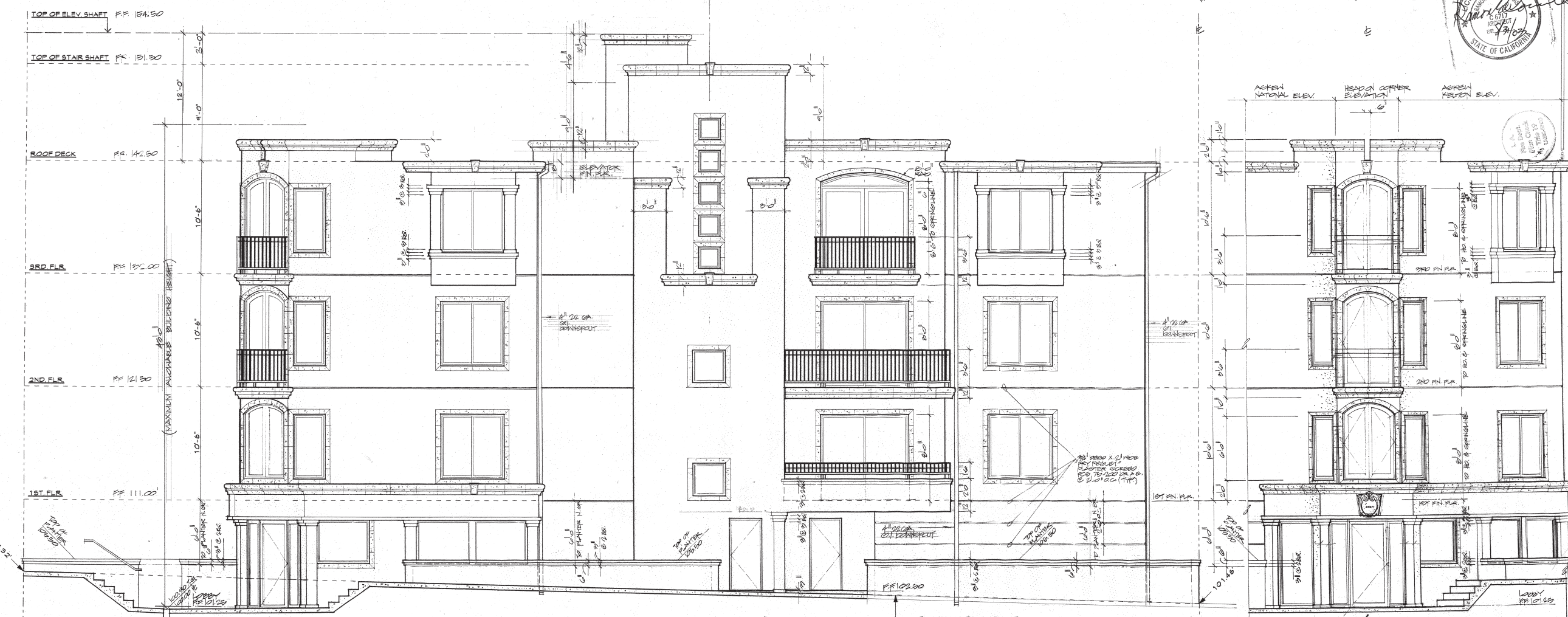
ROOF PLAN 1/4"=1'-0"







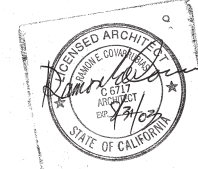
NORTH ELEVATION 1/4"=1'-0"



EAST ELEVATION 1/4"=1'-0"

KELTON AVENUE

NATIONAL/KELTON CORNER  
ELEVATION 1/4"=1'-0"



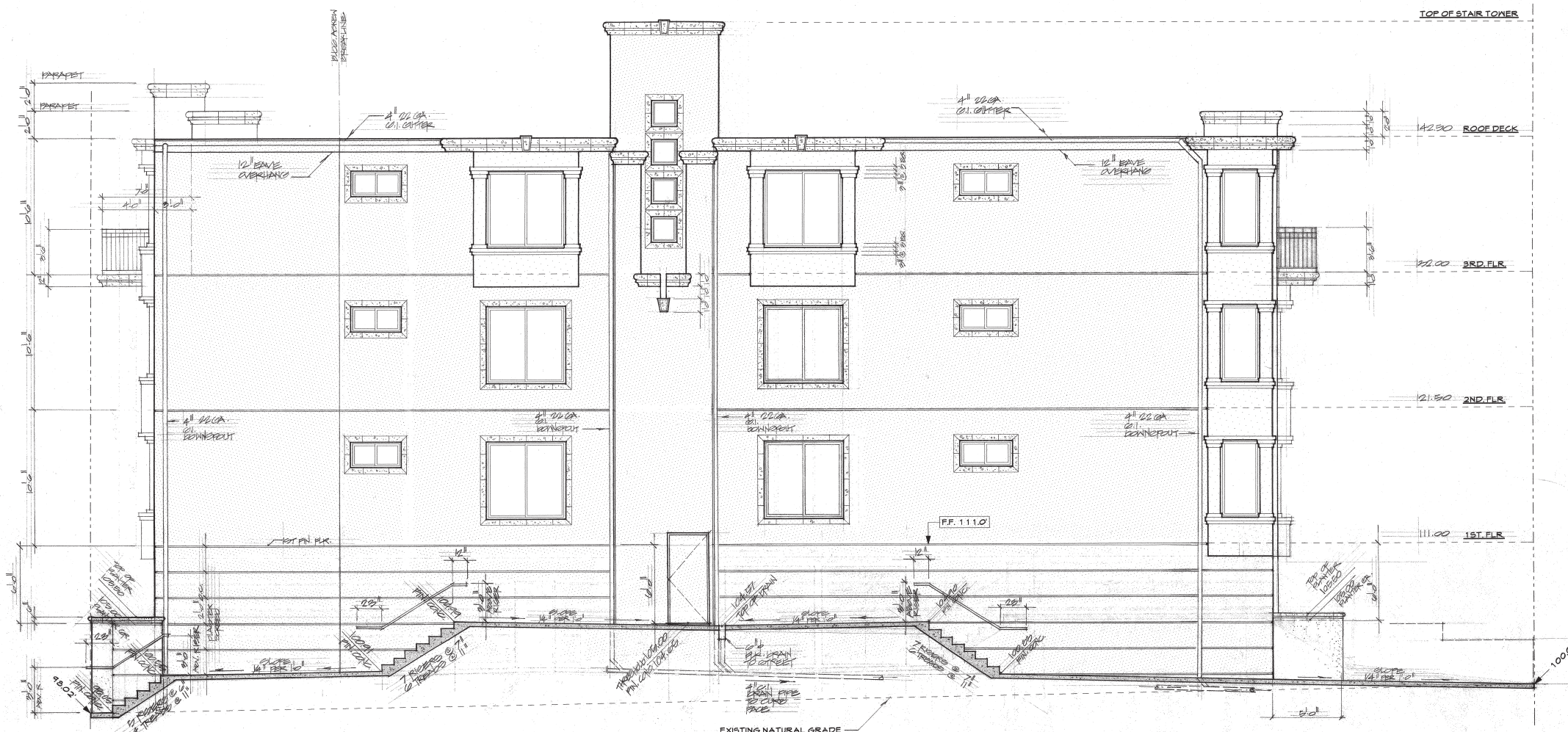
KATZMAN ASSOCIATES ARCHITECTURE 3424 MOTOR AVE. LOS ANGELES, CA PHONE: 310-551-0805 FAX: 310-551-6220 E-MAIL: PKATZMAN@EARTHINK.NET	REVISION
	1
	2
19 UNIT APTS. BLDG. FOR: WESTEND PROPERTIES LLC AT: 2469 KELTON AVE. LOS ANGELES, CA	DRAWN BY
	7
	466
SHEET NO.	A-8
	34403



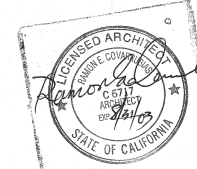


SOUTH ELEVATION 1/4"=1'-0"

NATIONAL BOULEVARD



WEST ELEVATION 1/4"=1'-0"



KATZMAN ASSOCIATES ARCHITECTURE  
3424 MOTOR AVE. LOS ANGELES, CA  
PHONE: 10-551-0505 FAX: 10-551-6220 E-MAIL: KATZMAN@ARTLINK.NET

REVISION  
1  
2  
3

19 UNIT APTS. BLDG.  
FOR: WESTEND PROPERTIES LLC  
AT: 2469 KELTON AVE. CA  
LOS ANGELES

DRAWN BY MICHAL  
DRAWN 7  
JOB NO. 466  
SHEET NO. A-9



**EXHIBIT E**

**ENVIRONMENTAL CLEARANCE**

**ENV-2019-7606-CE**

COUNTY CLERK'S USE

## CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 395  
LOS ANGELES, CALIFORNIA 90012

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Pursuant to Public Resources Code § 21152(b) and CEQA Guidelines § 15062, the notice should be posted with the County Clerk by mailing the form and posting fee payment to the following address: Los Angeles County Clerk/Recorder, Environmental Notices, P.O. Box 1208, Norwalk, CA 90650. Pursuant to Public Resources Code § 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

VTT-82689-CC

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2019-7606-CE

PROJECT TITLE

2969 South Kelton Avenue

COUNCIL DISTRICT

5 – Yaroslavsky

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

☐ Map attached.

2969 South Kelton Avenue

[2969 South Kelton Avenue and 10905-10911 West National Boulevard, Los Angeles, CA 90064]

PROJECT DESCRIPTION:

☐ Additional page(s) attached.

A Vesting Tentative Tract Map for the merger and resubdivision of three (3) existing lots for the condominium conversion of an existing 3-story, 18-unit apartment building into 18 residential condominium units, with 34 parking stalls in a subterranean parking level, on an approximately 13,620 square foot lot in the R3-1 Zone. No construction is proposed. There are five (5) existing street trees along National Boulevard and three (3) existing street trees along Kelton Avenue which shall be preserved. The applicant requests to provide a ten-foot easement in lieu of the otherwise required ten-foot dedication along National Boulevard, and a 15-foot by 15-foot cut corner easement in lieu of the otherwise required 20-foot radius or 15-foot property line corner cut dedication at the intersection with Kelton Avenue.

NAME OF APPLICANT / OWNER:

Kelton Equities, LLC

CONTACT PERSON (If different from Applicant/Owner above)

Daisy Benicia

(AREA CODE) TELEPHONE NUMBER |

213 978 1320

EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

## STATE CEQA STATUTE &amp; GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) \_\_\_\_\_

☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)CEQA Guideline Section(s) / Class(es) 15301 Class 1, and 15305 Class 5☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b) ) \_\_\_\_\_

JUSTIFICATION FOR PROJECT EXEMPTION:

☐ Additional page(s) attached

Class 1 (Existing Facilities) is intended for projects that involve no expansion of use and includes division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt.

Class 5 (Minor Alterations in Land Use Limitations) consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which does not result in any changes in land use or density.

☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

## CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Daisy Benicia

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

Vesting Tentative Tract Map

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021



**DEPARTMENT OF  
CITY PLANNING**

COMMISSION OFFICE  
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN  
PRESIDENT

CAROLINE CHOE  
VICE-PRESIDENT

MARIA CABILDO  
ILISSA GOLD

MONIQUE LAWSHE

HELEN LEUNG

KAREN MACK

JACOB NOONAN

ELIZABETH ZAMORA

**CITY OF LOS ANGELES  
CALIFORNIA**



KAREN BASS  
MAYOR

**EXECUTIVE OFFICES**

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
(213) 978-1271

VINCENT P. BERTONI, AICP  
DIRECTOR

SHANA M.M. BONSTIN  
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

## JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2019-7606-CE

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As the designee of the Director of Planning, I have determined, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines, Sections 15301 (Class 1) and 15305 (Class 5), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

The project is a Vesting Tentative Tract Map for the merger and resubdivision of three (3) existing lots for the condominium conversion of an existing 3-story, 18-unit apartment building into 18 residential condominium units, with 34 parking stalls in a subterranean parking level, on an approximately 13,620 square foot lot in the R3-1 Zone. No construction is proposed. There are five (5) existing street trees along National Boulevard and three (3) existing street trees along Kelton Avenue which shall be preserved. The applicant requests to provide a ten-foot easement in lieu of the otherwise required ten-foot dedication along National Boulevard, and a 15-foot by 15-foot cut corner easement in lieu of the otherwise required 20-foot radius or 15-foot property line corner cut dedication at the intersection with Kelton Avenue.

### **CEQA Determination – Class 1 Categorical Exemption Applies**

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of exiting public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt. The project proposes to convert the existing 18-unit apartment building to an 18-unit residential condominium building. No exterior construction is proposed. There are five (5) existing street trees along National Boulevard and three (3) existing street trees along Kelton Avenue which shall be preserved.

Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which does not result in any changes in land use or density. The project proposes to convert the existing 18-unit apartment building to an 18-unit residential condominium building. No exterior construction is proposed. There are five (5) existing street trees along National Boulevard and three (3) existing street trees along Kelton Avenue which shall be preserved.

**CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions**

Furthermore, the Exceptions outlined in the CEQA Guidelines Section 15300.2 do not apply to the project:

- (a) Location. The project is not located in a sensitive environment. The proposed project is consistent with the scale and uses proximate to the area. The site is not located within a designated hillside area, a high fire hazard severity zone, flood zone, landslide, liquefaction, methane, or tsunami inundation zone. The site is located in a BOE Special Grading Area, but no grading is proposed as a part of this project. The project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for residential construction.
- (b) Cumulative Impacts. The project is consistent with the type of development permitted for the area zoned R3-1 and designated Medium Residential. The project proposes to convert the existing 18-unit apartment building to an 18-unit residential condominium building and will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.), conforms to the permitted density and regulations for the underlying zone, and will not result in significant cumulative impacts.
- (c) Significant Effect. The subject property is located in a highly urbanized area. The surrounding properties are developed with single-family and multi-family dwellings. The project proposes to convert the existing 18-unit apartment building to an 18-unit residential condominium building. No exterior construction is proposed. There are five (5) existing street trees along National Boulevard and three (3) existing street trees along Kelton Avenue which shall be preserved. Thus, there are no unusual circumstances that will lead to a significant impact on the environment.
- (d) Scenic Highways. The only State-designated Scenic Highway in the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of the Topanga State Park. The subject site is located approximately 8 miles to the southwest of State Route 27. Therefore, the proposed project will not create any impacts to scenic resources within a State-designated Scenic Highway. The existing structures are not designated historical resources and have not been determined to be eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, and the Los Angeles Historic-Cultural Monuments Register.
- (e) Hazardous Waste Sites. According to the EnviroStor, the State of California's database of hazardous waste sites, neither the subject property nor any property in the vicinity, is identified as a hazardous waste site.
- (f) Historical Resources. The subject property or existing structure have not been identified as a historic resource or within a historic district; have not been determined to be eligible for listing in the National Register or Historic Places, California Register of Historical Resources, Los Angeles Historic-Cultural Monuments Register, and/or any local register. Thus, the proposed project would not result in a substantial adverse change in the significance of a historical resource and this exemption does not apply.

Therefore, the proposed project is determined to be categorically exempt and does not require mitigation or monitoring measures. No alternatives of the proposed project were evaluated. The appropriate environmental clearance has been granted.

# **EXHIBIT F**

## **MAPS AND PHOTOS**

F1 – Radius Map

F2 – ZIMAS Parcel Profile Report

F3 – Site Photos





# City of Los Angeles Department of City Planning

## 7/24/2023 PARCEL PROFILE REPORT

### PROPERTY ADDRESSES

2969 S KELTON AVE  
10905 W NATIONAL BLVD  
10905 1/2 W NATIONAL BLVD

### ZIP CODES

90064

### RECENT ACTIVITY

ENV-2019-7604-EAF

### CASE NUMBERS

CPC-2018-7546-CPU  
CPC-2014-1457-SP  
CPC-2013-621-ZC-GPA-SP  
CPC-2009-1536-CPU  
CPC-2005-8252-CA  
ORD-186402  
ORD-186108  
ORD-183497  
ORD-171492  
ORD-129279  
YV-10936-SM  
VTT-82689-CC  
ENV-2014-1458-EIR-SE-CE  
ENV-2013-622-EIR  
ENV-2009-1537-EIR  
ENV-2005-8253-ND  
AFF-10936

### Address/Legal Information

PIN Number	123B157 1175
Lot/Parcel Area (Calculated)	4,580.2 (sq ft)
Thomas Brothers Grid	PAGE 632 - GRID D7
Assessor Parcel No. (APN)	4254004032
Tract	TR 6939
Map Reference	M B 93-92 (SHT 2)
Block	None
Lot	441
Arb (Lot Cut Reference)	None
Map Sheet	123B157

### Jurisdictional Information

Community Plan Area	West Los Angeles
Area Planning Commission	West Los Angeles
Neighborhood Council	Westside
Council District	CD 5 - Katy Young Yaroslavsky
Census Tract #	2717.04
LADBS District Office	West Los Angeles

### Permitting and Zoning Compliance Information

Administrative Review	None
-----------------------	------

### Planning and Zoning Information

Special Notes	None
Zoning	R3-1
Zoning Information (ZI)	ZI-2427 Freeway Adjacent Advisory Notice for Sensitive Uses ZI-2192 Specific Plan: West Los Angeles Transportation Improvement and Mitigation ZI-2490 Specific Plan: Exposition Corridor Transit Neighborhood Plan ZI-2452 Transit Priority Area in the City of Los Angeles
General Plan Land Use	Medium Residential
General Plan Note(s)	Yes
Hillside Area (Zoning Code)	No
Specific Plan Area	EXPOSITION CORRIDOR TRANSIT NEIGHBORHOOD PLAN
Subarea	None
Specific Plan Area	WEST LOS ANGELES TRANSPORTATION IMPROVEMENT AND MITIGATION
Subarea	None
Special Land Use / Zoning	None
Historic Preservation Review	No
Historic Preservation Overlay Zone	None
Other Historic Designations	None
Other Historic Survey Information	None
Mills Act Contract	None
CDO: Community Design Overlay	None
CPIO: Community Plan Imp. Overlay	None
Subarea	None
CUGU: Clean Up-Green Up	None
HCR: Hillside Construction Regulation	No
NSO: Neighborhood Stabilization Overlay	No

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at [zimas.lacity.org](http://zimas.lacity.org)  
(\*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

POD: Pedestrian Oriented Districts	None
RBP: Restaurant Beverage Program Eligible Area	None
RFA: Residential Floor Area District	None
RIO: River Implementation Overlay	No
SN: Sign District	No
AB 2334: Very Low VMT	Yes
AB 2097: Reduced Parking Areas	Yes
Streetscape	No
Adaptive Reuse Incentive Area	None
Affordable Housing Linkage Fee	
Residential Market Area	High
Non-Residential Market Area	High
Transit Oriented Communities (TOC)	Tier 3
ED 1 Eligibility	Eligible Site
RPA: Redevelopment Project Area	None
Central City Parking	No
Downtown Parking	No
Building Line	None
500 Ft School Zone	No
500 Ft Park Zone	No

#### Assessor Information

Assessor Parcel No. (APN)	4254004032
APN Area (Co. Public Works)*	0.316 (ac)
Use Code	0500 - Residential - Five or More Units or Apartments (Any Combination) - 4 Stories or Less
Assessed Land Val.	\$1,268,966
Assessed Improvement Val.	\$4,821,849
Last Owner Change	04/19/2013
Last Sale Amount	\$9
Tax Rate Area	67
Deed Ref No. (City Clerk)	883723
	8-894
	606534
	589804
	549850
	501810
	4-337
	376032 J
	1250654
	1-582
Building 1	
Year Built	2004
Building Class	D95
Number of Units	18
Number of Bedrooms	39
Number of Bathrooms	36
Building Square Footage	27,015.0 (sq ft)
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 4254004032]

#### Additional Information

Airport Hazard	None
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 (\*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.



Coastal Zone	None
Santa Monica Mountains Zone	No
Farmland	Area Not Mapped
Urban Agriculture Incentive Zone	YES
Very High Fire Hazard Severity Zone	No
Fire District No. 1	No
Flood Zone	Outside Flood Zone
Watercourse	No
Hazardous Waste / Border Zone Properties	No
Methane Hazard Site	None
High Wind Velocity Areas	No
Special Grading Area (BOE Basic Grid Map A-13372)	Yes
Wells	None

#### Seismic Hazards

Active Fault Near-Source Zone	
Nearest Fault (Distance in km)	2.76740112
Nearest Fault (Name)	Santa Monica Fault
Region	Transverse Ranges and Los Angeles Basin
Fault Type	B
Slip Rate (mm/year)	1.00000000
Slip Geometry	Left Lateral - Reverse - Oblique
Slip Type	Moderately / Poorly Constrained
Down Dip Width (km)	13.00000000
Rupture Top	0.00000000
Rupture Bottom	13.00000000
Dip Angle (degrees)	-75.00000000
Maximum Magnitude	6.60000000
Alquist-Priolo Fault Zone	No
Landslide	No
Liquefaction	No
Preliminary Fault Rupture Study Area	No
Tsunami Inundation Zone	No

#### Economic Development Areas

Business Improvement District	None
Hubzone	None
Jobs and Economic Development Incentive Zone (JEDI)	None
Opportunity Zone	No
Promise Zone	None
State Enterprise Zone	None

#### Housing

Direct all Inquiries to	Los Angeles Housing Department
Telephone	(866) 557-7368
Website	<a href="https://housing.lacity.org">https://housing.lacity.org</a>
Rent Stabilization Ordinance (RSO)	No [APN: 4254004032]
Ellis Act Property	No
AB 1482: Tenant Protection Act	Yes
Assessor Parcel No. (APN)	4254004032
Address	2969 S KELTON AVE
Year Built	2004
Use Code	0500 - Residential - Five or More Units or Apartments (Any Combination) - 4 Stories or Less
Notes	None
Housing Crisis Act Replacement Review	Yes
Housing Element Sites	

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HE Replacement Required	N/A
SB 166 Units	N/A
Housing Use within Prior 5 Years	Yes

#### Public Safety

##### Police Information

Bureau	West
Division / Station	Pacific
Reporting District	1403

##### Fire Information

Bureau	South
Battalion	18
District / Fire Station	92
Red Flag Restricted Parking	No

## CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

Case Number:	CPC-2018-7546-CPU
Required Action(s):	CPU-COMMUNITY PLAN UPDATE
Project Descriptions(s):	ADOPT COMMUNITY PLAN POLICY DOCUMENT, GENERAL PLAN AMENDMENTS, AND ZONE CHANGES TO APPLY RE-CODE LA ZONING.
Case Number:	CPC-2014-1457-SP
Required Action(s):	SP-SPECIFIC PLAN (INCLUDING AMENDMENTS)
Project Descriptions(s):	SPECIFIC PLAN AMENDMENT
Case Number:	CPC-2013-621-ZC-GPA-SP
Required Action(s):	ZC-ZONE CHANGE GPA-GENERAL PLAN AMENDMENT SP-SPECIFIC PLAN (INCLUDING AMENDMENTS)
Project Descriptions(s):	ZONE CHANGE AND PLAN AMENDMENT FOR THE IMPLEMENTATION OF THE EXPOSITION CORRIDOR TRANSIT NEIGHBORHOOD PLAN.
Case Number:	CPC-2009-1536-CPU
Required Action(s):	CPU-COMMUNITY PLAN UPDATE
Project Descriptions(s):	THE COMMUNITY PLAN WILL IMPLEMENT CHANGES TO ZONING, AMENDMENTS TO LAND USE PLAN DESIGNATIONS AND ESTABLISH OVERLAY ZONES, AS APPROPRIATE. PLAN AMENDMENTS WILL POTENTIALLY CHANGE OR REFINES PLAN DESIGNATIONS, FOOTNOTES OR STREET DESIGNATIONS AND MAKE CHANGES TO OTHER CITYWIDE ELEMENTS, AS NECESSARY. IN CONCERT WITH THE PROPOSED PLAN AMENDMENTS, NEW ZONES MAY BE NECESSARY TO MAINTAIN PLAN CONSISTENCY TO REGULATE DEVELOPMENT STANDARDS SUCH AS: HEIGHTS OF STRUCTURES, SETBACKS, LOT COVERAGE, DENSITY AND INTENSITY, OPEN SPACE, USE OF LAND, PARKING AND DESIGN. OVERLAY ZONES, DISTRICTS AND OTHER PLANS WOULD ADDITIONALLY BE ESTABLISHED TO REGULATE DEVELOPMENT THAT IS CONSISTENT WITH THE GENERAL PLAN, ENHANCE THE UNIQUE CHARACTER OF NEIGHBORHOODS AND ACCOMMODATE GROWTH. AREAS OF FOCUSED STUDY WILL INCLUDE, BUT NOT BE LIMITED TO, PROTECTING ESTABLISHED SINGLE FAMILY NEIGHBORHOODS, PEDESTRIAN AND DESIGN IMPROVEMENTS TO COMMERCIAL CORRIDORS SUCH AS PICO BOULEVARD, WESTWOOD BOULEVARD, SAWTELLE BOULEVARD, SANTA MONICA BOULEVARD, AND WILSHIRE BOULEVARD, ENHANCEMENT OF THE WEST LOS ANGELES CIVIC CENTER, MIXED-USE NODES ALONG MAJOR TRANSPORTATION AND TRANSIT ROUTES, APPROPRIATE LAND USE AND STREETSCAPE IMPROVEMENTS SURROUNDING FUTURE LIGHT-RAIL (EXPO LINE) TRANSIT STOPS, DESIGN AND USE PLANS FOR INDUSTRIAL DISTRICTS, AND DESIGN STANDARDS FOR MULTIFAMILY RESIDENTIAL AREAS.  WITHIN THE PALMS STUDY AREA, THE CITY INTENDS TO EXTEND THE LIVABLE BOULEVARDS STUDY BEYOND THE WEST LOS ANGELES CPA TO CREATE VIABLE COMMERCIAL CENTERS AND RESIDENTIAL NEIGHBORHOODS IN THE PALMS COMMUNITY AND IMPLEMENT GOALS AND POLICIES IN THE PALMS-MAR VISTA-DEL REY COMMUNITY PLAN AND FRAMEWORK ELEMENT. WITHIN THE PALMS AREA, IMPROVEMENTS TO THE LOCAL TRANSPORTATION NETWORK FOR PEDESTRIAN, BICYCLES, AND AUTOS WILL BE RECOMMENDED. ZONING TOOLS SUCH AS OVERLAY DISTRICTS MAY BE USED IN SELECTED AREAS TO COMPLEMENT STREET ENHANCEMENTS BY IMPROVING BUILDING DESIGN AND WALKABILITY, RESULTING IN ZONE CHANGES.
Case Number:	CPC-2005-8252-CA
Required Action(s):	CA-CODE AMENDMENT
Project Descriptions(s):	AN ORDINANCE ESTABLISHING PERMANENT REGULATIONS IMPLEMENTING THE MELLO ACT IN THE COASTAL ZONE.
Case Number:	YV-10936-SM
Required Action(s):	SM-SLIGHT MODIFICATIONS
Project Descriptions(s):	Data Not Available
Case Number:	VTT-82689-CC
Required Action(s):	CC-CONDOMINIUM CONVERSION
Project Descriptions(s):	A VTT TO CONVERT 18 APARTMENTS INTO 18 CONDOMINIUM UNITS WITH 34 PARKING SPACES
Case Number:	ENV-2014-1458-EIR-SE-CE
Required Action(s):	EIR-ENVIRONMENTAL IMPACT REPORT SE-STATUTORY EXEMPTIONS CE-CATEGORICAL EXEMPTION
Project Descriptions(s):	ENVIRONMENTAL IMPACT REPORT
Case Number:	ENV-2013-622-EIR
Required Action(s):	EIR-ENVIRONMENTAL IMPACT REPORT
Project Descriptions(s):	ZONE CHANGE AND PLAN AMENDMENT FOR THE IMPLEMENTATION OF THE EXPOSITION CORRIDOR TRANSIT NEIGHBORHOOD PLAN.
Case Number:	ENV-2009-1537-EIR
Required Action(s):	EIR-ENVIRONMENTAL IMPACT REPORT

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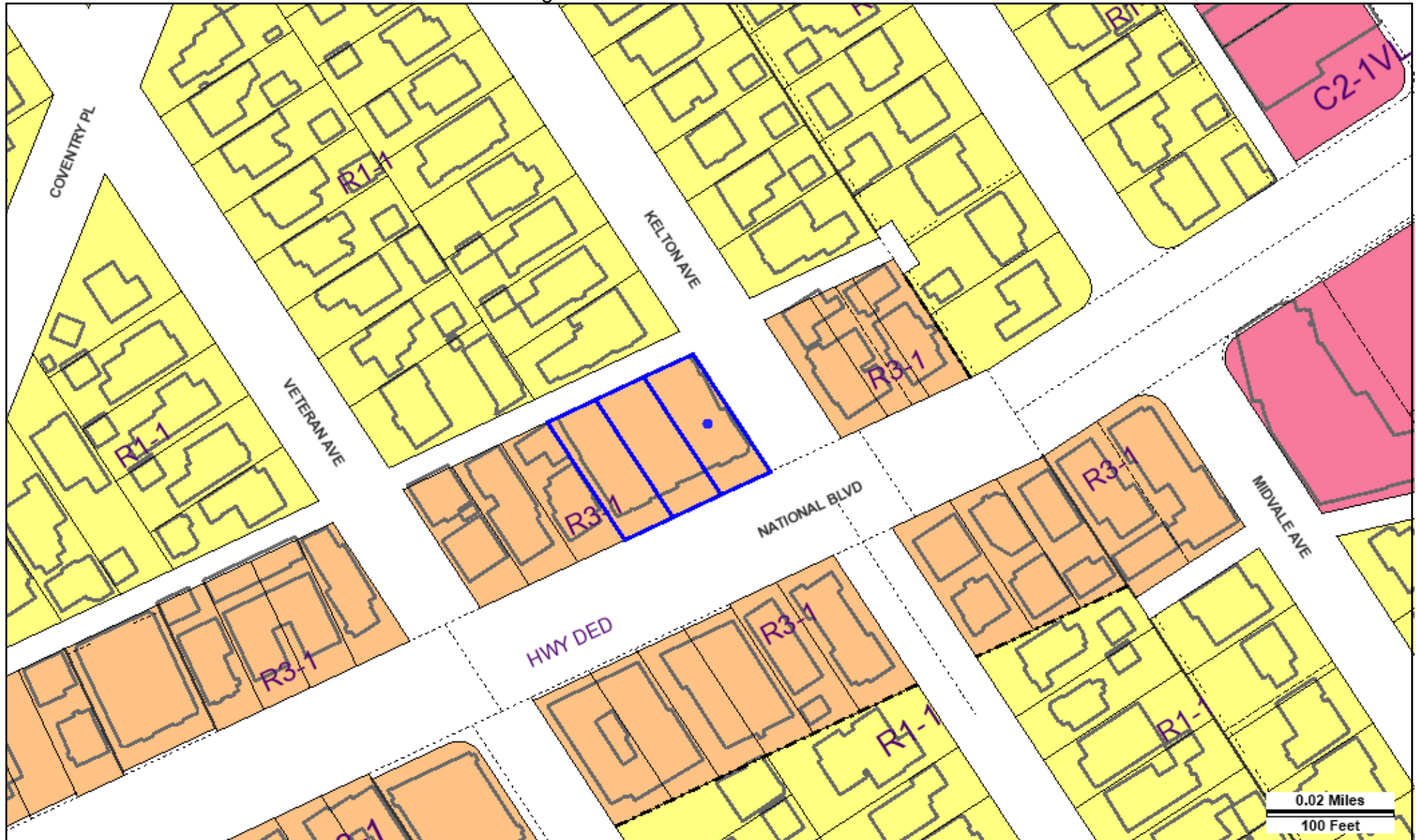
Project Descriptions(s): THE COMMUNITY PLAN WILL IMPLEMENT CHANGES TO ZONING, AMENDMENTS TO LAND USE PLAN DESIGNATIONS AND ESTABLISH OVERLAY ZONES, AS APPROPRIATE. PLAN AMENDMENTS WILL POTENTIALLY CHANGE OR REFINES PLAN DESIGNATIONS, FOOTNOTES OR STREET DESIGNATIONS AND MAKE CHANGES TO OTHER CITYWIDE ELEMENTS, AS NECESSARY. IN CONCERT WITH THE PROPOSED PLAN AMENDMENTS, NEW ZONES MAY BE NECESSARY TO MAINTAIN PLAN CONSISTENCY TO REGULATE DEVELOPMENT STANDARDS SUCH AS: HEIGHTS OF STRUCTURES, SETBACKS, LOT COVERAGE, DENSITY AND INTENSITY, OPEN SPACE, USE OF LAND, PARKING AND DESIGN. OVERLAY ZONES, DISTRICTS AND OTHER PLANS WOULD ADDITIONALLY BE ESTABLISHED TO REGULATE DEVELOPMENT THAT IS CONSISTENT WITH THE GENERAL PLAN, ENHANCE THE UNIQUE CHARACTER OF NEIGHBORHOODS AND ACCOMMODATE GROWTH. AREAS OF FOCUSED STUDY WILL INCLUDE, BUT NOT BE LIMITED TO, PROTECTING ESTABLISHED SINGLE FAMILY NEIGHBORHOODS, PEDESTRIAN AND DESIGN IMPROVEMENTS TO COMMERCIAL CORRIDORS SUCH AS PICO BOULEVARD, WESTWOOD BOULEVARD, SAWTELLE BOULEVARD, SANTA MONICA BOULEVARD, AND WILSHIRE BOULEVARD, ENHANCEMENT OF THE WEST LOS ANGELES CIVIC CENTER, MIXED-USE NODES ALONG MAJOR TRANSPORTATION AND TRANSIT ROUTES, APPROPRIATE LAND USE AND STREETScape IMPROVEMENTS SURROUNDING FUTURE LIGHT-RAIL (EXPO LINE) TRANSIT STOPS, DESIGN AND USE PLANS FOR INDUSTRIAL DISTRICTS, AND DESIGN STANDARDS FOR MULTIFAMILY RESIDENTIAL AREAS.

WITHIN THE PALMS STUDY AREA, THE CITY INTENDS TO EXTEND THE LIVABLE BOULEVARDS STUDY BEYOND THE WEST LOS ANGELES CPA TO CREATE VIABLE COMMERCIAL CENTERS AND RESIDENTIAL NEIGHBORHOODS IN THE PALMS COMMUNITY AND IMPLEMENT GOALS AND POLICIES IN THE PALMS-MAR VISTA-DEL REY COMMUNITY PLAN AND FRAMEWORK ELEMENT. WITHIN THE PALMS AREA, IMPROVEMENTS TO THE LOCAL TRANSPORTATION NETWORK FOR PEDESTRIAN, BICYCLES, AND AUTOS WILL BE RECOMMENDED. ZONING TOOLS SUCH AS OVERLAY DISTRICTS MAY BE USED IN SELECTED AREAS TO COMPLEMENT STREET ENHANCEMENTS BY IMPROVING BUILDING DESIGN AND WALKABILITY, RESULTING IN ZONE CHANGES.

Case Number:	ENV-2005-8253-ND
Required Action(s):	ND-NEGATIVE DECLARATION
Project Descriptions(s):	AN ORDINANCE ESTABLISHING PERMANENT REGULATIONS IMPLEMENTING THE MELLO ACT IN THE COASTAL ZONE.

DATA NOT AVAILABLE

- ORD-186402
- ORD-186108
- ORD-183497
- ORD-171492
- ORD-129279
- AFF-10936



Address: 2969 S KELTON AVE

APN: 4254004032

PIN #: 123B157 1175

Tract: TR 6939

Block: None

Lot: 441

Arb: None

Zoning: R3-1

General Plan: Medium Residential



# LEGEND

## GENERALIZED ZONING

	OS, GW
	A, RA
	RE, RS, R1, RU, RZ, RW1
	R2, RD, RMP, RW2, R3, RAS, R4, R5, PVSP
	CR, C1, C1.5, C2, C4, C5, CW, WC, ADP, LASED, CEC, USC, PPSP, MU, NMU
	CM, MR, CCS, UV, UI, UC, M1, M2, LAX, M3, SL, HJ, HR, NI
	P, PB
	PF



## GENERAL PLAN LAND USE

### LAND USE

#### RESIDENTIAL





	Minimum Residential
	Very Low / Very Low I Residential
	Very Low II Residential
	Low / Low I Residential
	Low II Residential
	Low Medium / Low Medium I Residential
	Low Medium II Residential
	Medium Residential
	High Medium Residential
	High Density Residential
	Very High Medium Residential

#### COMMERCIAL

	Limited Commercial
	Limited Commercial - Mixed Medium Residential
	Highway Oriented Commercial
	Highway Oriented and Limited Commercial
	Highway Oriented Commercial - Mixed Medium Residential
	Neighborhood Office Commercial
	Community Commercial
	Community Commercial - Mixed High Residential
	Regional Center Commercial

### FRAMEWORK

#### COMMERCIAL

	Neighborhood Commercial
	General Commercial
	Community Commercial
	Regional Mixed Commercial

#### INDUSTRIAL

	Commercial Manufacturing
	Limited Manufacturing
	Light Manufacturing
	Heavy Manufacturing
	Hybrid Industrial

#### PARKING

	Parking Buffer
---	----------------

#### PORT OF LOS ANGELES

	General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
	General / Bulk Cargo - Hazard
	Commercial Fishing
	Recreation and Commercial
	Intermodal Container Transfer Facility Site



#### LOS ANGELES INTERNATIONAL AIRPORT

	Airport Landside / Airport Landside Support
	Airport Airside
	LAX Airport Northside

#### OPEN SPACE / PUBLIC FACILITIES

	Open Space
	Public / Open Space
	Public / Quasi-Public Open Space
	Other Public Open Space
	Public Facilities

#### INDUSTRIAL

	Limited Industrial
	Light Industrial



CIRCULATION

STREET

- Arterial Mountain Road
- Collector Scenic Street
- Collector Street
- Collector Street (Hillside)
- Collector Street (Modified)
- Collector Street (Proposed)
- Country Road
- Divided Major Highway II
- Divided Secondary Scenic Highway
- Local Scenic Road
- Local Street
- Major Highway (Modified)
- Major Highway I
- Major Highway II
- Major Highway II (Modified)

- Major Scenic Highway
- Major Scenic Highway (Modified)
- Major Scenic Highway II
- Mountain Collector Street
- Park Road
- Parkway
- Principal Major Highway
- Private Street
- Scenic Divided Major Highway II
- Scenic Park
- Scenic Parkway
- Secondary Highway
- Secondary Highway (Modified)
- Secondary Scenic Highway
- Special Collector Street
- Super Major Highway

FREEWAYS

- Freeway
- Interchange
- On-Ramp / Off- Ramp
- Railroad
- Scenic Freeway Highway


MISC. LINES

- Airport Boundary
- Bus Line
- Coastal Zone Boundary
- Coastline Boundary
- Collector Scenic Street (Proposed)
- Commercial Areas
- Commercial Center
- Community Redevelopment Project Area
- Country Road
- DWP Power Lines
- Desirable Open Space
- Detached Single Family House
- Endangered Ridgeline
- Equestrian and/or Hiking Trail
- Hiking Trail
- Historical Preservation
- Horsekeeping Area
- Local Street
- MSA Desirable Open Space
- Major Scenic Controls
- Multi-Purpose Trail
- Natural Resource Reserve
- Park Road
- Park Road (Proposed)
- Quasi-Public
- Rapid Transit Line
- Residential Planned Development
- Scenic Highway (Obsolete)
- Secondary Scenic Controls
- Secondary Scenic Highway (Proposed)
- Site Boundary
- Southern California Edison Power
- Special Study Area
- Specific Plan Area
- Stagecoach Line
- Wildlife Corridor

## POINTS OF INTEREST





 Alternative Youth Hostel (Proposed)	 Horticultural Center	 Public Elementary School
 Animal Shelter	 Hospital	 Public Elementary School (Proposed)
 Area Library	 Hospital (Proposed)	 Public Golf Course
 Area Library (Proposed)	<b>HW</b> House of Worship	 Public Golf Course (Proposed)
 Bridge	<b>e</b> Important Ecological Area	 Public Housing
 Campground	 Important Ecological Area (Proposed)	 Public Housing (Proposed Expansion)
 Campground (Proposed)	 Interpretive Center (Proposed)	 Public Junior High School
 Cemetery	 Junior College	 Public Junior High School (Proposed)
<b>HW</b> Church	 MTA / Metrolink Station	 Public Middle School
 City Hall	 MTA Station	 Public Senior High School
 Community Center	 MTA Stop	 Public Senior High School (Proposed)
 Community Library	<b>MWD</b> MWD Headquarters	 Pumping Station
 Community Library (Proposed Expansion)	 Maintenance Yard	 Pumping Station (Proposed)
 Community Library (Proposed)	 Municipal Office Building	 Refuse Collection Center
 Community Park	<b>P</b> Municipal Parking lot	 Regional Library
 Community Park (Proposed Expansion)	 Neighborhood Park	 Regional Library (Proposed Expansion)
 Community Park (Proposed)	 Neighborhood Park (Proposed Expansion)	 Regional Library (Proposed)
 Community Transit Center	 Neighborhood Park (Proposed)	 Regional Park
 Convalescent Hospital	 Oil Collection Center	 Regional Park (Proposed)
 Correctional Facility	 Parking Enforcement	<b>RPD</b> Residential Plan Development
 Cultural / Historic Site (Proposed)	 Police Headquarters	 Scenic View Site
 Cultural / Historical Site	 Police Station	 Scenic View Site (Proposed)
 Cultural Arts Center	 Police Station (Proposed Expansion)	 School District Headquarters
<b>DMV</b> DMV Office	 Police Station (Proposed)	 School Unspecified Loc/Type (Proposed)
<b>DWP</b> DWP	 Police Training site	 Skill Center
 DWP Pumping Station	<b>PO</b> Post Office	 Social Services
 Equestrian Center	 Power Distribution Station	 Special Feature
 Fire Department Headquarters	 Power Distribution Station (Proposed)	 Special Recreation (a)
 Fire Station	 Power Receiving Station	 Special School Facility
 Fire Station (Proposed Expansion)	 Power Receiving Station (Proposed)	 Special School Facility (Proposed)
 Fire Station (Proposed)	<b>C</b> Private College	 Steam Plant
 Fire Supply & Maintenance	<b>E</b> Private Elementary School	 Surface Mining
 Fire Training Site	 Private Golf Course	 Trail & Assembly Area
 Fireboat Station	 Private Golf Course (Proposed)	 Trail & Assembly Area (Proposed)
 Health Center / Medical Facility	<b>JH</b> Private Junior High School	<b>UTL</b> Utility Yard
 Helistop	<b>PS</b> Private Pre-School	 Water Tank Reservoir
 Historic Monument	 Private Recreation & Cultural Facility	 Wildlife Migration Corridor
 Historical / Cultural Monument	<b>SH</b> Private Senior High School	 Wildlife Preserve Gate
 Horsekeeping Area	<b>SF</b> Private Special School	
 Horsekeeping Area (Proposed)	 Public Elementary (Proposed Expansion)	

SCHOOLS/PARKS WITH 500 FT. BUFFER

-  Existing School/Park Site
-  Planned School/Park Site
-  Inside 500 Ft. Buffer

-  Aquatic Facilities
-  Beaches
-  Child Care Centers
-  Dog Parks
-  Golf Course
-  Historic Sites
-  Horticulture/Gardens
-  Skate Parks
-  Other Facilities
-  Park / Recreation Centers
-  Parks
-  Performing / Visual Arts Centers
-  Recreation Centers
-  Senior Citizen Centers
-  Opportunity School
-  Charter School
-  Elementary School
-  Span School
-  Special Education School
-  High School
-  Middle School
-  Early Education Center

COASTAL ZONE



-  Coastal Commission Permit Area
-  Dual Permit Jurisdiction Area
-  Single Permit Jurisdiction Area
-  Not in Coastal Zone

TRANSIT ORIENTED COMMUNITIES (TOC)






























-  Tier 1
-  Tier 2
-  Tier 3
-  Tier 4

**Note:** TOC Tier designation and map layers are for reference purposes only. Eligible projects shall demonstrate compliance with Tier eligibility standards prior to the issuance of any permits or approvals. As transit service changes, eligible TOC Incentive Areas will be updated.

WAIVER OF DEDICATION OR IMPROVEMENT

-  Public Work Approval (PWA)
-  Waiver of Dedication or Improvement (WDI)

OTHER SYMBOLS

-  Lot Line
-  Tract Line
-  Lot Cut
-  Easement
-  Zone Boundary
-  Building Line
-  Lot Split
-  Community Driveway
-  Building Outlines 2020
-  Building Outlines 2017
-  Airport Hazard Zone
-  Census Tract
-  Coastal Zone
-  Council District
-  LADBS District Office
-  Downtown Parking
-  Fault Zone
-  Fire District No. 1
-  Tract Map
-  Parcel Map
-  Flood Zone
-  Hazardous Waste
-  High Wind Zone
-  Hillside Grading
-  Historic Preservation Overlay Zone
-  Specific Plan Area
-  Very High Fire Hazard Severity Zone
-  Wells - Active
-  Wells - Inactive









































**EXHIBIT G**

**APPLICANT'S**

**CONDOMINIUM CONVERSION**

**DOCUMENTS**

CITY OF LOS ANGELES  
DEPARTMENT OF CITY PLANNING  
SUBDIVIDER'S STATEMENT

**For Office Use Only**

(1) Case No. \_\_\_\_\_

Date of Filing \_\_\_\_\_

(2) Tract No. 82689 ☒ Vesting ☐ Tentative

The following information is required by the various City departments; failure to furnish it completely will delay action and result in the issuance of a notice of incomplete application.

(3) Street address of property (per Construction Services Center, 201 N. Figueroa St.)

2969 S. Kelton Ave. (N, S, W, E, of) Los Angeles, CA 90064  
(Circle one)

Map reference location:

(5) Thomas Bros. Map: Page No. 632 Page (CWS) \_\_\_\_\_ Grid No. D-7

(6) Proposed number of lots 1

(7) Tract area: 0.312 net acres within tract border; 0.341 gross acres.  
13,620 net square feet after required dedication.

(8) Tract proposed for:

	Units/ (9) <u>Sq. Ft.</u>	<u>Parking</u>	+	Guest Parking*
Single-Family-(SF)	_____	_____		_____
Apartments-(APT)	_____	_____	+	_____
Condominiums-(C)	_____	_____	+	_____
Condominium Conversion-(CC)	<u>20</u>	<u>40</u>	+	_____
Commercial-(CM)	_____	_____		_____
Industrial-(IND)	_____	_____		_____
Stock Cooperative-(SC)	_____	_____	+	_____
Commercial Condo Conversion-(CMCC)	_____	_____		_____
Industrial Condo Conversion-(INDCC)	_____	_____		_____
Commercial Condominiums-(CMC)	_____	_____		_____
Industrial Condominiums-(INDC)	_____	_____		_____
Reversion to Acreage - (RV)	_____	_____		_____
Other (specify) _____ (O)	_____	_____		_____

(10) Number/type of units to be demolished None

(11) Community Plan area West Los Angeles Council District # 5

(12) Community planning designation Medium Residential, \_\_\_\_\_ to 800 sf/units DU's/GA



**\*Multiple dwelling projects only**

- (13) The existing zone is R3-1. The proposed zone is R3-1  
approved under City Planning Case No. \_\_\_\_\_ on \_\_\_\_\_ by the ( ) City  
Planning Commission and/or ( ) City Council (CF No \_\_\_\_\_).
- a. Has the tract map been filed to effectuate a zone change?  
Yes ( ) No (✓).
- b. Is a building line/zone boundary adjustment/or a zone change to a more restrictive zone  
incident to a subdivision being requested?  
Yes ( ) No (✓).
- c. Is an application for a zone change to a less restrictive zone incident to a subdivision  
being concurrently filed?  
Yes ( ) No (✓).
- d. Has the property been considered at a public hearing for a Conditional Use ( ),  
Variance ( ), Other (specify) NO  
Under Case Nos. : \_\_\_\_\_
- (14) Are there any protected trees (Oaks, Western Sycamore, California Bay, and/or Southern  
California Black Walnut) on this property? Yes ( ) No (✓)  
How many? \_\_\_\_\_
- If yes, how many are 4 inches or more in diameter? \_\_\_\_\_  
How many absolutely must be removed? \_\_\_\_\_
- Are there other trees 12 inches or more in diameter? Yes ( ) No (✓)
- If yes, how many? 0. How many must be removed? 0 Indicate type and trunk  
diameter of each tree, and whether the tree is to be retained or removed, on a tree map  
superimposed on the tentative map (Attach a list, if necessary).
- (Notice of incomplete application will be issued if the tree information is not included).
- (15) Is proposed tract in a slope stability study (hillside) area?  
Yes ( ) No (✓)  
In a fault rupture study area? Yes ( ) No (✓)
- (16) Is subdivision within the vicinity of the Mulholland Scenic Parkway? Yes ( ) No (✓)
- (17) Is proposed tract in a flood hazard area, hillside area, floodway or mudprone area? Yes ( )  
No (✓)  
Filing requirement: submit the hillside and flood hazard area data sheet.
- (18) Are there any existing or formerly used gasoline, oil, gas pipelines or wells within the project  
site?  
Yes ( ) No (✓). Show all easements on tentative tract map.
- (19) Is more than one final map unit proposed? Yes ( ) No (✓) If yes, attach a sketch showing  
each unit or phase.

- (20) Tenant information for demolitions and conversions (attach CP-6345).
- (21) Is the project in a horsekeeping (K) district? Yes ( ) No (✓)  
 Is the project within a plan-designated horsekeeping area? Yes ( ) No (✓)  
 Is the project in an RA or more restrictive zone? Yes ( ) No (✓)
- (22) If the tract is for condominium or cooperative conversion purposes, list:
- a. Anticipated range of sales prices \$850K- \$950K
  - b. Anticipated sales terms to tenants NA  
 Note: Attach separate sheet, if necessary.
  - c. Number of existing parking spaces NA. A certified parking plan is required for all conversions.
- (23) Is a haul route approval being requested at this time? Yes ( ) No (✓)
- (24) Has a Land Development Counseling Session taken place? Yes ( ) No (✓)  
 If so, what is LDCC No. \_\_\_\_\_?
- (25) Describe your proposal briefly here or on an attached sheet:  
To convert existing 18 units apt to 17 units condominium . File for subdivision for Tentative Tract Map. No. 82689  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I certify that the statements on this form are true to the best of my knowledge.

Signed \_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

RECORD OWNER(S)  
 (From Latest Adopted Tax Roll)

SUBDIVIDER

Name Kelton Equities, LLC  
 Address 1730 S. Colby Ave #100  
 City Los Angeles, CA 90025  
 Phone (310) 445-9711  
 Fax No \_\_\_\_\_

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax No \_\_\_\_\_

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax No \_\_\_\_\_

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax No \_\_\_\_\_

ENGINEER OR LICENSED SURVEYOR

Name DHS & Associates Inc.  
 Name Steve Nazemi  
 Address 275 Centennial Way # 205  
 City Tustin , CA 92780  
 Phone (714) 665-6569  
 Fax No (714) 665-1580

# **Condominium conversions for: 2969 S. Kelton Ave Los Angeles CA 90064**

## **Relocation Assistance Plan**

Since we do not know exactly when the condo conversion (vacant of the tenants) will occur we cannot specify exactly tenant relocation plans. The owner will comply with the Attached Exhibit A and B from housing Dept. and other City of Los Angeles Housing Dept guidelines for the relocation of the tenant in the event the owner of the project plan to convert the units for sale.





# Rent Stabilization Bulletin

## LEGAL REASONS FOR EVICTION

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A landlord may bring an action to recover possession of a rental unit for any reason listed below. Evictions for Provision 3 or 4 require that a *Landlord Declaration of Intent to Evict* be filed with the HCIDLA, when police reports and the City Attorney are involved. Evictions for Provisions 8 and 10 through 14 always require that a *Landlord Declaration of Intent to Evict* be filed with the HCIDLA. Please also review the *Allowable Rent Increase* RSO bulletin for information on legal rent levels after an eviction.

1. The tenant has failed to pay the rent to which the landlord is entitled, including the additional one percent each for gas or electric services if that service is paid for by the landlord. (**LAMC Section 151.06.D**).
2. The tenant has violated a lawful obligation or covenant of the tenancy, other than the obligation to surrender possession upon proper notice, and has failed to cure such violation after having received written notice thereof from the landlord.
3. The tenant is committing or permitting to exist a nuisance in, or is causing damage to, the rental unit, or to the appurtenances thereof, or to the common areas of the complex containing the rental unit, or is creating an unreasonable interference with the comfort, safety, or enjoyment of any of the other residents of the same or adjacent buildings.
4. The tenant is using or permitting a rental unit to be used for any illegal purpose.
5. The tenant, who had a **written** lease or rental agreement which terminated on or after the effective date of LAMC Chapter XV (April 21, 1979), has refused, after written request or demand by the landlord to execute a written extension or renewal thereof for a further term of like duration with similar provisions and in such terms as are not inconsistent with or violative of any provision of this Chapter or any other provision of law.
6. The tenant has refused the landlord reasonable access to the unit for the purpose of making repairs or improvements, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee.
7. The person in possession of the rental unit at the end of a lease term is a subtenant not approved by the landlord.



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## LEGAL REASONS FOR EVICTION

8. The landlord seeks in good faith to recover possession of the rental unit for use and occupancy by:
  - a. The landlord, or the landlord's spouse, children, grandchildren, parents or grandparents provided the landlord is a natural person and not a corporation or partnership; or,
  - b. A resident manager, provided that no alternative vacant unit is available for occupancy by a resident manager, except that where a building has an existing resident employee-manager hired under an employee/employer agreement, who must reside on the premises as a condition of employment, who may not be under the protection of the RSO.
9. **Ord. No. 176,544 Eff. 5/2/05.** The landlord, having complied with all applicable notices and advisements required by law seeks in good faith to recover possession so as to undertake Primary Renovation Work of the rental unit or the building housing the rental unit, in accordance with a *Tenant Habitability Plan (THP)* accepted by the Department, and the tenant is unreasonably interfering with the landlord's ability to implement the requirements of the *THP* by engaging in any of the following actions:
  - a. The tenant has failed to temporarily relocate as required by the accepted *THP*; or,
  - b. The tenant has failed to honor a permanent relocation agreement with the landlord pursuant to LAMC Section 152.05.
10. **Ord. No. 177,901 Eff. 9/29/06.** The landlord seeks in good faith to recover possession of the rental units under either of the following circumstances:
  - a. To demolish the rental unit, or
  - b. To remove the rental unit permanently from rental housing use.
11. **Ord. No. 172,288, Eff. 12/17/98.** The landlord seeks in good faith to recover possession of the rental unit in order to comply with a governmental agency's order to vacate, order to comply, order to abate, or any other order that necessitates the vacating of the building housing the rental unit as a result of a violation of the LAMC or any other provision of law.
12. **Ord. No. 173,224 Eff. 5/11/00.** The Secretary of Housing and Urban Development is both the owner and plaintiff and seeks to recover possession in order to vacate the property prior to sale and has complied with all tenant notification requirements under federal law and administrative regulations.

## LEGAL REASONS FOR EVICTION

13. **Ord. No. 180,175, Eff. 9/29/08.** The rental unit is in a Residential Hotel, and the landlord is evicting to convert or demolish the unit as defined in LAMC Section 47.73 and the Department has approved an Application for Clearance.
14. **Ord. No. 181,744, Eff. 7/15/11.** The landlord seeks in good faith to recover possession of the rental unit to convert the property to an affordable housing accommodation in accordance with an affordable housing exemption issued by the Department. If the landlord fails to record the required regulatory agreement within six months of filing for this exemption and puts the units back on the rental market, the rent shall not be decontrolled and the unit must be offered to the tenant that was displaced.

### TYPES OF NOTICES

There are several kinds of notices that a landlord can serve:

1. A 3-day eviction notice (to perform/pay or quit),
2. A 30 or 60-day eviction notice (by either tenant or landlord to terminate tenancy), or
3. A 120-day notice (for evictions due to demolition or removal from rental market per California Government Code Section 7060). If a tenant fails to respond to any of the above notices, a landlord can bring a suit, called an *unlawful detainer*, to evict a tenant from the premises.

### THREE-DAY NOTICE

If the tenant has failed to pay the rent on time or is short in any amount, the landlord must serve the tenant a written three-day notice to pay rent or quit the premises. This notice must state precisely the premises in question and the amount of rent due. The notice must present an unequivocal alternative to the tenant, i.e., pay rent within three days or leave. The law also states that the three-day notice must include:

1. The amount which is due;
2. The name, telephone number and the address of the person to whom payment is due;
3. If payment can be made in person, then the usual days and hours that the payment can be made.

In situations where some other obligation has been breached, e.g., keeping pets, the landlord must specify the fault and permit its correction within three days. The landlord must serve this notice on the tenant before he can bring suit (unless the tenant's default is of a kind that could not possibly be corrected within the allowed time, for example, he has done something to the building which cannot be repaired).



## LEGAL REASONS FOR EVICTION

A *Three-Day Notice* expires at midnight of the third day after service, provided that the third day is a business day. Otherwise, it expires at midnight of the first business day following the third day after service. You do not count the day of service. Therefore, a *Three-Day Notice* served on a Friday will expire at midnight on the following Monday (unless that Monday is a holiday, in which case the notice will expire at midnight on Tuesday). A *Three-Day Notice* served on Wednesday will also expire at midnight on the following Monday, because the third day may not be a Saturday or Sunday. A *Three-Day Notice to Pay Rent or Quit* is not valid if served before the rent is delinquent. Therefore, it may not be served on the due date, only **after** the due date. If the due date does not fall on a business day, then the rent is not due until the first business day following the due date and a *Three-Day Notice to Pay Rent or Quit* may not be served until the day after that.

If the obligation demanded has not been corrected within three days after the notice was served, the landlord can then file suit in court to have the tenant evicted.

### 30 or 60-DAY NOTICE

Pursuant to California Civil Code Section 1946, if a tenant has resided in the unit for less than one year, a month-to-month tenancy can be terminated by a 30-day written notice by either the tenant or the landlord. For units in the City of Los Angeles subject to the Los Angeles Rent Stabilization Ordinance, a landlord may serve this notice and end the tenancy only for one of the legal reasons for eviction permitted under the Ordinance. When the 30 or 60-day notice expires, the landlord may sue for possession of the rental unit. Generally, a lease relationship cannot be ended before the expiration date of the lease.

Effective January 1, 2007, state law requires a 60-day notice for no-fault evictions of tenants who have resided in a rental unit for at least one year (California Civil Code 1946.1).

### 120-DAY NOTICE

A landlord evicting for the purpose of demolition or removing the unit from the rental market must comply with the requirements of LAMC sections 151.22 through 151.28. The landlord must obtain and file the proper Notice of Intent to Withdraw Units from Rental Housing Use, form from the Los Angeles Housing and Community Investment Department (HCIDLA) and record a Non-Confidential Memorandum with the County Recorder. The landlord must serve the tenant a 120 day notice of termination of tenancy on the same day of filing with HCIDLA and within 5 days, serve the Notice of Intent to Withdraw Units from Rental Housing Use (Form E2). Tenants who are at least 62 years of age or disabled and who have lived in the accommodations for at least one year prior to the landlord's submission of the Landlord Declaration of Intent to Evict may request an extension of up to one year.

## LEGAL REASONS FOR EVICTION

### UNLAWFUL DETAINER

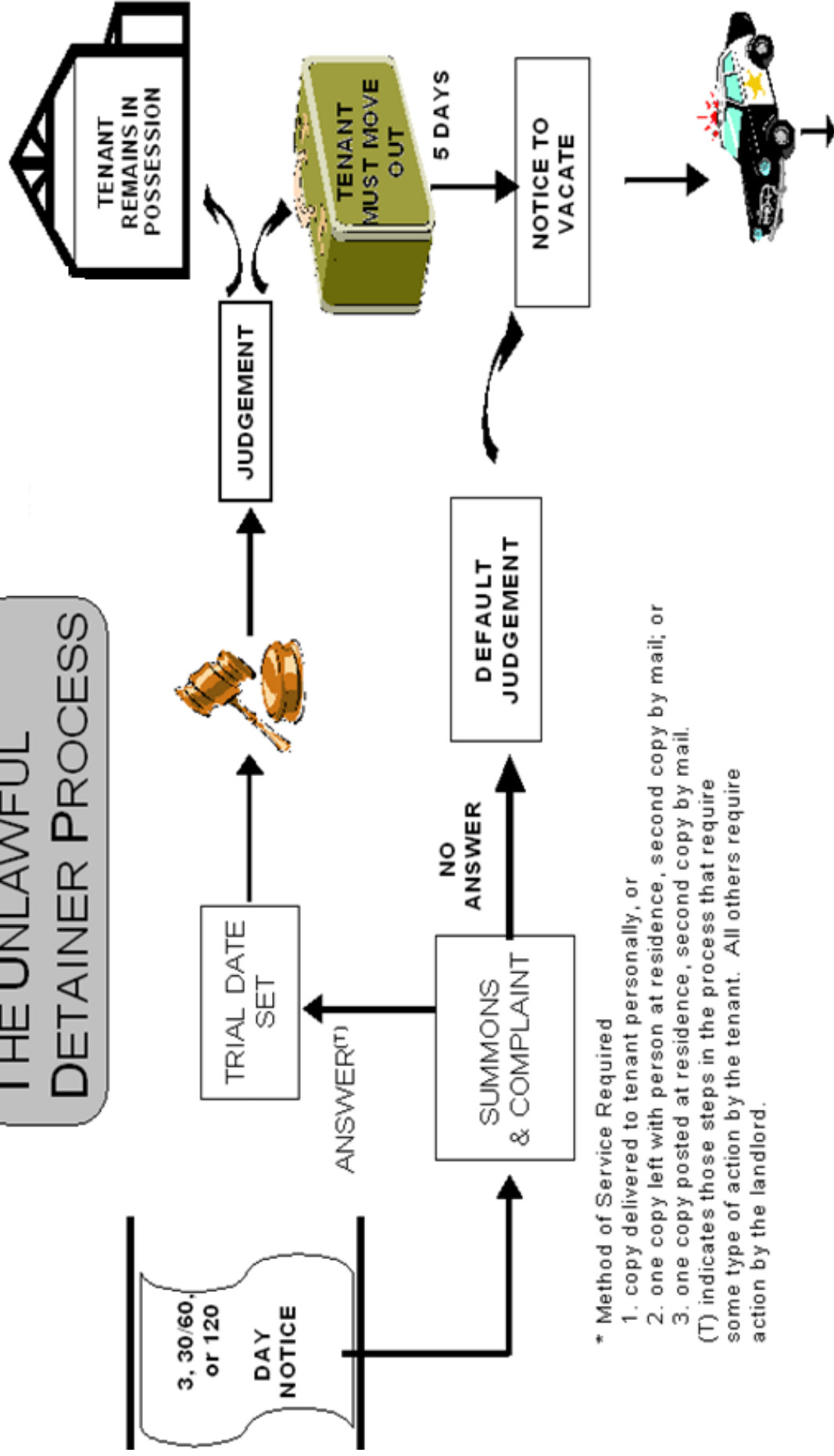
An Unlawful Detainer is the legal name of the suit a landlord brings to evict a tenant from the premises. There are several possible grounds for such an eviction action. One is that the tenant has failed to abide by some obligation in his lease or rental agreement with the landlord; for example, by creating a nuisance, damaging the premises, or keeping pets. Another is that the tenant has failed to pay the rent on time. A third possibility arises when the tenant remains on the premises after having been given lawful notice to terminate the tenancy.

#### **THIS INFORMATION IS OFFERED FREE OF CHARGE TO THE GENERAL PUBLIC.**

While this publication is designed to provide accurate and current information about the law, readers should consult an attorney or other expert for advice in particular cases, and should also read the relevant statutes and court decisions when relying on cited material. Laws and guidelines are frequently amended. The HCIDLA recommends that you verify information in the event that new changes are not yet reflected in this publication. The HCIDLA does not assume and hereby disclaims any liability to any party for any loss, damage, or disruption caused by errors or omissions, whether such errors or omissions result from negligence, accident, or any other cause.

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# THE UNLAWFUL DETAINER PROCESS



\* Method of Service Required

1. copy delivered to tenant personally, or
2. one copy left with person at residence, second copy by mail; or
3. one copy posted at residence, second copy by mail.

(T) indicates those steps in the process that require some type of action by the tenant. All others require action by the landlord.





# Rent Stabilization Bulletin

# RELOCATION ASSISTANCE

All tenant not-at-fault evictions require payment of relocation assistance and the filing of a *Landlord Declaration of Intent to Evict* form with the Los Angeles Housing and Community Investment Department (HCIDLA) prior to evicting tenants from units covered by the RSO. Failure to file the Landlord Declaration with the HCIDLA makes the eviction a violation of the Rent Stabilization Ordinance (RSO).

## Not-At-Fault Reasons for Eviction

1. The landlord evicts for the occupancy for her/himself, spouse, grandchildren, children, parents or grandparents, or a resident manager (Los Angeles Municipal Code (LAMC) 151.09.A.8). Landlords must comply with the restrictions and requirements of LAMC Section 151.30.
2. The landlord seeks in good faith to recover possession of the rental unit to demolish or to remove the rental unit permanently from rental housing use (LAMC 151.09.A.10). These are considered Ellis Act (California Government Code 7060.4) evictions and the landlord must comply with the requirements of LAMC 151.22-151.28.
3. The unit requires permanent eviction due to a primary renovation in accordance with a *Tenant Habitability Plan* accepted by the HCIDLA (LAMC 152.05).
4. The landlord evicts to comply with a governmental agency's Order to Vacate (LAMC 151.09.A.11). Landlords must file a *Landlord Declaration of Intent to Evict* prior to giving notice to tenants.
5. The Secretary of Housing and Urban Development is both the owner and plaintiff and seeks to recover possession in order to vacate the property prior to sale (LAMC 151.09.A.12).
6. The eviction is due to a Residential Hotel Unit conversion and demolition (LAMC 151.09.A.13).
7. The landlord seeks to recover possession of the rental unit to convert the subject property to an affordable housing accommodation (LAMC 151.09.A.14).
8. The landlord demolishes the property or converts the use of the property to condominiums, stock cooperatives, community apartment projects, hotels and commercial uses, regardless of whether the property is subject to the RSO (LAMC 47.06 & 47.07).



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# Rent Stabilization Bulletin

## Relocation Assistance

### How Much Relocation Assistance Is Required?

The amount of relocation fees due to the tenants by the landlord depends on whether the tenant is an **eligible** or **qualified** tenant, the length of tenancy, and the tenant's income. Relocation Assistance is paid per unit, not per tenant. For relocation amounts, refer to the Relocation Assistance and the HUD Low Income Limits charts on page 3.

- **Qualified tenant** - A qualified tenant is any tenant who on the date of service of the written notice of termination is 62 years of age or older; handicapped, as defined in Section 50072 of the California Health and Safety Code, or disabled, as defined in Title 42 of the United States Code, Section 423; or who has one or more minor dependent children (as determined for federal income tax purposes).
- **Eligible tenant** - Unless a tenant is a qualified tenant as explained above, the tenant is an eligible tenant and is entitled to receive a relocation assistance amount that depends on length of time in the unit and income.
- **Low Income Tenant** - A tenant whose income is 80 percent or less of the Area Median Income, as adjusted for household size, as defined by the U.S. Department of Housing and Urban Development, regardless of the length of tenancy.
- **Mom and Pop properties** may pay reduced relocation assistance payments to their tenants for a good faith eviction for occupancy by the owner or eligible relative, provided that requirements in Section 151.30 of the LAMC are met.

The reduced fee for Mom and Pop properties applies, if all of the following conditions exist:

1. The building containing the rental unit contains four or fewer rental units;
2. The landlord has not utilized this provision during the previous three years;
3. The landlord owns no more than four units of residential property and a single-family home on a separate lot in the City of Los Angeles; and
4. Any eligible relative for whom the landlord is recovering possession of the rental unit does not own residential property in the City of Los Angeles.

# Rent Stabilization Bulletin

## Relocation Assistance

### Relocation Assistance Amounts Effective July 1, 2020 through June 30, 2021

Tenants	Tenants with Less Than 3 Years	Tenants with 3 or More Years	Tenants Qualifying Under HUD Low Income Limits	Tenants Renting Units in Mom & Pop Properties
Eligible Tenant	\$8,750	\$11,500	\$11,500	\$8,450
Qualified Tenant	\$18,500	\$21,900	\$21,900	\$17,050

### 2020 HUD Low Income Limits for Los Angeles (Formerly known as 80% of AMI)

Household Size	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Income Limit	\$63,100	\$72,100	\$81,100	\$90,100	\$97,350	\$104,550	\$111,750	\$118,950

A tenant whose income is 80 percent or less of the Area Median Income, as adjusted for household size, as defined by the U.S. Department of Housing and Urban Development. (Effective April 1, 2020)

### How And When Shall Landlords Provide Payment?

The Ordinance requires that relocation assistance payments be made as follows:

1. The entire fee shall be paid to a tenant who is the only tenant in a rental unit.
2. If two or more tenants occupy a rental unit, then each tenant shall be paid an equal pro-rata share of the fee.
3. If more than one fee payment amount applies to a unit, the landlord pays the higher amount for the unit.

The Ordinance requires timely relocation assistance payments as follows:

1. Payment shall be made available within fifteen (15) days of service of the written notice of eviction; however,
2. The landlord may, at the landlord's sole discretion and at the landlord's cost, elect to pay the monetary relocation benefits through an escrow account. The monies must be placed in the escrow account within the required 15-day period. The escrow account must provide for payments to the tenant(s) for actual relocation expenses incurred by the tenant prior to vacating the unit for the following relocation expenses: first and last month's rent; security deposit; utility connection charges; moving expenses. Payments from the escrow account shall be made within three (3) working days of receiving a request for payment. The remaining balance of the escrow account shall be disbursed upon certification of vacation of the rental housing unit. (Refer to bulletin *How to Set-Up Relocation Escrow Accounts* or RAC Regulations, Section 960.00.)



# Rent Stabilization Bulletin

## Relocation Assistance

### Exemptions from Relocation Assistance Payments

Landlords are exempt from paying relocation assistance when:

1. Evicting a resident manager to replace him/her with another resident manager. If the resident manager is a *Manager-Tenant* receiving free or reduced rent with no other compensation, he/she may be entitled to relocation assistance. (See RAC Regulations 920.00, Managers as Tenants.)
2. They are required to evict due to hazardous conditions caused by a natural disaster and, therefore, not caused by any negligence on the part of the landlord.

### Administrative Fees Related to Relocation Assistance

1. All landlords who file an application which requires relocation assistance to be provided to tenants shall pay the *Relocation Service Fee*, according to the tenants Eligible or Qualified status AND a *Relocation Administrative Fee* per rental unit.
2. All property owners that seek the HCIDLA's clearance of a Planning or Building and Safety Department demolition permit shall pay a *Demolition Monitoring Administrative Fee*.
3. Requests for a hearing to appeal a decision regarding a tenant's relocation assistance eligibility for higher relocation assistance based on a tenant's income, age, length of tenancy, family status and/or disability status must be filed along with the *Relocation Assistance Dispute Resolution Fee* (LAMC 151.09.G).
4. When the termination of tenancy is due to recover possession of the rental unit for use of occupancy as a primary place of residence by the landlord, landlord's qualified family member, or resident manager, the landlord shall pay an administrative fee for the filing of the application (LAMC 151.09.C.2).

FEE TYPE	FEE PER UNIT
Relocation Service Fee for Eligible Tenants	\$498
Relocation Service Fee for Qualified Tenants	\$802
Relocation Service Administrative Fee	\$69
Demolition Monitoring Administrative Fee	\$45
Relocation Assistance Dispute Resolution Fee	\$250
Residential Hotel Ordinance—Claim of Exemption	\$205 per application
Landlord Declaration for Owner, Eligible Relative, or Resident Manager Occupancy Filing Fee	\$75

# Rent Stabilization Bulletin

## Relocation Assistance

### RELOCATION ASSISTANCE QUESTIONS

***Can a tenant request relocation fees and services prior to being served with a Notice to Terminate Tenancy, if a tentative parcel or tract map for a condominium conversion has been approved?***

If a tentative parcel or tract map for a condominium conversion has been approved by the City of Los Angeles Planning Department, the tenant may elect to relocate without receiving a *Notice to Terminate Tenancy* from the landlord (LAMC Sec. 47.06.D.2). The landlord, however, is still responsible for the payment of relocation assistance in these cases.

***How and where do I establish an escrow account, if I choose to do so?***

The landlord may place the escrow account in any bank, savings and loan association, or credit union with federal deposit insurance, or with any broker who is licensed by the California Corporate Commission, or with a client trust account of an attorney currently eligible to practice law in California pursuant to the records of the State Bar of California that is reasonably accessible to the tenant(s) during normal business hours. (Refer to bulletin *How to Set-Up Relocation Escrow Accounts* or RAC Regulations, Section 960.00.)

***On what basis does a tenant file a complaint, and how?***

**Non-payment dispute** - In an action by the landlord to recover possession of a rental unit, the tenant may raise as an affirmative defense the failure of the landlord to provide relocation assistance. Complaint forms may be obtained and filed with the HCIDLA for illegal eviction when the landlord has not provided relocation assistance.

**Escrow Dispute** - Where there is an escrow dispute, dispute notices must be sent by registered mail or delivered to the HCIDLA at any of its Public Information Counters, on the second (2nd) working day following presentation of the dispute notice to the opposing party. A copy of the escrow instructions must accompany the notice.

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Site Address: **2969 S Kelton Ave., Los Angeles CA 90024**

Tentative Tract No.: **82689**

Unit#	No. of Bedrooms	Aproximate Square Footage	Estimated Sale	Estimated Sale Price to Tenant
101	2	1,245	\$933,495	\$933,495
102	2	1,190	\$892,815	\$892,815
103	2	1,317	\$987,788	\$987,788
104	2	1,262	\$946,440	\$946,440
105	2	1,545	\$1,158,758	\$1,158,758
106	2	1,152	\$864,218	\$864,218
201	2	1,243	\$931,883	\$931,883
202	2	1,185	\$888,773	\$888,773
203	2	1,314	\$985,290	\$985,290
204	2	1,249	\$936,525	\$936,525
205	2	1,535	\$1,150,875	\$1,150,875
206	2	1,147	\$860,520	\$860,520
301	2	1,243	\$932,093	\$932,093
302	2	1,189	\$891,480	\$891,480
303	2	1,315	\$986,310	\$986,310
304	2	1,260	\$945,023	\$945,023
305	2	1,543	\$1,157,018	\$1,157,018
306	2	1,151	\$862,928	\$862,928

TENANT INFORMATION CHART (AT TIME OF FILING APPLICATION)  
FOR DEMOLITIONS, CONDOMINIUM CONVERSIONS AND COASTAL TRACTS

Address of Project\* 2969 S. Kelton Ave, Los Angeles CA

Tract No. \_\_\_\_\_

Prepared by J. Schwartz Date 5/1/19

FOR ALL TRACTS

Apt. No.	Name of Tenant	Age	Disabled		No. of Minor Children (18 or under)	No. of Bedrooms	Rent Schedule		OFFICE USE ONLY	
			Yes	No			18 Months prior to filing	At time of filing	Approval CP-6343	Purchase CP-6344
101	Patrick Cimino	57		X	—	2	\$ 400	\$400		
101	Rebecca Cimino	53		X	—	2	\$ 400	\$400		
102	Joshua Rich	43		X	1	2	\$2800	\$2950		
102	Erica Rich	43		X	—	2	\$2800	\$2950		
103	Valerie Zora	45		X	2	2	\$2675	\$2900		
104	Nikki Orin	46		X	2	2	\$2750	\$2895		
104	Medji Sama	42		X	—	2	\$2750	\$2895		
105	Chelsey Sobel	27		X	—	3	\$3295	\$3295		
↓	Maya Raymond	28		X	—	↓	↓	↓		
↓	Rachel Smith	27		X	—	↓	↓	↓		
↓	Leah Smith	26		X	—	↓	↓	↓		
106	Andrea Terada	40		X	—	2	\$2550	\$2750		
106	Angela Pich	41		X	—	2	\$2550	\$2750		
201	Kazimierz Grzeskowiak	79		X	—	2	\$2625	\$2795		
201	Jana Grzeskowiak	33		X	—	↓	\$2625	\$2795		

\* If multiple addresses use separate sheets for each address.

TENANT INFORMATION CHART (AT TIME OF FILING APPLICATION)  
FOR DEMOLITIONS, CONDOMINIUM CONVERSIONS AND COASTAL TRACTS

Address of Project 2969 S Belton, Los Angeles CA

Tract No. \_\_\_\_\_

Prepared by J. Schwartz Date 5/1/19

FOR ALL TRACTS

Apt. No.	Name of Tenant	Age	Disabled		No. of Minor Children (18 or under)	No. of Bedrooms	Rent Schedule		OFFICE USE ONLY	
			Yes	No			18 Months prior to filing	At time of filing	Approval CP-6343	Purchase CP-6344
202	Steven Ackerman	48		X	—	2	\$2925	\$3050		
202	Marissa Ackerman	43		X	—	2	\$2925	\$3050		
203	Lynn Michelson	70		X	—	2	\$2945	\$2800		
204	Margaret Oroganu Mike Oroganu	30 49		X	—	2	\$2995	\$2995		
205	Lorna Shepard	72 ±		X	—	3	—	\$3000		
206	Jerry Markker Kana Kana Markker	35 36		X	2	2	\$2850	\$2900		
301	Amber Rivas	48		X	2	2	\$2995	\$2995		
302	Neha Gupta? Cecil Patel	31 31		X	—	2	\$2995	\$3075		
303	Susanna Khatil Miriam Guggis	36 36		X	—	2	\$2795	\$2895		
304	Conrad Wilson Michelle Wilson	45 43		X	—	2	—	\$3195		
305	Carmen O'Rourke	31		X	0	3	\$3475	\$3000		
305	Euzel Bayguzina Christina Tran	30		X	0	↓	↓	↓		
306	Mary Limb? Cheng Limb	51 59		X	1	2	\$2925	\$3050		

\* If multiple addresses use separate sheets for each address.



PATRICK CIMINO  
REBECCA CIMINO  
2969 S. KELTON AVENUE, #101  
LOS ANGELES, CA 90064

STEVEN ACKERMAN  
MARISSA ACKERMAN  
2969 S. KELTON AVENUE, #202  
LOS ANGELES, CA 90064

GUZEL BAYGUZINA  
CHRISTINA TRAN  
2969 S. KELTON AVENUE, #305  
LOS ANGELES, CA 90064

JOSHUA RICH  
ERICA RICH  
2969 S. KELTON AVENUE, #102  
LOS ANGELES, CA 90064

LYNN MICHELSEN  
2969 S. KELTON AVENUE, #203  
LOS ANGELES, CA 90064

MARY LIMB  
CHANG LIMB  
2969 S. KELTON AVENUE, #306  
LOS ANGELES, CA 90064

VALERIE ZARA  
2969 S. KELTON AVENUE, #103  
LOS ANGELES, CA 90064

MARGARET OBOGEANU  
MIKE OBOGEANU  
2969 S. KELTON AVENUE, #204  
LOS ANGELES, CA 90064

NIKKI ORINA  
MEDJI SAMA  
2969 S. KELTON AVENUE, #104  
LOS ANGELES, CA 90064

LORNA SHEPARD  
2969 S. KELTON AVENUE, #205  
LOS ANGELES, CA 90064

CHELSEY SOBEL  
2969 S. KELTON AVENUE, #105  
LOS ANGELES, CA 90064

JERRY MARKAR  
KANAKARA MARKAR  
2969 S. KELTON AVENUE, #206  
LOS ANGELES, CA 90064

MAYA RAYMOND  
2969 S. KELTON AVENUE, #105  
LOS ANGELES, CA 90064

AMBER RIVERS  
2969 S. KELTON AVENUE, #301  
LOS ANGELES, CA 90064

RACHEL SMITH  
2969 S. KELTON AVENUE, #105  
LOS ANGELES, CA 90064

NEHA GUPTA  
CECIL PATEL  
2969 S. KELTON AVENUE, #302  
LOS ANGELES, CA 90064

LEAH SMITH  
2969 S. KELTON AVENUE, #105  
LOS ANGELES, CA 90064

SUSANNA KHALIL  
MIRIAM GUIRGUS  
2969 S. KELTON AVENUE, #303  
LOS ANGELES, CA 90064

ANGELO PIOLI  
2969 S. KELTON AVENUE, #106  
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CONRAD WILSON  
MICHELLE WILSON  
2969 S. KELTON AVENUE, #304  
LOS ANGELES, CA 90064

KAZIMIERZ GRZESKOWIAK  
JENNA GRZESKOWIAK  
2969 S. KELTON AVENUE, #201  
LOS ANGELES, CA 90064

CARMEN O'ROURKE  
2969 S. KELTON AVENUE, #305  
LOS ANGELES, CA 90064

Site Address: **2969 S Kelton Ave., Los Angeles CA 90024**

Tentative Tract No.: **82689**

Unit#	No. of Bedrooms	Aproximate Square Footage	Estimated Sale	Estimated Sale Price to Tenant
101	2	1,245	\$933,495	\$933,495
102	2	1,190	\$892,815	\$892,815
103	2	1,317	\$987,788	\$987,788
104	2	1,262	\$946,440	\$946,440
105	2	1,545	\$1,158,758	\$1,158,758
106	2	1,152	\$864,218	\$864,218
201	2	1,243	\$931,883	\$931,883
202	2	1,185	\$888,773	\$888,773
203	2	1,314	\$985,290	\$985,290
204	2	1,249	\$936,525	\$936,525
205	2	1,535	\$1,150,875	\$1,150,875
206	2	1,147	\$860,520	\$860,520
301	2	1,243	\$932,093	\$932,093
302	2	1,189	\$891,480	\$891,480
303	2	1,315	\$986,310	\$986,310
304	2	1,260	\$945,023	\$945,023
305	2	1,543	\$1,157,018	\$1,157,018
306	2	1,151	\$862,928	\$862,928

9 s kelton ave los angeles



For Rent

Price

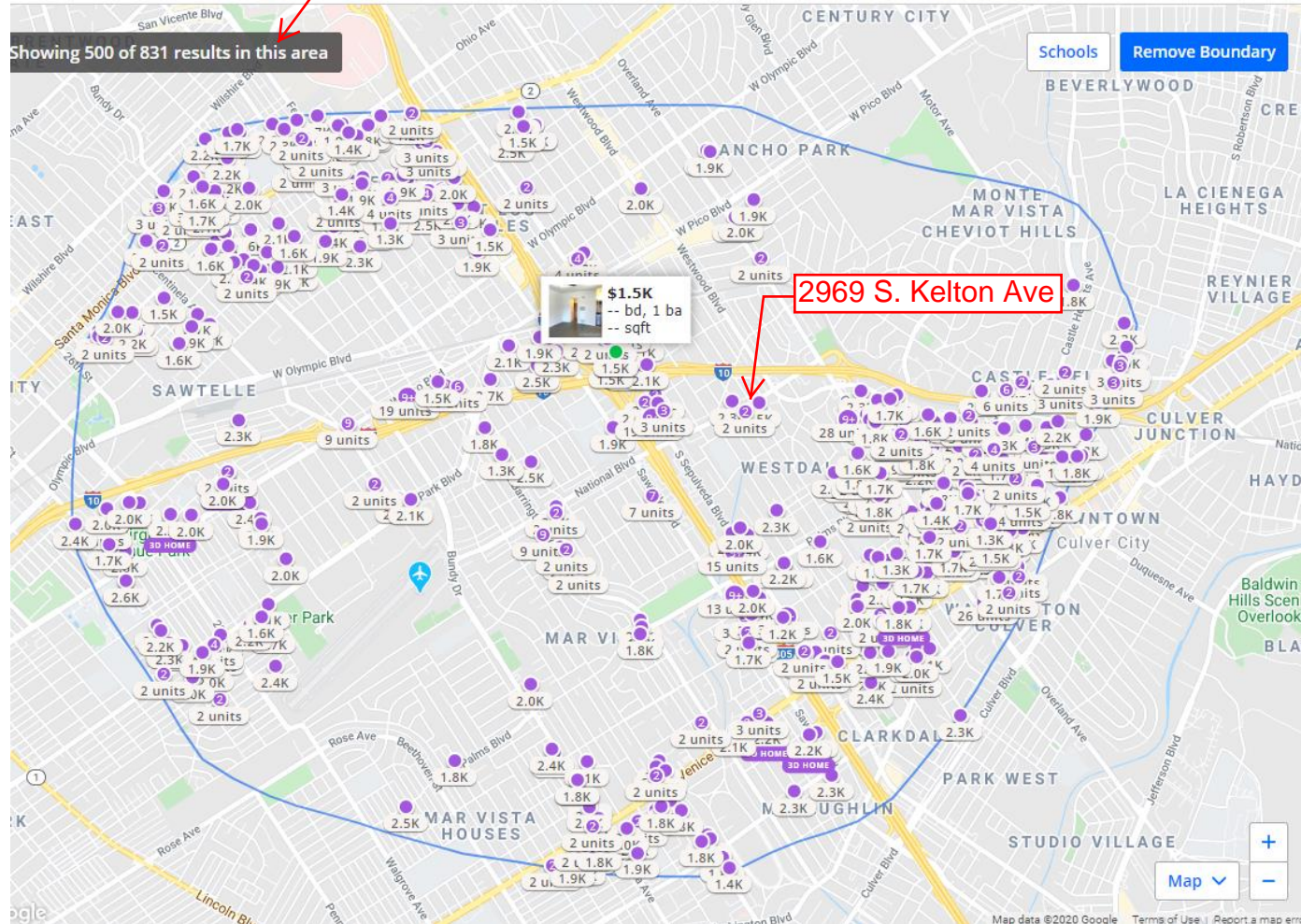
Beds & Baths

Home type

More

Save search

Showing 500 of 831 results in this area



831 UNITS ARE  
AVAILABLE FOR RENT  
WITHIN 1.5 MILES

**\$1,495/mo** Studio | 1 ba | -- sc  
2589 S Sepulveda Blvd #1A, Los Angeles, CA 90  
Apartment for rent



**\$1,495/mo** Studio | 1 ba | 400 sc  
1537 Franklin St #B, Santa Monica, CA 90404  
Apartment for rent



**\$1,495/mo** Studio | 1 ba | 500 sc  
3765 Motor Ave #12, Los Angeles, CA 90034  
Apartment for rent



**\$1,495/mo** Studio | 1 ba | -- sc  
Studio \$1,495/mo



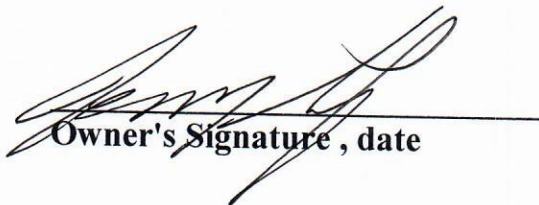
**CONDOMINIUM CONVERSION FOR:  
2969 S. KELTON AVE AVE.  
LOS ANGELES, CA 90064**

**CERTIFICATION OF CONDOMINIUM CONVERSION**

The owner of the property certifies the followings:

That any person who becomes a tenant after the date of application will be given written notice of the pending application prior to any written or oral rental agreement.

That any person who applies for a rental after the original notice will be given written notice of pending application prior to acceptance of any rent or deposit.

  
Owner's Signature , date

## NOTICE TO EXISTING TENANTS

**Kelton Equities, LLC**  
1730 S. Colby Ave #100  
Los Angeles, CA 90025

Name(s): Patrick Cimino  
2969 S. Kelton Ave. Unit #101  
Los Angeles, CA 90064

The owner(s) of this building, at 2969 S. Kelton Ave. Unit #101, Los Angeles, CA 90064, plans to file a Tentative Tract map with the city of Los Angeles to convert this building to a condominium. you shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the government code and a written copy of the relocation assistance provisions of Subsection G of section 12.95.2, 47.06 & 47.07 of the Condominium Conversion Ordinance. You have the right to appear and the right to be heard at any such hearing.

*Stern Property Management 04/06/2020*

-----  
Owner Date

DocuSigned by:  
*Patrick Cimino* 4/17/2020  
-----  
75C2413C6AF14F7...  
Tenant Date

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Tenant Date

## NOTICE TO EXISTING TENANTS

**Kelton Equities, LLC**  
1730 S. Colby Ave #100  
Los Angeles, CA 90025

Name(s): Joshua Rich and Erica Rich  
2969 S. Kelton Ave. Unit #102  
Los Angeles, CA 90064

The owner(s) of this building, at 2969 S. Kelton Ave. Unit #102, Los Angeles, CA 90064, plans to file a Tentative Tract map with the city of Los Angeles to convert this building to a condominium. you shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the government code and a written copy of the relocation assistance provisions of Subsection G of section 12.95.2, 47.06 & 47.07 of the Condominium Conversion Ordinance. You have the right to appear and the right to be heard at any such hearing.

*Stern Property Management 04/06/2020*

-----  
Owner Date

DocuSigned by:  
 4/7/2020  
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CBA643BD3DFA43C...  
Tenant Date

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Tenant Date



## NOTICE TO EXISTING TENANTS

**Kelton Equities, LLC**  
1730 S. Colby Ave #100  
Los Angeles, CA 90025

Name(s): Andrea Terada and Angelo Pioli  
2969 S. Kelton Ave. Unit #106  
Los Angeles, CA 90064

The owner(s) of this building, at 2969 S. Kelton Ave. Unit #106, Los Angeles, CA 90064, plans to file a Tentative Tract map with the city of Los Angeles to convert this building to a condominium. you shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the government code and a written copy of the relocation assistance provisions of Subsection G of section 12.95.2, 47.06 & 47.07 of the Condominium Conversion Ordinance. You have the right to appear and the right to be heard at any such hearing.

*Stern Property Management 04/06/2020*

-----  
Owner

Date

DocuSigned by:

*Andi Terada*

4/7/2020

8072F777AB484A8...

-----  
Tenant

Date

DocuSigned by:

*Angelo Pioli*

4/6/2020

32056ECD1CBE465...

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Tenant

Date

## NOTICE TO EXISTING TENANTS

**Kelton Equities, LLC**  
1730 S. Colby Ave #100  
Los Angeles, CA 90025

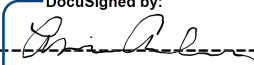
Name(s): Steven Ackerman and Marissa Ackerman  
2969 S. Kelton Ave. Unit #202  
Los Angeles, CA 90064

The owner(s) of this building, at 2969 S. Kelton Ave. Unit #202, Los Angeles, CA 90064, plans to file a Tentative Tract map with the city of Los Angeles to convert this building to a condominium. you shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the government code and a written copy of the relocation assistance provisions of Subsection G of section 12.95.2, 47.06 & 47.07 of the Condominium Conversion Ordinance. You have the right to appear and the right to be heard at any such hearing.

*Stern Property Management 04/06/2020*

-----  
Owner

Date

DocuSigned by:  
  
-----  
Tenant

4/6/2020

D3F2CC933BAF433...

Date

-----  
Tenant

Date

## NOTICE TO EXISTING TENANTS

**Kelton Equities, LLC**  
1730 S. Colby Ave #100  
Los Angeles, CA 90025

Name(s): Margaret and Mike Obogeanu  
2969 S. Kelton Ave. Unit #204  
Los Angeles, CA 90064

The owner(s) of this building, at 2969 S. Kelton Ave. Unit #204, Los Angeles, CA 90064, plans to file a Tentative Tract map with the city of Los Angeles to convert this building to a condominium. you shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the government code and a written copy of the relocation assistance provisions of Subsection G of section 12.95.2, 47.06 & 47.07 of the Condominium Conversion Ordinance. You have the right to appear and the right to be heard at any such hearing.

*Stern Property Management 04/06/2020*

-----  
Owner Date

DocuSigned by:  
-----*Margaret Obogeanu*----- 4/6/2020  
68CA83DB00A1405...  
Tenant Date

DocuSigned by:  
-----*Mike Obogeanu*----- 4/6/2020  
E5FCBC687B8C464...  
Tenant Date



## NOTICE TO EXISTING TENANTS

**Kelton Equities, LLC**  
1730 S. Colby Ave #100  
Los Angeles, CA 90025

Name(s): Amber Rivas  
2969 S. Kelton Ave. Unit #301  
Los Angeles, CA 90064

The owner(s) of this building, at 2969 S. Kelton Ave. Unit #301, Los Angeles, CA 90064, plans to file a Tentative Tract map with the city of Los Angeles to convert this building to a condominium. you shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the government code and a written copy of the relocation assistance provisions of Subsection G of section 12.95.2, 47.06 & 47.07 of the Condominium Conversion Ordinance. You have the right to appear and the right to be heard at any such hearing.

*Stern Property Management 04/06/2020*

-----  
Owner Date

DocuSigned by:  
*Amber Rivas*  
60DA92680E6E4C8...

4/6/2020

-----  
Tenant Date

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Tenant Date

## NOTICE TO EXISTING TENANTS

**Kelton Equities, LLC**  
1730 S. Colby Ave #100  
Los Angeles, CA 90025

Name(s): Neha Gupta and Cecil Patel  
2969 S. Kelton Ave. Unit #302  
Los Angeles, CA 90064

The owner(s) of this building, at 2969 S. Kelton Ave. Unit #302, Los Angeles, CA 90064, plans to file a Tentative Tract map with the city of Los Angeles to convert this building to a condominium. you shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the government code and a written copy of the relocation assistance provisions of Subsection G of section 12.95.2, 47.06 & 47.07 of the Condominium Conversion Ordinance. You have the right to appear and the right to be heard at any such hearing.

*Stern Property Management 04/06/2020*

Owner

Date

DocuSigned by:

*Neha Gupta*

4/6/2020

B17DAC2A0A06454...

Tenant

Date

DocuSigned by:

*Cecil Patel*

4/6/2020

82ED4C2590CA486...

Tenant

Date

## NOTICE TO EXISTING TENANTS

**Kelton Equities, LLC**  
1730 S. Colby Ave #100  
Los Angeles, CA 90025

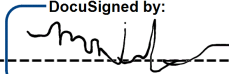
Name(s): Michelle Wilson  
2969 S. Kelton Ave. Unit #304  
Los Angeles, CA 90064


The owner(s) of this building, at 2969 S. Kelton Ave. Unit #304, Los Angeles, CA 90064, plans to file a Tentative Tract map with the city of Los Angeles to convert this building to a condominium. you shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the government code and a written copy of the relocation assistance provisions of Subsection G of section 12.95.2, 47.06 & 47.07 of the Condominium Conversion Ordinance. You have the right to appear and the right to be heard at any such hearing.

*Stern Property Management 04/06/2020*

Owner

Date

DocuSigned by:  
  
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E29BDD6C19564AE...  
Tenant Date

DocuSigned by:  
  
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6DA4F5A60178419...  
Tenant Date



## NOTICE TO EXISTING TENANTS

**Kelton Equities, LLC**  
1730 S. Colby Ave #100  
Los Angeles, CA 90025

Name(s): Austin Brown and Priscilla Muschamp  
2969 S. Kelton Ave. Unit #305  
Los Angeles, CA 90064

The owner(s) of this building, at 2969 S. Kelton Ave. Unit #305, Los Angeles, CA 90064, plans to file a Tentative Tract map with the city of Los Angeles to convert this building to a condominium. you shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the government code and a written copy of the relocation assistance provisions of Subsection G of section 12.95.2, 47.06 & 47.07 of the Condominium Conversion Ordinance. You have the right to appear and the right to be heard at any such hearing.

*Stern Property Management 04/06/2020*

Owner

Date

DocuSigned by:

*Austin Brown*

4/6/2020

77334F9A28B444...

Tenant

Date

DocuSigned by:

*Priscilla Muschamp*

4/7/2020

BD24A5CBCDC1416...

Tenant

Date

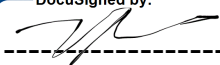
## NOTICE TO EXISTING TENANTS

**Kelton Equities, LLC**  
1730 S. Colby Ave #100  
Los Angeles, CA 90025

Name(s): Amy Luong, Andre Caoili, Michael Catbagan, Isaac Vaughn  
2969 S. Kelton Ave. #306  
Los Angeles, CA 90064

The owner(s) of this building, at 2969 S. Kelton Ave. #306 Los Angeles, CA 90064, plans to file a Tentative Tract map with the city of Los Angeles to convert this building to a condominium. you shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the government code and a written copy of the relocation assistance provisions of Subsection G of section 12.95.2, 47.06 & 47.07 of the Condominium Conversion Ordinance. You have the right to appear and the right to be heard at any such hearing.

DocuSigned by:  
  
5/11/2020  
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Owner Date

DocuSigned by:  
  
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Tenant Date

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Tenant Date

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Tenant Date

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| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
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City, State, ZIP+4®



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☐ Adult Signature Required \$ \_\_\_\_\_  
☐ Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

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Total Postage and Fees

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City, State, ZIP+4®

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| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

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Total Postage and Fees

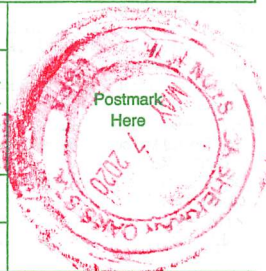
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Street and Apt. No., or PO Box No.

2969 S. Kelton Ave #203

City, State, ZIP+4®



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LOS ANGELES, CA 90064

Certified Mail Fee

\$ **\$3.55**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$0.00**

☐ Return Receipt (electronic) \$ **\$0.00**

☐ Certified Mail Restricted Delivery \$ **\$0.00**

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$ **\$0.00**

Postage

\$ **\$0.55**

Total Postage and Fees

\$ **\$4.10**

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2969 S. Kelton Ave #205

City, State, ZIP+4<sup>®</sup>



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**OFFICIAL USE**

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|--|----|-------|
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| <input type="checkbox"/> Return Receipt (electronic)         | \$ | _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ | _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

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Total Postage and Fees

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2969 S. Kelton Ave #206

City, State, ZIP+4®





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**OFFICIAL USE**

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

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| <input type="checkbox"/> Adult Signature Required            | \$ | _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | _____ |

Postage

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**Total Postage and Fees**

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*Sent To*

*Street and Apt. No., or PO Box No.*

~~155~~ 2969 S. Kelton Ave #303

*City, State, ZIP+4®*



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957C 2474 2000 049T 6100

**EXHIBIT H**

**CONDOMINIUM CONVERSION**

**REQUIREMENTS**



## Condominium Conversion

Exhibit \_\_\_\_

Tract Map No. \_\_\_\_\_ or Parcel Map No. \_\_\_\_\_

I (we) do hereby promise, covenant and agree to and with the City of Los Angeles and the Advisory Agency of said City that pursuant to Sections 12.95.2 and 47.06 of the Los Angeles Municipal Code (LAMC) and applicable provisions of the Subdivision Map Act:

- A. Each of the tenants of the proposed condominium conversion has been or will be given a 180-day written notice of Termination of Tenancy prior to the proposed conversion. Anyone becoming a tenant after the date of filing of the Tentative Tract Map or Preliminary Parcel Map application shall be notified in writing prior to entering into a rental agreement but shall not be entitled to 180-day notice of intent to convert. (Section 66427.1 of the Subdivision Map Act mandates 180-day notice of intention to convert rather than 120 days as is found in the LAMC.); and shall not be entitled to relocation benefits or services unless expressly agreed in writing with the landlord. Eligible Tenants, as defined in LAMC 12.95.2 G.2, shall be entitled to receive relocation benefits and services as noted in Paragraphs B and D below. (Note: This is not a notice of termination - see Paragraph "E" below.)
- B. Each of the tenants of the proposed condominium conversion project must be given written notice of an exclusive right to contract for the purchase of the dwelling unit occupied by the tenant upon the same or more favorable terms and conditions than those on which such unit will be initially offered to the general public. In the event a tenant's existing unit is required to be combined with an adjacent unit, another unit of comparable size and amenities shall be offered to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the California Business and Professions Code unless the applicant receives prior written notice of the tenant's intention not to exercise the right.
- C. Each eligible tenant will be given assistance in finding a comparable replacement rental unit by a contractor hired by the Los Angeles Housing Department (LAHD). Comparability shall be determined from the following factors: size; price; location; proximity to medical and recreational facilities, parks, community centers, shops, transportation, school, churches and synagogues; amenities. A unit is not comparable if it is located in a building for which an application for conversion purposes has been filed with any governmental agency. Such assistance shall be available to all eligible tenants within 10 days of the date on which the 180-day notice terminating the tenancy is sent to each tenant; or, if no notice terminating the tenancy has been given, within 15 days from the date the eligible tenant gives notice of the eligible tenant's intent to terminate the tenancy, or the date of preliminary parcel map or tentative map approval, whichever date is later. Such assistance shall include, at a minimum,



the following services:

1. Obtain at no cost to the tenant the services of persons who prepare rental availability reports;
2. Make available to each tenant an updated report concerning the availability of comparable rental housing in the area of the tenants present unit;
3. Drive tenants without cars and assist tenants with cars in order to inspect units;
4. Hire an ambulance or similar vehicle (at no cost to the tenant) and assist any handicapped or disabled tenant with relocation-related activities;
5. Provide other personal services related to relocation to each tenant.

D. Relocation Fee: The applicant shall pay a relocation fee in the following amounts to each Eligible Tenant (defined in the 'Definitions' Section Below) and to each tenant Entitled to Special Protection (defined in 'Definitions' Section Below). If more than one fee applies to a rental unit, the applicant shall pay the highest of the applicable fees:

1. To Eligible Tenants:

- (i) Eligible Tenants who have resided in their rental unit for fewer than three years **and** whose income is above 80% of the AMI (Area Median Income): \$7,600;
- (ii) Eligible Tenants who have resided in their rental unit for more than three years **or** whose income is less than 80% AMI (Area Median Income) regardless of the length of tenancy: \$10,050;

2. To Eligible Tenants Entitled to Special Protection:

- (i) Eligible Tenants to Special Protection who have resided in their rental unit for fewer than three years **and** whose income is above 80% of the AMI (Area Median Income): \$16,100;
- (ii) Eligible Tenants Entitled to Special Protection who have resided in their rental unit for more than three years **or** whose income is less than 80% of the AMI (Area Median Income) regardless of their length of tenancy: \$19,000;

3. Tenants who claim eligibility for special protection under this subparagraph shall file a statement with LAHD verifying their income on a form prescribed by LAHD. If the applicant disputes the tenant's self-certification of the tenant's stated income eligibility, such dispute shall be resolved by the LAHD in an adjudicatory proceeding for which the applicant shall pay a fee of \$186. Each of the foregoing amounts shall be adjusted on an annual basis pursuant to the formula set forth in LAMC Section 151.06 D, rounded to the nearest \$50.

4. The applicant shall also pay to LAHD a fee in the amount of \$752 for each unit occupied by a tenant entitled to 'special protection' (senior - over 62, handicapped or disabled as defined below); and \$491 for all other eligible tenants, together with an administrative fee of \$59 per unit to pay for the administrative costs in providing the tenant relocation services by the City's Relocation Assistance Service Provider to each tenant as noted in Paragraph 'c' above. Each of these amounts may be increased in an amount based on the Consumer Price Index - All Consumers averaged for the first 12-Month period ending September 30, of each year, as determined and published by LAHD on or before May 30, of each year, pursuant to LAMC Section 151.07 A.6.
- E. Continued Tenancy Pending Relocation. Until each eligible tenant is successfully relocated, the tenant shall be permitted to reside in the unit presently occupied in the conversion project. There shall be no time limit for such continued tenancy for each tenant qualified for "special protection". In all other cases, the applicant is not required to consent to continued tenancy beyond 12 months from the date of Tentative Tract Map or Preliminary Parcel Map approval or the date on which the 180-day notice of intent to convert is given to all tenants, whichever date is later. All eligible tenants wishing to terminate their lease after approval of the Tentative Tract Map or Preliminary Parcel Map are entitled to full relocation services and payments in accordance with LAMC Section 47.06 D regardless of whether a 180-day notice of intent to convert has been given to the tenant.
- F. Each of the eligible tenants of the proposed condominium conversion remaining in possession has been, or will be given written notification within 10 days of approval of a final map for the proposed conversion and of their rights to relocation services and financial assistance pursuant to LAMC Section 47.06 D.
- G. That satisfactory evidence will be submitted to the Advisory Agency that the preceding has been accomplished in accordance with the Relocation Assistance Plan submitted at the time of filing.
- H. Dispute Resolution: Pursuant to the LAMC Section 12.95.2 G.9, in case of dispute between tenants, the applicant, or the City, the Advisory Agency will interpret the application of this covenant and agreement following a hearing before a duly authorized representative of the Advisory Agency.
- I. The property owner shall provide written proof that each eligible and qualified tenant has received a copy of this covenant.

## DEFINITIONS:

1. **Eligible Tenant:** The term "eligible tenant" means any tenant who (a) was a resident of the property both on the date of application and the date of preliminary approval of such map and (b) who does not intend to purchase a unit in the conversion project.
2. **Eligible Tenant Entitled to Special Protection:** An eligible tenant is entitled to "special protection" if the tenant satisfies any of the following criteria: has attained age 62; is handicapped as defined in Section 50072 of the California Health and Safety Code; is disabled

as defined in Title 42 United States Code Section 423; is residing with one or more minor dependent children; or is a resident of a low to moderate cost housing unit.

**NOTE:** Fee amounts shall be adjusted on an annual basis pursuant to the formula set forth in LAMC Section 151.06 D.





## Procedures for Withdrawing Rental Units from the Rental Housing Market

This packet provides information, regulations and required forms related to City of Los Angeles requirements regarding the withdrawal of rental units from the rental housing markets. Please note that these regulations only pertain to rental units subject to the City's Rent Stabilization Ordinance (Los Angeles Municipal Code, Chapter XV). **Must make an appointment for application submission. Virtual appointments are available. Please request one online at: <https://lahd.service-now.com/appt>**

Please read the entire packet carefully to understand the owner's legal obligations and consequences of withdrawing the units.

### Packet Contents

Instructions and Deadlines

Summary of Ellis Provisions of the Rent Stabilization Ordinance

Steps for Withdrawing Rental Units

Forms E1 to E8

Payment of Registration Fees Instructions and Conditional Exemption Form

Affordable Exemption Instructions and Application for new construction

Ellis Act Provisions (LAMC)

### Other Resources Not in This Packet (available online):

[Relocation Assistance Escrow Account RAC Regulation Section 960](#): Rules and sample instructions.

[Land Use Services](#): Applicable if demolishing units and for all [SB 8 projects](#). **Most demolition of RSO units with new housing developments will be SB 8. SB 8 tenant protections are summarized in red in this packet. Landlords are strongly recommended to contact Land Use before initiating the demolition or eviction process.**

Contact: [Lahd-landuse@lacity.org](mailto:Lahd-landuse@lacity.org)

[SB 8 Planning Department Services](#) May be applicable if demolishing units.

Contact: [planning.PARP@lacity.org](mailto:planning.PARP@lacity.org)



Los Angeles Housing Department  
PO BOX 17100 Los Angeles, CA 90057

## LANDLORD INSTRUCTIONS AND DEADLINES

	FORM / DOCUMENT	INSTRUCTION	DEADLINE	
1	<b>Form E1:</b> Memorandum Summarizing Non-Confidential Provisions of a Notice of Intent to Withdraw Units from Rental Housing Use	Complete form, notarize signatures, record with the Los Angeles County Recorder's Office. Provide the recorded form with the <u>recording stamp</u> for LAHD filing appointment.	Record before and submit for LAHD Appointment	
2	<b>Form E2:</b> Notice of Intent to Withdraw Units from Rental Housing Use	Complete form, schedule filing appointment at (213) 808-8537 or online <a href="https://lahd.service-now.com/appt">https://lahd.service-now.com/appt</a> . Required even if all units are vacant.	On LAHD Appointment	
3	Grant Deed	Submit a copy for LAHD on appointment	On LAHD Appointment	
4	Corporate or Trust documents (ie Articles of Incorporation, Partnership agreement), if not owned by a natural	Submit a copy for LAHD appointment. Document must readily confirm managing member(s), president, general partner or person(s) authorized to sign.	On LAHD Appointment	
5	Fees	Pay all application fees	On date of Filing	
6	<b>Form E3:</b> Copy of Notice to Tenant of Pending Withdrawal to be served to tenant	Submit a completed copy for LAHD appointment for each occupied unit. This will be served on the tenant by the owner within 5 days of the File Date, but no later.	Copy on File Date with LAHD. Serve to tenants within <b>5 days</b>	
7	Copy of <b>120-day notice</b> terminating tenancy	Submit a copy for LAHD appointment for each occupied unit. Serve the tenant the notice on the File Date <u>after</u> the appointment with LAHD.	On LAHD Appointment	
8	If demolishing or converting: LADBS Clearance Summary Worksheet (CSW) & Relocation Services OR Demolition Monitoring Application.	Submit a copy on LAHD appointment only if all units are vacant. If occupied units, file Ellis, terminate tenancy, pay relocation and wait until all units are vacant then submit application with CSW, proof of relocation payment to tenants and with \$45 per unit fee.	File after all units are vacant	

	FORM / DOCUMENT	INSTRUCTION	DEADLINE	
9	<p><b><u>Service to Tenants:</u></b></p> <ul style="list-style-type: none"> <li>• 120 day notice</li> <li>• <b>Form E3</b> Notice to Tenant of Pending Withdrawal</li> <li>• <b>Form E4</b> Notice to Landlord of Interest in Renewing Tenancy</li> </ul>	Landlords must serve each occupied unit Forms E3 and E4 within 5 days and 120 day notice on the File Date. Failure to follow this may result in rejection of the case. <b>If subject to SB 8 tenants have a right to remain in the unit up to 6 months prior to start of construction activities (1<sup>st</sup> LADBS inspection on new construction permit) which may require extensions of tenancy to all units.</b>	<p><b><u>Notices to Tenants</u></b></p> <ul style="list-style-type: none"> <li>• 120-day notice on File Date</li> <li>• <b>Form E3:</b> Within 5 days of File Date</li> <li>• <b>Form E4:</b> Serve with Form E3</li> </ul>	<input type="checkbox"/>
10	Relocation Assistance payment to tenant	Pay relocation assistance no later than <u>15 days</u> after service of the 120-day notice either directly to tenant or deposited in an escrow account with instructions served on the tenant on how to withdraw the funds (See <a href="#">RAC 960</a> ). Keep evidence of service as proof of timely payment.	Within <b>15 days</b> of service of notice of termination of tenancy	<input type="checkbox"/>
11	Notice to Landlord of Extended Tenancy	If claiming right to 1year extended tenancy, from the File Date of the Ellis, due to disability or age (62yrs+) the tenant must give written notice to landlord of entitlement to an extended tenancy. Extended tenancies must continue with same lease terms and conditions.	Tenant must give to landlord within 60 days of the File Date of the Notice of Intent to Withdraw	<input type="checkbox"/>
12	<b>Form E5:</b> Notice to City of Claims for Extended Tenancy	Owner files with Department if tenant claims extended tenancy(See #11). Tenant is entitled to 1year extension if they are disabled or elderly (62yrs+) with 1 year tenancy. <b>Extension can exceed 1 year from the File Date. If one unit has a right to 1 year then ALL units must receive 1 year extensions if project subject to SB8.</b>	Landlord must file within 30 days of tenant notification of claim to extended tenancy	<input type="checkbox"/>
13	<b>Form E6:</b> Notice to City of Extended Dates of Withdrawal	Landlords may elect to extend the tenancies of some/all tenants even if they are not disabled or elderly for up to 1-year or longer from the File Date. Owner must file completed form with the Department and give written notice to tenants of the extension and new date of withdrawal. <b>If project subject to SB 8 and at least one unit has a right to 1 year, then ALL units must receive 1 year extensions or longer to comply with SB 8.</b>	Landlord must file within 90 days of File Date of the Notice of Intent to Withdraw (Form E2) and notify tenants in writing if electing this option	<input type="checkbox"/>



	FORM / DOCUMENT	INSTRUCTION	DEADLINE	
14	<b>Form E4:</b> Notice to Landlord of Interest in Renewing Tenancy	Tenant must provide completed form to landlord within 30 days after vacating if intending to return to original unit should it be rented again within 10 years of the Withdrawal Date. Owner is requested to provide LAHD a copy. <b>Under SB 8 all tenants have a right to return to the same unit and low income tenants have a right of first refusal to the new unit. Contact <a href="#">Land Use</a> for details.</b>	Tenant must provide to landlord within 30 days after vacating	<input type="checkbox"/>
15	<b>Form E8:</b> Annual Property Status Report	The landlord must file form for (7) seven years or until the Department advises that all reporting requirements are met. The report indicates status of demolition, development, and registration of newly constructed rental units.	For <u>7 YEARS</u> on or before the anniversary of the File Date with LAHD.	<input type="checkbox"/>
16	<b>Form E7:</b> Notice of Intention to Re-Rent Withdrawn Accommodations	Landlord must file E7 form with Department if the original units will be re-rented. Unit is re-rented at same rent amount prior to withdrawal of the unit plus annual adjustments. Home-sharing (AKA short term rental) is prohibited on all RSO units even if Ellised.	Form is required for the life of the building, if re-rented. Tenants' right to return is for 10 years.	<input type="checkbox"/>
17	<b>Conditional Exemption Application</b>	After the property is vacant and removed from the rental market please complete the form to claim an exemption from the registration fees based on the withdrawal of the units.	After the property is completely vacant	<input type="checkbox"/>
18	<b>Affordable Exemption Application</b>	See attached instructions and application. The newly built units will be exempt from the RSO if the landlord: 1. Replaces the demolished RSO units with affordable units at or below 80% AMI equal to either the same number of RSO units that were demolished or 20% of the total newly built units, whichever is greater (LAMC 151.28.B). 2. Records a 55-year covenant. 3. Files an exemption application at any time after filing the Ellis forms, but before the new units are rented.	Prior to tenant move-in to new units.	<input type="checkbox"/>

# SUMMARY OF ELLIS PROVISIONS OF THE RENT STABILIZATION ORDINANCE

California Government Code Section 7060 et seq., known as the Ellis Act, establishes the right of landlords to withdraw existing housing accommodations, other than guestrooms or efficiency units within a residential hotel, from rent or lease. The Ellis Act allows local jurisdictions to adopt certain regulations controlling the withdrawal process, the return of withdrawn units to the rental market including penalties for return within two years, and the transfer of these constraints to successors in interest.

The City of Los Angeles (the City) has adopted regulations implanting certain Ellis Act Provisions into the Rent Stabilization Ordinance (RSO) which are codified in Sections 151.22 through 151.28 of the Los Angeles Municipal Code. The key provisions of these regulations are summarized below.

## A. Withdrawal Process for Landlords

- Record a memorandum (E1 form) with the County Recorder's Office.
- Fill out the Notice of Intent to Withdraw Units from Rental Housing Use (E2 Form) and gather required documents.
- Schedule an appointment for application at <https://lahd.service-now.com/appt> or if you do not have a computer call (213) 808-8537. Upload the E1 Memorandum and E2 Notice of Intent to Withdraw and required documents to your online appointment account.
- Meet with the LAHD analyst to review your forms.
- Serve tenants a Notice of Tenant of Pending Withdrawal (Form E3) and the Notice of Landlord of Interest in Renewing Tenancy (Form E4) within 5 days of filing the Notice of Intent.
- Serve tenant a minimum of 120 day notice from the date the Notice of Intent was filed with LAHD.
  - i. If the project is subject to [SB 8](#) the tenants may have a right to remain in their units up to 6 months before the start of construction activities, which could require more than 120 days or more than one year notice to tenants from the Ellis File Date. The start of construction activities is the date of the first LADBS inspection on the new construction permit.
  - ii. Senior (62+) and disabled tenants are entitled to an extension of their tenancies up to 1 year, provided they notify their landlord within 60 days of the filing date of the Notice of Intent.
  - iii. Landlords may elect to extend the tenancies of all tenants up to 1 year or longer even if not required by SB 8 or by the Ellis Act.
  - iv. Extended tenancies must continue under the same terms and conditions as existed on the filing date of the Notice of Intent.

- Tenants are entitled to relocation assistance payment from their landlord except when they signed a relocation assistance waiver prior to December 13, 2017. Waivers must be in accordance with LAMC 151.09 G.4 (b or c).

## **B. Relocation Assistance Fees**

- The landlord shall pay the relocation fees to the tenants no later than **15 days** after service of the written notice of termination.
- The landlord may elect to pay the relocation fees directly to the tenant or through an [escrow account](#).
- LAHD contracts with a Relocation Assistance Consultant. They are responsible for determining the amount of relocation fees the tenant is entitled to and to provide the tenant with replacement housing listings, along with relocation services, such as transportation to inspect replacement rental units.
- Parties may appeal the relocation amount determination within 15 calendar days of Relocation Determination date.
- Landlords show save proof of relocation payment because they are they are required to provide proof of relocation payment as part of the demolition clearance process.

## **C. Return of Withdrawn Units to the Rental Market (Re-Rental)**

- If the landlord intends to re-rent the withdrawn units, a Notice of Intention to Re-Rent Withdrawn Accommodations must be filed with LAHD. The landlord may not rent or lease any such unit, except to a tenant displaced from that unit, for a period of 30 days following the filing of that notice.
- Displaced tenants have a right to return to the unit from which they were displaced for a period of 10 years after the withdrawal of that unit from the market.
- If the units are offered for rent the accommodations shall be offered and rented or leased at the lawful rent in effect at the time any Notice of Intent to Withdraw was filed, plus annual adjustments available under LAMC 151.06. (if rented within 5 years after the withdrawal date)
- Landlords who return accommodations for rent or lease within two years of the date of withdrawal from the market must first offer the unit, via registered or certified mail, to the tenant or tenants displaced by the withdrawal, provided that the tenant or tenants advised the landlord, within 30 days of their displacement, of their desire to consider an offer to renew their tenancy.
- If a withdrawn rental unit is returned to the market within two years of the date of withdrawal, the landlord is liable through a civil action for both actual and exemplary damages to any tenant displaced from that unit. In addition, the City may also pursue civil proceedings for exemplary damages



- If the project is subject to SB 8 the low income tenants may have a right of first refusal to the newly built units. Contact the [Land Use Section](#) if the project is subject to [SB 8](#).

#### **D. Successors in Interest**

- The recorded constraints apply to any successor in interest.

#### **E. Rental of Replacement Units (New Construction)**

- If a building containing a rental unit was the subject of a Notice of Intent to Withdraw is demolished and new rental units are completed on the same property within five years of the date the rental unit that was the subject of the Notice of Intent to Withdraw was withdrawn from rent or lease, the owner may establish the initial rental rate for the newly constructed rental units. The provisions of the RSO shall apply to the newly constructed rental units.
- This section shall not apply to demolished buildings containing four or fewer rental units, if the owner of the building whose names appears on the legal title to the property, is a natural person and resided in the building for three consecutive years prior to demolition, or if the building is not yet demolished, for three consecutive years prior to filing an application for exemption. To obtain this exemption, an owner must apply to the Department for Owner Occupancy exemption pursuant to section 151.28.C.3.
- Certain rentals units may be exempt from regulation under the RSO, pursuant to the Replacement Affordable Housing Exemption provisions. Under the provisions, an owner who replaces the number of demolished rental units with an equal number of affordable housing units or 20% of the total number of newly constructed rental units, whichever is greater, may apply to the Department for an exemption of the newly constructed rental units from the provisions of the RSO. The affordable housing units must be located in the newly constructed accommodations. To obtain this exemption, an owner must apply to the Department for the Replacement Affordable Housing Exemption pursuant to section 151.28.B.

#### **F. Annual Property Status Report**

- For seven (7) years following the date of delivery to the Department of the Notice of Intent to Withdraw Rental Units from the Rental Housing Use, or until such time as the Department advises the property owner that they have complied with all reporting requirements, the property owner must file an Annual Property Status Report.

# Procedures for Withdrawing Units from the Rental Housing Market (Ellis Act Provisions: LAMC Section 151.22-151.28)

- Step 1.** Complete and record the *Memorandum Summarizing Non-Confidential Provisions of a Notice of Intent to Withdraw Units from Rental Housing Use* (Form E1) with the County Recorder and obtain a copy showing the recordation stamp for filing with LAHD.
- Step 2.** Schedule an appointment for application online <https://lahd.service-now.com/appt> or if you have no computer call (213) 808-8537.
- Step 3.** Submit the following documents by uploading to your online appointment account:
1. Copy of the County **recorded** *Non-Confidential Memorandum* (Form E1);
  2. Completed *Notice of Intent to Withdraw Units from Rental Housing Use* (Form E2);
  3. Copy of Grant Deed;
  4. Copy of Articles of Incorporation or Limited Partnership if owner is not a natural person;
  5. Copy of the *Notice of Tenant of Pending Withdrawal* (Form E3);
  6. Copy of notice terminating tenancy to be served to tenants, as required by California State Law;
  7. For Demolition or Conversion of structure: Copy of LADBS Notice of Intent to Demolish & Clearance Summary Worksheet (only if units are all vacant); and
  8. Pay Administrative fees
- Step 4.** Serve the tenant with a 120 day notice terminating their tenancy in accordance with the applicable requirements of California State Law. **If the new construction project is subject to SB 8, the landlord is required to allow tenants to remain in the unit up to 6 months prior to the start of construction activities (date of first LADBS inspection on a new construction permit)**
- Step 5.** Serve each household to be displaced with the completed *Notice to Tenant of Pending Withdrawal* (Form E3) and a blank *Notice of Interest in Renewing Tenancy* (Form E4). **This step must take place within 5 days of your filing of the Notice of Intent with LAHD in Step 3. However, it is recommended to serve the tenant on the day of filing the Notice of Intent to Withdraw with the 120 Days Notice.**
- Step 6.** Pay relocation assistance no later than **15 days** after service to tenants who will be evicted. This payment can be made either directly to the tenant or through an escrow account.
- Step 7.** Inform LAHD of any tenant claims for entitlement to extended tenancy by completing a *Notice to City of Claims for Extended Tenancy* (Form E5). **If the**

project is subject to [SB 8](#) and if it requires tenants remain in the unit up to 6 months prior to start of construction activity and if any tenant qualifies for a one year extension then ALL units MUST get a one year extension.

**Step 8.** Landlord must notify tenants in situations where the landlords elect to extend the date of withdrawal up to a year or longer for households not otherwise entitled to such an extension.

**Step 9.** Landlords must notify LAHD in situations when they elect to extend the date of withdrawal up to a year or longer for households not otherwise entitled to such an extension by filing a *Notice to City of Extended Dates of Withdrawal* (Form E6). If the project is subject to [SB 8](#) and any tenant in the property qualifies for a one year extension then ALL units MUST get a one year extension to comply with the SB 8 requirement that tenants are entitled to remain up to 6 months before the start of construction activities.

**Step 10.** If demolishing the units, submit proof of relocation payment for units, Clearance Summary Worksheet (demolition permit), the LAHD Demolition application and \$45 per unit. Landlords are strongly recommended to contact the [Land Use Section](#) before initiating the demolition or eviction process to discuss their new construction plans and determine if SB 8 applies.

Recorded at Request of and Mail To:	Space for Recorder's Use
-------------------------------------	--------------------------

**MEMORANDUM SUMMARIZING NON-CONFIDENTIAL PROVISIONS  
OF A NOTICE OF INTENT TO WITHDRAW UNITS FROM RENTAL  
HOUSING USE (Form E1)**

Submitted for Recording Pursuant To:

California Government Code Section 7060.4(a) and City of Los Angeles Municipal Code Section 151.23B.

The owner(s) of the property described in this *Memorandum* intend(s) to withdraw all accommodations (as defined by California Government Code Section 7060(b)) described herein from rent or lease pursuant to California Government Code Sections 7060 et seq. All interested parties are hereby put on notice that the future use of this property will be subject to certain restrictions, pursuant to California Government Code Sections 7060.2 and 7060.3 and Chapter 15 of the City of Los Angeles Rent Stabilization Ordinance. This *Memorandum* summarizes the non-confidential terms of a *Notice of Intent to Withdraw Units from Rental Housing Use*, which notice will be filed with the City of Los Angeles Housing & Community Investment Department.

NAME OF PROPERTY OWNERS Names should be listed as they appear on the vesting instrument. (*Attach additional sheet if necessary*)

LEGAL DESCRIPTION OF PROPERTY BEING WITHDRAWN FROM RENT OR LEASE

COMMON DESCRIPTION OF PROPERTY BEING WITHDRAWN FROM RENT OR LEASE (Street Address)



## SIGNATURES

All owners must sign, and all signatures must be notarized. Notary Acknowledgment must be attached. If there are more than two owners, copy this page and attach extra sheets.

I/we declare under penalty of perjury under the laws of the State of California that the information contained in this Memorandum Summarizing Non-Confidential Provisions of a Notice of Intent to Withdraw Units from Rental Housing Use is true and correct.

Executed on (*month, day, & year*):

At (*city & state*):

By (Print Name):

By (*signature*):

Executed on (*month, day, & year*):

At (*city & state*):

By (Print Name):

By (*signature*):

Executed on (*month, day, & year*):

At (*city & state*):

By (Print Name):

By (*signature*):

Executed on (*month, day, & year*):

At (*city & state*):

By (Print Name):

By (*signature*):



## Notice of Intent to Withdraw Units From Rental Housing Use (Ellis Act) – Form E-2

Property Information for Units to be Withdrawn from Rental Housing Use		
Address:		
City:	Zip Code:	APN:
Total No. of Buildings at Property:	No. of Buildings Withdrawn:	
Total No. Units at Property:	No. of Units Withdrawn:	
Legal Description:		
I certify that all accommodations in the structure(s) or building(s) covered by this Notice are being withdrawn from rent or lease. Per LAMC §151.09.A.10, a landlord seeking to evict tenants in order to demolish or permanently remove a unit from rental housing use may not withdraw from rent or lease less than all of the accommodations in a structure or building.		Landlord's Initials Below:
Owner Information		
First Name:	Last Name:	
Relationship to Property:	Company Name:	
Full Mailing Address:		
Work Phone:	Cell Phone:	
Home Phone:	Email:	
I declare that I am the owner of the real property described above, and I hereby notify the City of Los Angeles of my intent to withdraw the rental units indicated on this form from rental housing use. I further declare, under penalty of perjury under the laws of the State of California, that the information provided on this form and all attached pages is true, correct, and complete. <i>All owners must sign. Attach additional pages if necessary.</i>		
Print Full Name (Owner 1):	Print Full Name (Owner 2):	Print Full Name (Owner 3):
Signature:	Signature:	Signature:
Date:	Date:	Date:
Address:	Address:	Address:
City, State, Zip Code:	City, State, Zip Code:	City, State, Zip Code:
Mailing Address (All LAHD correspondence will be sent )		
Future Use of Withdrawn Accommodations		
<input type="checkbox"/> Demolition & replaced with:	<input type="checkbox"/> New Multi-Family Housing <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Condos or Co-Ops <input type="checkbox"/> Commercial Structure <input type="checkbox"/> Undecided <input type="checkbox"/> SB 8 Project <input type="checkbox"/> 100% Affordable or Shelter	
<input type="checkbox"/> Converted To:	<input type="checkbox"/> Condominiums <input type="checkbox"/> Co-Op Ownership Units <input type="checkbox"/> Tenancy in Common	
<input type="checkbox"/> Used For:	<input type="checkbox"/> Non-Rental Housing <input type="checkbox"/> Storage/Home Office <input type="checkbox"/> Other	
Notice of Intent to Withdraw Case No.		Amount Paid: \$
Demo/Conversion Clearance Case No.		Amount Paid: \$

## Required Documentation

### The following documentation is required at the time of application submission:

- ☐ **Form E1:** County Recorded Memorandum Summarizing Non-Confidential Provisions of a *Notice of Intent to Withdraw Units from Rental Housing Use*.
- ☐ **Form E2:** *Notice of Intent to Withdraw Units from Rental Housing Use*.
- ☐ **Form E3:** Copy of *Notice to Tenant of Pending Withdrawal* for each occupied unit.
- ☐ Copy of notice terminating tenancy to be served to tenants, as required by California State Law.
- ☐ Copy of Grant Deed.
- ☐ Copy of Articles of Incorporation, Articles of Organization or Partnership Agreement, if not owned by a natural person.
- ☐ For Demolition/Conversion: LADBS Clearance Summary Worksheet and the Relocation Services OR Demolition Monitoring Services Application.

### The following documentation may be required, if applicable, after the filing of the Notice of Intent to Withdraw:

- ☐ **Form E4:** *Notice of Interest in Renewing Tenancy*. Copy of Form E4 must be provided to Tenant. *If tenant provides landlord with Form E4, owner shall provide LAHD with a copy.*
- ☐ **Form E5:** *Notice to City of Claims for Extended Tenancy*. If a tenant is entitled to an extended stay of one (1) year (applies if tenant is at least 62 years of age or is disabled and has lived in the unit for at least one year), the owner must complete Form E5 and submit it to LAHD.
- ☐ **Form E6:** *Notice to City of Extended Dates of Withdrawal* Landlord may provide the one (1) year extension to other tenants. Landlord shall submit Form E6 if tenancy extensions are provided.
- ☐ **Form E7:** *Notice of Intent to Re-Rent Withdrawn Accommodations* (Form E7) If landlord intends to re-rent withdrawn units, the landlord must submit Form E7 to LAHD.
- ☐ **Form E8 (Required Yearly):** Annual Property Status for seven (7) years following the date of delivery to the Department of the Notice of Intent to Withdraw Rental Units from the Rental Housing Use, or until such time as the Department advises the property owner that they have complied with all reporting requirements, the property owner must file an Annual Property Status Report.

### Demolition or Conversion Clearance (Must file Demolition Application and only if All units are vacant)

Are you requesting a demolition or conversion clearance Yes No

How many units will be demolished? Are all the units vacant Yes No

\*LAHD will verify units are vacant before providing clearance. Verification may take three weeks or longer.

### Summary of Application Fees Effective 7/1/22-6/30/23 (increases every July 1<sup>st</sup>)

	Fees x # of Units	Fees
Qualified* Unit – Relocation Services Provider Fee:	\$840 x	\$
Eligible* Unit – Relocation Services Provider Fee:	\$522 x	\$
Relocation Services Administrative Fee:	\$72 x	\$
Demolition Monitoring Administrative Fee (Use Demolition Monitoring Services Application):	\$45 x	\$
*See Tenant Information section of this application to determine Qualified or Eligible status	Total Amount Due:	\$

### Tenant Relocation Assistance Fees due to Tenants (increases every July 1<sup>st</sup>)

Household Determination	Occupancy Less Than 3 Years	Occupancy of 3 Years or More	Low (80%) Income (AMI)* (regardless of length of occupancy)
Eligible	\$9,200	\$12,050	\$12,050
Qualified	\$19,400	\$22,950	\$22,950

If the rental unit is occupied by two or more tenants, each tenant shall be paid a pro-rata share. In accordance with LAMC Sec. 151.09.G2, the landlord shall pay relocation assistance amount owed to the tenant, either directly or via an escrow account in the tenant's name, within 15 days of service of a written notice of tenancy termination.

### 2022 HUD Low (80%) Income Household Limits for Greater Los Angeles (AMI)\*

1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
\$66,750	\$76,250	\$85,800	\$95,300	\$102,950	\$110,550	\$118,200	\$125,800

Tenant Information #			
First Name:		Last Name:	
Work Phone:	Home Phone:	Cell Phone:	
Unit Number		Email:	
Move In Date:	Unit has a Tenant who is 62 years or older: Yes No		
Current Rent: \$ or VACANT <input type="checkbox"/>	Unit has a Tenant who is disabled: Yes No		
Last Rent Increase Date:	Unit has a minor dependent children Yes No		
If "Yes" was marked for any of the three above, the unit is <b>"Qualified"</b> If "No" was marked for all three, the unit is <b>"Eligible"</b>			
Date Written Notice of Termination served:		No. of Unit Occupants:	

Tenant Information #			
First Name:		Last Name:	
Work Phone:	Home Phone:	Cell Phone:	
Unit Number		Email:	
Move In Date:	Unit has a Tenant who is 62 years or older: Yes No		
Current Rent: \$ or VACANT <input type="checkbox"/>	Unit has a Tenant who is disabled: Yes No		
Last Rent Increase Date:	Unit has a minor dependent children Yes No		
If "Yes" was marked for any of the three above, the unit is <b>"Qualified"</b> If "No" was marked for all three, the unit is <b>"Eligible"</b>			
Date Written Notice of Termination served:		No. of Unit Occupants:	

Tenant Information #			
First Name:		Last Name:	
Work Phone:	Home Phone:	Cell Phone:	
Unit Number		Email:	
Move In Date:	Unit has a Tenant who is 62 years or older: Yes No		
Current Rent: \$ or VACANT <input type="checkbox"/>	Unit has a Tenant who is disabled: Yes No		
Last Rent Increase Date:	Unit has a minor dependent children: Yes No		
If "Yes" was marked for any of the three above, the unit is <b>"Qualified"</b> If "No" was marked for all three, the unit is <b>"Eligible"</b>			
Date Written Notice of Termination served:		No. of Unit Occupants:	

Tenant Information #			
First Name:		Last Name:	
Work Phone:	Home Phone:	Cell Phone:	
Unit Number		Email:	
Move In Date:	Unit has a Tenant who is 62 years or older: Yes No		
Current Rent: \$ or VACANT <input type="checkbox"/>	Unit has a Tenant who is disabled: Yes No		
Last Rent Increase Date:	Unit has a minor dependent children Yes No		
If "Yes" was marked for any of the three above, the unit is <b>"Qualified"</b> If "No" was marked for all three, the unit is <b>"Eligible"</b>			
Date Written Notice of Termination served:		No. of Unit Occupants:	



Fees paid to the Los Angeles Housing Department (LAHD) are non-refundable, therefore it is your obligation to be aware of the Rent Stabilization Ordinance's Ellis Act Provisions before submitting fees.

### Owner Certification

I hereby declare, under penalty of perjury under the laws of the State of California, that the information provided in this form is true and correct to the best of my knowledge and belief and that I am evicting the tenant(s) at the rental property identified on this form in order to remove the rental units from rental housing use.

I acknowledge that I will be responsible for providing monetary relocation assistance to the tenant(s) being evicted in accordance with LAMC §151.09.G. If the City determines that a higher Relocation Assistance Services Provider Fee is due based on a different relocation eligibility status determination, I will compensate the City for the balance due. All fees are non-refundable. I further acknowledge that if I re-rent the withdrawn accommodations, the rent for any subsequent tenant(s) is not decontrolled and therefore, must be established at the rental amount of the current tenant plus any increases allowed by LAMC 151.06C.

I acknowledge that I have received the *Procedures for Withdrawing Rental Units from the Rental Market* packet.

Owner's Signature:

Date:

Owner's Signature:

Date:

Owner's Signature:

Date:

Any person who willfully or knowingly with the intent to deceive makes a false statement or representation, or knowingly fails to disclose a material fact in this form shall be guilty of a misdemeanor (LAMC 151.10B)

### Relocation Payment

How will you pay the Tenant?

☐

Direct Payment to Tenant

☐

Via an Escrow Account (please fill out the information below)

☐

Vacant Unit. No Relocation Due.

Name of the company or attorney where you will open the escrow account:

Address and Telephone Number for the Escrow Company:

I understand that I must pay the tenant relocation monies within the first **15 days** after I serve the eviction notice by either direct payment to the tenant or by depositing into an Escrow Account. If I choose to deposit the monies into an escrow account I understand that I am required to serve the tenant instructions on how to withdraw the funds (See RAC 960 for a Sample) within 15 days of the service date of the eviction notice.

Owner's Signature:

Date:

Owner's Signature:

Date:

Owner's Signature:

Date:

### Appointment Information

Name of Person Filing Forms on Day of Appointment:



## Notice to Tenant of Pending Withdrawal Form E-3

### PAGE 1 OF 2

#### Tenant Information

Tenant Name:

Rental Unit Address:

#### Withdrawal of the Units from Rental Housing Use

Dear Tenant:

Your landlord has filed a Notice of Intent to Withdraw Units from Rental Housing Use with the City of Los Angeles Housing Department (LAHD) indicating that your rental unit will be withdrawn from the rental market. Your landlord certified that action, as required by State rental law had already been initiated to terminate your tenancy.

Los Angeles Municipal Code (LAMC) §151.23.C requires your landlord to provide you with the information contained in this Notice to Tenant of Pending Withdrawal within five days of delivery to LAHD of the Notice of Intent to Withdraw Units from Rental Housing Use. The Notice to Tenant of Pending Withdrawal provides important information regarding your rights as a tenant under both the City's Rent Stabilization Ordinance and California State law. Should you have questions regarding this Notice and your rights as a tenant in this situation, please contact LAHD at (866) 557- 7368. Please note the City takes no responsibility for the accuracy or good faith of the representations made in this notice by your landlord.

#### Right to Extended Tenancy for Senior or Disabled Tenants

All tenants displaced by the withdrawal of their unit from the rental market are entitled to at least 120 days notice from the Filing Date. Pursuant to LAMC §151.23.C.5, you may also have rights to an extended tenancy of up to **one year** from the Filing Date provided that: (a) you are at least 62 years of age or disabled (as defined in Government Code §12955.3); (b) you have lived in your accommodations for at least one year prior to the Filing Date; and (c) you have given written notice of your entitlement to your landlord within 60 days of the Filing Date. The extended tenancy shall be continued on the same terms and conditions as existed on the Filing Date, subject to any adjustments otherwise available under the RSO, and no party shall be relieved of the duty to perform any obligation under the lease or rental agreement during the extended tenancy. If units will be demolished under SB 8, then tenants must be allowed to remain in the unit up to 6 months prior to start of construction activity.

#### Filing Date

Your landlord delivered a Notice to Withdraw your unit from rental housing use to LAHD on:

#### Information Regarding Your Tenancy Provided to the City

The Notice of Intent to Withdraw delivered to LAHD specified your name as a tenant and that the amount of monthly rent paid by you is:

\$

## Right to Relocation Assistance Payment

You are entitled to relocation assistance, pursuant to LAMC 151.09.G, unless you received written notice, before 12/13/2017 and prior to entering into a written or oral tenancy agreement, that an application to either (a) convert your building to a condominium, stock cooperative, or community apartment or (b) demolish your building and replace it with a condominium, stock cooperative, or community apartment was on file or had been approved by the City. If any current tenant in your household is 62 years of age or older, is disabled (as defined in Title 42 United States Code §423) or handicapped (as defined in California Health and Safe Code §50072), or is residing with one or more minor children who are legally dependent on that tenant for federal income tax purposes, your household is entitled to either \$19,400 or \$22,950 in relocation assistance; if no tenant meets one of these qualifications, your household is entitled to either \$9,200 or \$12,050 in relocation assistance. (These assistance amounts are in effect as of July 1, 2022.) Your landlord must pay this assistance, either directly or through an escrow account in your name, within 15 days after service of the written notice terminating your tenancy.

## Right to Damages If Your Landlord Re-Rents Within Two Years

If your unit is returned to the rental market within two years of the date of its withdrawal, your landlord is liable to you, as the displaced tenant, for actual and exemplary damages in civil court provided you bring action in civil court within three years of the withdrawal of your unit from rent or lease.

## Right to Return to Rental Unit at Controlled Rent

Your landlord must offer you the right to return to your rental unit should it be returned to the rental market within ten years of its withdrawal, provided you request such an offer in writing from your landlord within 30 days after your landlord has notified LAHD of an intention to again offer the accommodations for residential rent or lease pursuant to LAMC §151.27.B. If your unit is re-rented, the rent shall be the lawful rent as of the withdrawal date plus annual adjustments available under LAMC 151.06 for the first 5 years after withdrawal. In addition, if your unit is re-rented within two years of its withdrawal from rent or lease, your landlord must first offer the unit to you via registered or certified mail, provided that you have (a) advised your landlord in writing within 30 days of your displacement of your desire to consider an offer to renew your tenancy and (b) provided your landlord with an address to which that offer is to be directed. If the new building is an SB 8 Project tenants may have a right of first refusal to the newly constructed unit if they are low income. Tenants must respond to request for income information from the Land Use Section **lahd-landuse@lacity.org** (213) 808-8843 of LAHD to acquire the right of first refusal.

## Resources

You continue to have the same tenancy rights during the 120 or 1 year period of withdrawal. The same terms and conditions continue to exist. The parties continue to have the same duty to perform any obligation under the lease or rental agreement. If you need assistance during this time period you may call LAHD at **866-557-7368**. You will receive a letter from your LAHD Analyst confirming this withdrawal and providing you specific contact information for your Analyst.



## Aviso al Inquilino de Retiro Pendiente Form E-3 Pagina 1 de 2

### Información de Inquilino

Nombre de Inquilino:

Dirección de Unidad de Renta:

### Retiro de Unidades del Uso de Renta

Estimado Inquilino:

Su arrendador ha archivado un Aviso de Intención de Retirar Unidades Del Uso Para Rentar con el Departamento de Vivienda de la Ciudad de Los Angeles (LAHD) indicando que su unidad de alquiler será retirada del mercado de alquiler. Su arrendador certifica que las acciones, como lo requiere la ley Estatal de alquiler, ya han sido iniciadas para terminar su arrendamiento.

El Código Municipal de Los Angeles (LAMC) §151.23.C requiere que su arrendador le proporcione la información contenida en este Aviso al Inquilino de Retiro Pendiente dentro de cinco días de la entrega a LAHD del Aviso de Intención de Retirar Unidades del Uso Para Rentar. El Aviso al Inquilino de Retiro Pendiente provee información importante con respecto a sus derechos como inquilino bajo la Ordenanza de Estabilización de Renta de la Ciudad y la ley Estatal de California. Si tiene preguntas sobre este Aviso o si tiene preguntas de sus derechos en esta situación, comuníquese con LAHD al (866) 557-7368. Tenga en cuenta que la Ciudad no se hace responsable de la exactitud o de la buena fe de las declaraciones hechas en este aviso por su propietario/arrendador.

### Derecho a Arrendamiento Prolongado Para Ancianos y Discapacitados

Todos los inquilinos desplazados por el retiro de su unidad del mercado de alquiler tienen derecho a un aviso de por lo menos 120 días a partir de la Fecha Del Archivo. Bajo §LAMC 151. 23.C.5., también puede tener derecho a un arrendamiento prolongado de hasta **un año** a partir de la Fecha Del Archivo, siempre y cuando; (a) tenga por lo menos 62 años de edad o este discapacitado (según se define en el Código del Gobierno §12955.3); (b) usted ha vivido en la unidad por lo menos un año antes de la Fecha Del Archivo; y (c) ha notificado por escrito al arrendador dentro de los 60 días de la Fecha Del Archivo de su derecho prolongado. El arrendamiento extendido se continuara en los mismos términos y condiciones que existieron en la Fecha Del Archivo, excepto ajustes permitidos por la RSO, y ninguna parte será excusado del deber de cumplir con cualquier obligación bajo el contrato de arrendamiento o alquiler durante el arrendamiento extendido. Si las unidades serán demolidas bajo SB 330, entonces se debe permitir que los inquilinos permanezcan en la unidad hasta 6 meses antes del inicio de la actividad de construcción.

### Fecha Del Archivo

Su arrendador sometió el Aviso de Intención de Retirar su Unidad del uso para rentar con LAHD el:

### Información Proveída a la Ciudad Sobre Su Inquilinato

El Aviso de Intención de Retirar sometido a LAHD indico su nombre como inquilino y que su renta por mes es:

\$



## **Derecho a Pago de Reubicación**

Usted tiene derecho a asistencia de reubicación, de acuerdo con LAMC §151.09.G., a menos que usted haya recibido un aviso escrito, antes del 13 de diciembre del 2017 y de firmar un contrato de arrendamiento escrito u oral, que una solicitud para (a) convertir el edificio a un condominio, o apartamento de cooperativa, o apartamento comunitario o (b) demoler el edificio y reemplazarlo con un condominio, cooperativo de valores, o apartamento comunitario estaba archivado o había sido aprobado por la Ciudad. Si algún inquilino actual de su hogar tiene 62 años de edad o mas, esta deshabilitado (segun se define en el Titulo 42 del Código de los Estados Unidos §423) o discapacitado (como se define en el Código de Salud y Seguridad de California §50072) o reside con uno o mas hijos menores de edad que son legalmente dependientes de ese inquilino para fines de impuestos federales, su hogar tiene derecho, a \$19,400 o \$22,950 en asistencia para reubicación; Si ningún inquilino cumple con una de estas calificaciones, su hogar tiene derecho a \$9,200 o \$12,050 en asistencia de reubicación. (Estas cantidades de asistencia están vigentes a partir del 1 de julio del 2022.) Su arrendador debe pagar esta asistencia, directamente o a traves de una cuenta de depósito a su nombre, dentro de 15 días después de notificación escrita terminando su arrendamiento.

## **Derecho a Daños si el Propietario Re-Alquila la Unidad Dentro De Dos Años**

Si su unidad es devuelta al mercado de alquiler dentro de los dos años de la fecha de su retiro, su propietario es responsable a usted, como inquilino desplazado, de daños reales y ejemplares en un tribunal civil, siempre que usted traiga la acción civil dentro de tres años del retiro de la unidad del alquiler.

## **Derecho de Regresar a la Unidad a la Cantidad de Renta Controlada**

Su arrendador debe ofrecerle el derecho de regresar a su unidad de alquiler si el arrendador devuelve la unidad al mercado de alquiler dentro de los diez años de su retiro, siempre que usted solicite esta oferta por escrito de su arrendador dentro de 30 días después de que su arrendador haya notificado a LAHD de la intención de ofrecer de nuevo la unidad para alquiler residencial de acuerdo con LAMC §151.27.B. Si su unidad es re-alquilada, la renta será la cantidad legal en la fecha de retiro mas los ajustes anuales disponibles bajo LAMC §151.06. Además, si su unidad es re-alquilada dentro de los dos años de su retiro de alquiler, su propietario debe primero ofrecerle a usted la unidad a través de correo registrado o certificado, siempre que usted haya (a) avisado por escrito a su arrendador dentro de los 30 días de su desplazamiento de su deseo de considerar una oferta para renovar su arrendamiento y (b) proporcione a su propietario una dirección a la cual esa oferta debe ser dirigida. Si el nuevo edificio es un Proyecto SB 8, los inquilinos pueden tener derecho de preferencia sobre la unidad recién construida si tienen bajos ingresos. Los inquilinos deben responder a la solicitud de información de ingresos de la Sección de Land Use **lahd-landuse@lacity.org** (213) 808-8843 de LAHD para adquirir el derecho de preferencia.

## **Recursos**

Continúa teniendo los mismos derechos de tenencia durante el período de retiro de 120 o 365 días. Los mismos términos y condiciones siguen existiendo. Las partes siguen teniendo el mismo deber de cumplir con cualquier obligación en virtud del contrato de arrendamiento o alquiler. Si necesita asistencia durante este período, puede llamar a LAHD al **866-557-7368**. Recibirá una carta de su Analista de LAHD confirmando este retiro y proporcionándole información de contacto específica para su Analista.



## Notice to Landlord of Interest in Renewing Tenancy / Aviso al Propietario del Interes de Renovar el Inquilinato Form E-4

Landlord Name/ Nombre del Propietario:		
Landlord Address/ Dirección del Propietario:		
Tenant Name / Nombre del Inquilino:		
I was a tenant at / Yo fui inquilino en:		
<p>I hereby declare that I wish to be contacted by the landlord in the event that the accommodations at the address where I am/was a tenant are again offered for rent or lease within ten years from the date on which they are withdrawn from rent or lease. I can be contacted at the following address and wish any offer to renew the tenancy be sent to me as follows:</p> <p>Yo declaro que deseo ser contactado por el propietario en caso que los alojamientos en la dirección donde soy/fui inquilino se ofrezcan para rentar dentro de diez años de la fecha que se retiran de alquiler o arrendamiento. Puedo ser contactado en la siguiente dirección y deseo que cualquier oferta para renovar el alquiler se me envíe como lo siguiente:</p>		
<b>Tenant Contact Information/ Informacion de Contacto de Inquilino</b>		
Tenant Name/ Nombre del Inquilino::		
Contact Address/ Dirección del Contacto:		
Phone/ Teléfono:	Email/ Correo Electronico:	
<b>Tenant Contact Information/ Informacion de Contacto de Inquilino</b>		
Tenant Name/ Nombre del Inquilino::		
Contact Address/ Dirección del Contacto:		
Phone/ Teléfono:	Email/ Correo Electronico:	
<b>Tenant Contact Information/ Informacion de Contacto de Inquilino</b>		
Tenant Name/ Nombre del Inquilino::		
Contact Address/ Dirección del Contacto:		
Phone/ Teléfono:	Email/ Correo Electronico:	
Signature of Tenant / Firma De Inquilino:		Date / Fecha:
<b>IMPORTANT</b>		
<p>If the tenants want to return to the same unit if it is re-rented this notice must be given to the landlord no later than 30 days after the date the tenant vacates the property that is being withdrawn. A copy of this notice should also be given to: <i>LAHD Landlord Declarations: 1200 W 7th Street, 1st Fl.; Los Angeles, CA 90017 via email : <a href="mailto:LAHD.Declarations@lacity.org">LAHD.Declarations@lacity.org</a>.</i></p> <p>Si el inquilino quiere regresar a la misma unidad si se vuelve a rentar este aviso debe ser entregado al propietario a mas tardar 30 días después de la fecha que el inquilino desaloja la propiedad que esta siendo retirada. Una copia de este aviso también debe ser entregado a: <i>LAHD Landlord Declarations: 1200 W 7th Street, 1st Fl.; Los Angeles, CA 90017 via email : <a href="mailto:LAHD.Declarations@lacity.org">LAHD.Declarations@lacity.org</a>.</i></p>		



## Notice To City of Claims for Extended Tenancy/ Aviso del Dueno de Extension de Inquilinato

### Form E-5

**NOTICE TO LANDLORD:** Within 30 days of the notification by the tenant to the landlord of his or her entitlement to an extension due to disability or age 62 years or older, the landlord shall give written notice to the Department of the claim that the tenant is entitled to stay in the accommodations for up to one year after the date of delivery to the Department of the Notice of Intent to Withdraw. **Please email completed form to [LAHD.Declarations@lacity.org](mailto:LAHD.Declarations@lacity.org).** One form per unit. Owners may serve a copy of this form to the tenant. One form per unit. If SB 8 Project, if 1 unit has a right of extended tenancy then ALL units must get the extended tenancy.

**AVISO AL PROPIETARIO:** Dentro de los 30 días de la notificación por parte del inquilino al arrendador de su derecho a una extensión debido a una discapacidad o edad de 62 años o más, el arrendador deberá notificar por escrito al Departamento sobre el reclamo de que el inquilino tiene derecho a quedarse en las adaptaciones por hasta un año después de la fecha de entrega al Departamento del Aviso de Intención de Retiro. Envíe por correo electrónico el formulario completado a **to [LAHD.Declarations@lacity.org](mailto:LAHD.Declarations@lacity.org).** Una forma por unidad. Los propietarios pueden entregar una copia de este formulario al inquilino. Una forma por unidad. Bajo SB 8, si 1 unidad tiene derecho a la tenencia extendida, entonces TODAS las unidades deben obtener extensión.

Property Address / Dirección de Propiedad:

#### Tenant Information / Informacion de Inquilino

Tenant Name / Nombre del Inquilino:

Unit Address / Unidad:

Basis for Claim / Base de calificación:

☐ 62 or older/ edad 62 or mas ☐ Disabled / Incapacidad

Date of Tenant's Written Claim / Fecha de Notificación del Inquilino:

Date owner filed Notice of Intent to Withdraw with the City / Fecha de archivo por el dueño con la ciudad del Aviso de Intención de Retirar Unidades:

New withdrawal date must be **at least one year** from the date the owner filed the Notice of Intent to Withdraw. Enter new withdrawal date here / Nueva fecha de retiro sera por lo menos de 12 meses de la fecha del archiva del Aviso de Intención de Retirar:

#### Landlord Declaration / Declaracion del Dueno

I declare, under penalty of perjury under the laws of the State of California, that the information provided on this form is true, correct, and complete. / Declaro, bajo pena de perjuicio segun las leyes del Estado de California, que la informacion proporcionada en este formulario es verdadera, correcta y completa.

Landlord's Signature / Firma del Propietario

Landlord's Printed Name / Nombre del Propietario

Date / Fecha

Agent's Signature / Firma de Agente

Agent's Printed Name / Nombre de Agente

Date / Fecha



**Notice To City of Extended Dates of  
Withdrawal /  
Aviso a la Ciudad de Fecha de Retiro  
Form E-6**

**NOTICE TO LANDLORD:** Pursuant to California Government Code §7060.4 and Los Angeles Municipal Code 151.23B, you must provide the Los Angeles Housing Department (LAHD) with written notice of any extended dates of withdrawal for units previously declared to be intended for removal from the rental market. This information must be provided within 90 days of filing of a Notice of Intent to Withdraw Units from Rental Housing Use with LAHD. **YOU SHOULD SERVE TENANTS WITH A COPY OF THIS NOTICE AND SEND A COPY TO LAHD VIA Email to [LAHD.Declarations@lacity.org](mailto:LAHD.Declarations@lacity.org).**

**AVISO AL PROPIETARIO:** De conformidad con el Código de Gobierno de California §7060.4 y el Código Municipal de Los Ángeles 151.23B, debe proporcionar al Departamento de Vivienda de Los Angeles (LAHD) un aviso por escrito de cualquier fecha extendida de retiro para unidades declaradas previamente para ser retiradas del alquiler mercado. Esta información debe proporcionarse dentro de los 90 días posteriores a la presentación de un Aviso de Intención de Retirar Unidades del Uso de Vivienda de Alquiler con LAHD. **DEBE SERVIR AL INQUILINO COPIA DE ESTE AVISO Y ENVIE COPIA A LAHD A [LAHD.Declarations@lacity.org](mailto:LAHD.Declarations@lacity.org).**

Property Address / Dirección de Propiedad:

Please provide the indicated information for all rental units where the date of withdrawal has been extended from the date provided in the Notice of Intent to Withdraw Units from Rental Housing Use previously filed for this property. / Proporcione información indicada para todas las unidades de alquiler donde la fecha de retiro se haya extendido a partir de la fecha provista en el aviso de intención de retiro de unidades del alquiler previamente archivada para esta propiedad.

**Tenant Information / Informacion de Inquilino**

Tenant Name / Nombre del Inquilino:

Unit Address / Unidad:

New Date of Withdrawal / Nueva Fecha de Retiro:

**Landlord Declaration / Declaracion del Dueno**

I declare, under penalty of perjury under the laws of the State of California, that the information provided on this form is true, correct, and complete. / Declaro, bajo pena de perjuicio segun las leyes del Estado de California, que la informacion proporcionada en este formulario es verdadera, correcta y completa.

Landlord's Printed Name / Nombre Impreso del Propietario	Landlord's Signature / Firma del Propietario	Date / Fecha
Agent's Printed Name / Nombre Impreso de Agente	Agent's Signature / Firma de Agente	Date / Fecha

For City Department Use Only:

Case No.:

APN:





**Notice of Intention to  
Re-Rent Withdrawn  
Accommodations  
Form E-7**

**NOTICE TO LANDLORD:** Los Angeles Municipal Code (LAMC) §151.24 mandates the filing of this form with the Los Angeles Department (LAHD) if a landlord intends to offer for rent or lease a rental unit that was the subject of a Notice of intent to Withdraw. **Email to [LAHD.Declarations@lacity.org](mailto:LAHD.Declarations@lacity.org).**

Property Address:

**Restrictions on Re-Rental for Ellis Act Provisions**

1. The landlord shall not offer for rent or lease any unit from which a tenant or lessee was displaced for a period of thirty days following the filing of the Notice of Intention to Re Rent Withdrawn Accommodations with the Department.
2. Tenants displaced from these units following the filing of a Notice of Intent to Withdraw have re-rental rights in the following circumstances:
  - a. If a unit is offered for rent or lease within two years from withdrawal, the displaced tenant has a first right of refusal for 30 days following the landlord's mailing of an offer by certified or registered mail. The owner must notify the tenant by registered or certified mail provided that the tenant advised the landlord of a desire to consider an offer to renew the tenancy and provided the landlord with a contact address within 30 days of displacement.
  - b. If the unit is returned to the market within 10 years from withdrawal, the displaced tenant has a first right of refusal for 30 days after the owner files this Notice of Intent to Re-Rent with LAHD.
3. LAMC 151.23 requires that the property owner files annual property status reports regarding the status of the property for no less than 7 years from the delivery of the Notice of Intent to Withdraw, or until such time as the Department advises the landlord that they have complied with all reporting requirements.

**Landlord Declaration**

I declare that I am the owner of the real property described above, and I hereby notify the City of Los Angeles of my intent to re-rent the previously withdrawn housing accommodations indicated on this form. I hereby acknowledge that I am aware of the restrictions pertaining to the re-rental of withdrawn accommodations as set forth in LAMC § 151.22 et seq. and as summarized above. I further declare, under penalty of perjury under the laws of the State of California, that the information provided on this form and all attached pages is true, correct, and complete. All owners must sign. Attach additional pages if necessary.

Owner 1

Signature:	Print Name:	Date:
Owner Address (Will be provided to former tenants):		Phone Number:

Owner 2

Signature:	Print Name:	Date:
Owner Address (Will be provided to former tenants):		Phone Number:

Please provide the indicated information for all rental units in the building(s) or structure(s) covered by this *Notice of Intention to Re-Rent*. Attach Additional sheets if necessary.

Unit Address	
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	
For Landlord Declarations Section Use Only:  Case No.:  APN:	For Counter Use Only



## Annual Property Status Report Form E-8

**Instructions:** Complete form and mail to LAHD – Landlord Declarations P.O. Box 17100, Los Angeles, CA 90057. Email the form to [lahd.declarations@lacity.org](mailto:lahd.declarations@lacity.org)

Section A	Annual Filing (Check box that applies for the number of years since the property was withdrawn)						
<input type="checkbox"/> 1st Year	<input type="checkbox"/> 2nd Year	<input type="checkbox"/> 3rd Year	<input type="checkbox"/> 4th Year	<input type="checkbox"/> 5th Year	<input type="checkbox"/> 6th Year	<input type="checkbox"/> 7th Year	

The landlord must file this form annually for 7 years following the date of delivery to the Department of the Notice of Intent to Withdraw or until the Department advises that all reporting requirements are met. LAMC §151.23.D.

Section B	Property Information		
Original Address at time of filing Notice of Intent to Withdraw: (Address, Street Name, Zip)			
Date Notice of Intent to Withdraw Was Filed:	Original APN (s) at time of filing:	LAHD Case #:	
Current Property Address(es): (Address, Street Name, Zip)			

Total Number of Units Currently at the Property:

Section C	Current Status of Withdrawn Accommodations (Check box that indicates what was done to the original units)
<input type="checkbox"/> <b>All original units were demolished or converted to a different use or different unit count. Please select the bubble below to indicate current status after demolition.</b> <div style="margin-left: 20px;"> <input type="checkbox"/> Newly Constructed Multi-Family Rental Housing (eg. Apartment building, multiple, 2 or more Single Family Dwellings on the same parcel Duplex)  <input type="checkbox"/> New Condos  <input type="checkbox"/> Vacant Lot  <input type="checkbox"/> Commercial (eg. Offices, retail space)  <input type="checkbox"/> Small Lot Subdivision  <input type="checkbox"/> Only one Single Family Dwelling on the Parcel  <input type="checkbox"/> Co-ops  <input type="checkbox"/> Tenancy In Common (TIC)  <input type="checkbox"/> 100% Affordable Housing Multi-Family with a Covenant or Homeless Shelter         </div>	
<input type="checkbox"/> <b>All original units continue to exist and are still withdrawn from rental housing use</b> (Not demolished, converted or rented)	
<input type="checkbox"/> <b>Original Units were re-rented.</b> If you re-rented the original units you are required to file Form E-7 Notice of Intention to Re-Rent. The form is found online at <a href="https://housing.lacity.org/rental-property-owners/removal-from-rental-market-property-owner">https://housing.lacity.org/rental-property-owners/removal-from-rental-market-property-owner</a> . Also, complete page 2 of this form with the unit details.	

## Unit Details

Provide details of each unit only if you have re-rented the original units. Attach additional sheets if necessary.

Street Number Example: (123)	Street Name  (Main Street)	Unit Number  (Apt. B)	Rent Amount When Unit Was Re-Rented	Was unit re-rented to the prior tenant displaced by the Ellis?	Date of Re-Rental
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
			\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	



Section D	Registration of Rental Units (check box that applies)		
<p>If any of the units are rented please complete below:</p> <p><b>Registration Fees</b>  Were Registration Fees Paid for Current Year?  <input type="checkbox"/> Yes  <input type="checkbox"/> No</p> <p><b>Rent Registry Form</b>  Was Rent Registry Form Filed for Current Year?  <input type="checkbox"/> Yes  <input type="checkbox"/> No (please complete the Rent Registry Form found at <a href="http://registerLarent.org">registerLarent.org</a>)</p>			
Section E	Current Owner Information		
First Name:		Last Name	
Authorized Agent		Company Name:	
Mailing Address (address, street name, City, State, Zip)			
Email:			
Work Phone:		Home Phone:	
Work Phone:		Home Phone:	
		Cell Phone:	
Section F		Owner Certification	
I hereby declare, under penalty of perjury under the laws of the State of California, that I am the owner of the real property described in this notice, and I hereby notify the City of Los Angeles of the property status. I further declare, that the information provided in this form is true, correct and complete to the best of my knowledge and belief.			
Print Full Name:		Signature:	
Print Full Name:		Signature:	
		Date:	
Any person who willfully or knowingly with the intent to deceive makes a false statement or representation, or knowingly fails to disclose a material fact in this form shall be guilty of a misdemeanor (LAMC 151.10B).			

## **Yearly Billing Registration Instructions**

### **How to Report Withdrawal of Units to Stop Yearly Billing**

After the landlords file the Ellis forms, they must continue to pay the RSO and SCEP registration fees for occupied units and once they become vacant they must file two forms: 1) Conditional Exemption Application and 2) Temporary Exemption Application. Payments and Temporary Exemptions may be completed online at <https://housingbill.lacity.org/billing>. The Conditional Exemption Application is mailed to the address indicated on the form.

#### **Occupied Units**

If the units are occupied even for one day out of the billing year, the landlord will still be responsible for paying the registration fees for that entire year regardless of whether the Ellis Notice of Intent to Withdraw was previously filed. Exemptions cannot be filed for occupied units.

#### **Vacant Units**

After the property is completely vacant and the property is removed from the rental market, the landlord must complete the [Conditional Exemption Application](#) to claim an exemption #“P4A” from the registration fees based on the withdrawal of the units. LAHD will verify that the withdrawal process was completed. This form is only filed one time to obtain the long term exemption from the registration fees.

Until the Conditional Exemption Application is approved, the landlord will continue to receive a yearly registration bill and if the units are vacant they should also file the Temporary Exemption for “no rent collected” to avoid penalties. This form is located enclosed with the annual registration bill. It is possible that a landlord may receive the bill for a couple of years after they file the Ellis forms and after they file the Conditional Exemption form, therefore owners must be sure to file the Temporary Exemption for vacant units until they stop receiving the yearly bill. If a landlord does not file the Conditional Exemption Application they will continue to receive yearly registration bills.

## 2023 Conditional Exemption Application

Form RSO/SCEP23

<b><u>Property Information</u></b>  APN:  Address:  Total Units:	<b><u>Mailing Address</u></b>  Name:  Address:	<div>DO NOT WRITE IN THIS SECTION</div>
--	--	---

## Rent Stabilization Ordinance (RSO)/SCEP Exemption Request

- **DO NOT USE THIS FORM FOR OWNER OCCUPANCY, NO RENT COLLECTED or VACANT EXEMPTION REQUESTS (T1, T3, AND S5). PLEASE SUBMIT THE EC22 FORM INCLUDED WITH YOUR BILL.**
- For exemption codes, exemption descriptions, requirements, and instructions, see the back of this form.
- To renew, add, correct, or update Rent Stabilization Ordinance (RSO)/SCEP exemption(s), complete this section.
- Supporting documentation may be required if applying for new Rent Stabilization Ordinance (RSO)/SCEP exemption(s)
- Please write the APN number on all supporting documentation.

**TO RENEW and/or REQUEST RSO/SCEP EXEMPTION(S) COMPLETE THIS SECTION**

RSO/SCEP EXEMPTION RENEWALS			NEW RSO/SCEP EXEMPTIONS	
Exemption Code (see the back of this form)	Address/Unit Number		Exemption Code (see the back of this form)	Address/Unit Number

**CONTACT PERSON (if additional information is needed to process the RSO/SCEP exemption application)**

<b>Name</b>			
<b>Address</b> <i>(Number, Street, Apt #, City, State, Zip)</i>			
<b>Email Address</b>		<b>Phone #</b>	

Send form and supporting documentation  
via email or USPS mail.

LAHD RSO DETERMINATIONS UNIT  
PO BOX 17280 LOS ANGELES, CA 90017-0280  
**OR EMAIL** [LAHD\\_RSODeterminations@lacity.org](mailto:LAHD_RSODeterminations@lacity.org)

**SIGNATURE**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Owner Signature:	Date:
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## Rent Stabilization Ordinance (RSO)/SCEP Exemption Information

- If the exemption status for the unit previously exempted changes, the property owner must notify the Los Angeles Housing Department. Payment of fees may be required within 10 days.
- Do NOT submit original documents. Keep copies of all documents submitted.

Exemption Type	Reason for Unit Exemption or Adjustment	Exemption Period	SUPPORT DOCUMENTATION	Exempt from	
				RENT	SCEP
<b>P1</b>	Commercial Use		Certificate of Occupancy.	YES	YES
<b>P2</b>	Demolished		LADBS Demolition Permit <b>and</b> approved final inspection.	YES	YES
<b>P3</b>	a) Monastery or Convent only	5 Years	Certificate of Occupancy or letter on official letterhead stating sole use as convent or monastery.	YES	YES
	b) On-campus fraternity or sorority houses or student housing accommodations		<u>School-owned property used</u> as fraternity or sorority or housing accommodations for students. Letter required on school letterhead stating the use with a list of unit #s required.	YES	YES
	c) Off-campus fraternity or sorority houses or student housing accommodations	10 Years	<u>School-owned property</u> used as fraternity or sorority or housing accommodations for students. Letter required on school letterhead stating the use with a list of unit #s required.	YES	NO
<b>P4a</b>	Withdrawn from rental housing use (Ellis Act)		Copy of "Notice of Intent to Withdraw Units from Rental Housing Use" Application processed by LAHD.	YES	YES
<b>P5</b>	a) Hospital		Certificate of Occupancy.	YES	YES
	b) Licensed Care Facility	5 Years	State care facility license and, if applicable, Certificate of Occupancy and lease agreement (if applicable).	YES	YES
<b>R1</b>	Constructed after October 1, 1978		Certificate of Occupancy ( <u>show building was built after 10/1/1978</u> ). <b>Exceptions:</b> Attached units or Ellis Replacement Units	YES	NO
<b>R2</b>	a) RSO 151.02 Affordable Housing Accommodations		Requires recorded covenant and/or government issued regulatory agreement and LAHD exemption approval letter issued after 7/15/2011 under LAMC 151.02.	YES	NO
	b) Ellis Replacement Affordable Housing Accommodations		Requires application, application fees and recorded covenant and/or government issued regulatory agreement and LAHD exemption approval letter under LAMC 151.28.B.	YES	NO
	c) Ellis Replacement Owner Occupancy		Requires application & proof that owner (natural person) of 4 or fewer unit building that was demolished or to be demolished resided in the bldg for 3 consecutive years prior to demo or application filing.	YES	NO
<b>R3</b>	Rent-regulated Non-Profit Organization		<b>NO new applications accepted after 7/15/2011.</b> Submit LAHD Non-Profit Exemption letter issued for the application submitted prior to 7/15/2011. NEW APPLICANTS, PLEASE REFER TO R2 EXEMPTION.	YES	NO
<b>R5</b>	a) Substantial Renovation		<b>NO new applications accepted after 10/3/1989.</b> Copy of Certificate for Substantial Renovation issued by LAHD for an application submitted prior to 10/4/1989.	YES	NO
	b) Luxury Exemption		Copy of Certificate for Luxury Exemption issued by LAHD. <u>NEW Applicants must be able to establish rent levels on May 31, 1978, were at the requisite levels.</u>	YES	NO
<b>R6</b>	Housing Accommodation exempted by State or Federal law or administrative regulations	5 Years	Copy of State/Federal law or administrative regulation exempting units from municipal rent regulations <b>and</b> regulatory agreement or contract documenting exempt units. Project-based Section 8 requires HUD Regulatory Agreement indicating the property's mortgage is insured or held by HUD, the current mortgage statement and HAP renewal contract, and other relevant documentation.	YES	NO
<b>S2</b>	a) Co-Op Unit(defined in Civil Code (CC) Sections 817 and 817.1)	5 Years	Proof that property is a limited-equity housing Co-Op, copy of Co-Op Agreement, articles of incorporation, by-laws, number of units & unit #s <b>and</b> list of current members.	YES	NO
	b) Co-Op Unit acquired under Govt. Code 54237(d)		Proof of acquisition under the Code.	YES	NO
	c) Non-profit stock Co-Op occupied by shareholder tenant	5 Years	501 c 3 certificate, copy of Co-Op agreement , articles of incorporation , by-laws, list of current shareholders <b>and</b> other relevant documents.	YES	YES
<b>S3</b>	a) Government owned or managed	10 Years	Proof that the property is government owned and/or managed.	NO	YES
	b) HACLA owned and operated		Proof that the property is owned and managed by HACLA.	YES	YES
<b>S4</b>	Mobile Home Park	1 Year	Copy of permit to operate first issued on or after 2/10/1986, number of units and list of spaces leased with written lease agreements exceeding twelve (12) months for spaces that are the primary residence of the lessee. Note: Per State law, leases entered into after February 13, 2020 cannot be exempt. This exemption will be prohibited for all units starting January 1, 2025 regardless of length or date of lease (Civil Code § 798.17(i), (j), (k)).	YES	YES



# RENT STABILIZATION BULLETIN

## Demolition of RSO Units and

### Exemption Rules for Newly Built Units with Affordable Housing

In addition to complying with the replacement affordable unit requirement under the incentive programs a landlord must also comply with the Rent Stabilization Ordinance (RSO) requirements.

#### How to remove RSO units from the housing market in order to demolish?

The RSO allows a landlord to recover possession of a rental unit and remove units from rental housing use (known as the Ellis Act) if the landlord plans to demolish or permanently withdraw the units from the rental housing market. The owner must file a Notice of Intent to Withdraw Units from the Rental Housing Use with LAHD, serve the tenants the required notifications, pay the tenants relocation assistance and follow all the Ellis Act RSO provisions. To schedule an appointment to file the required Ellis forms go online <https://lahd.service-now.com/appt>. Homeless Shelter or 100% Affordable projects should file their Ellis using the **ED1 Ellis for Shelters/100% Affordable appointment service**. Please ensure you give yourself enough time to complete the withdrawal process within your project's timeline. In some cases the withdrawal process could be up to 1 year or longer if it's an [SB 8](#) project. SB requires tenants be allowed to stay in their units up to 6 months before start of construction activities which is the date of the first LADBS inspection on a new construction permit. No demolition permit will be cleared until all tenants are paid relocation and the units are confirmed vacant. For more our website at [housing.lacity.org](https://housing.lacity.org).

#### What are the replacement obligations under the RSO Ellis provisions?

The RSO does not require new construction, but if there is new construction, then all the new residential units completed within 5 years of the Ellis withdrawal date will automatically be subject to all the RSO rules, unless the owner qualifies for an RSO exemption with the "Replacement Affordable Units" under a Covenant or Regulatory Agreement. Contact [Landlord Declarations Section](#) at [LAHD-LandlordDeclarations@lacity.org](mailto:LAHD-LandlordDeclarations@lacity.org) for questions. "Replacement Affordable Units" are newly built residential units that have an affordable housing covenant or regulatory agreement under an incentive program or State law such as SB 8. Contact the [Land Use Section](#) at [LAHD-LandUse@lacity.org](mailto:LAHD-LandUse@lacity.org) for questions about replacement affordable units.

1. Incentive Programs or State law	2. Demolition of RSO Units	3. New Construction RSO Status	4. RSO Exemption with Affordable Units
If there is an incentive project involving demolition of RSO units, then the Ellis process must be followed.	<ol style="list-style-type: none"><li>1. Landlord files Ellis forms to remove the RSO units from the housing market and</li><li>2. Landlord demolishes RSO units.</li></ol>	All the newly built residential units are subject to the RSO if completed within 5 years of the Ellis withdrawal date. The withdrawal date is either 120 or up to 365 days after the Ellis file date.	<p>The newly built units will be exempt from the RSO if the landlord:</p> <ol style="list-style-type: none"><li>1. Replaces the demolished RSO units with affordable units at or below 80% AMI equal to either the same number of RSO units that were demolished or 20% of the total newly built units, whichever is <u>greater</u> (LAMC <a href="#">151.28.B</a>).</li><li>2. Records a 55-year covenant.</li><li>3. Files an exemption application at any time after filing the Ellis forms, but before the new units are rented.</li></ol>

*Example: If 10 RSO units are demolished and a new 100-unit building is built on the property within 5 years of the Ellis withdrawal date, then all the new units will be subject to the RSO, but can be exempt if the number of affordable units is either 20% of the new 100 units or the same number of demolished RSO units, whichever is **greater**. In this example, 20% (20 units) is greater than the original RSO units (10 units), therefore to get the RSO exemption there must be 20 affordable units at 80% AMI with a 55 year covenant. A completed affordable exemption application is required.*



## RSO Ellis Replacement Units: Affordable Exemption Application (LAMC 151.28)

An owner who replaces the number of demolished rental units with a number of affordable housing units at least equal to the number of withdrawn rental units on a one-for-one basis or at least 20% of the total number of newly constructed rental units, whichever is **greater**, may apply to the Department for an exemption of the newly constructed rental units from the provisions of the Rent Stabilization Ordinance. The affordable housing units must be located in the newly constructed accommodations. The Department shall issue an exemption where it finds all of the following to exist:

1. Covenant and agreement has been recorded and executed, guaranteeing that the replacement affordable housing units, affordable for households with an income at or below 80% of Area Median Income as established by the HUD for the Los Angeles primary metropolitan statistical area, shall remain affordable for 55 years from the date the covenant and agreement is recorded.
2. The replacement affordable housing units shall be reasonably dispersed throughout the newly constructed accommodations and shall not be segregated in a portion of the accommodations dedicated to affordable housing units.
3. The replacement affordable housing units shall be comparable to the market rate units and contain, on average, in architectural style, the same number of bedrooms, bathrooms and square footage as the market rate units.

### Section A – Property Information

**Please give the exact address of the property by the lowest street number on the lot.**

<b>Number:</b>	<b>Street Name:</b>	<b>City:</b>	<b>Zip Code:</b>
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<b>Total Number of Demolished Units:</b>	<b>Total Number of Replacement Units:</b>	<b>Assessor's Parcel Number (APN):</b>
--	---	--

<b>Name of Legal Property Owner:</b>
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<b>Owner's Mailing Address</b>	<b>Daytime Phone Number:</b>
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## Section B – Exemption Requirements

Pursuant to LAMC 151.28.C.2, if the Department issues an exemption while there are tenants residing in rental units that are subject to the provisions of the RSO, each of the units shall continue to be subject to the provisions of the RSO until all tenants in a unit voluntarily vacate the unit, or have their tenancies terminated pursuant to the provisions of Subdivisions 1., 2., 3., 4., 5., 6., 7., 9., 11., or 12. of Subsection A. of Section 151.09 of the LAMC.

If applicable, provide a list of the tenant names and the unit numbers they occupy, for all units which are currently occupied. Please attach a separate sheet.

### **Please attach the following required documents:**

1. A description of the usage of the Affordable Housing Accommodations.
2. A copy of a government imposed Regulatory Agreement that has been recorded with the Los Angeles County Recorder's Office.
3. Provide a list of all the unit numbers and move-in date for currently occupied units.

### **Application for Replacement of Affordable Housing Unit Exemption Fees (LAMC 151.28.C.2):**

Exemption Application Fee: \$705.00

Replacement of Affordable Housing Unit Fee: \$75.00 per each replacement unit

**A \$705.00 Exemption Application Fee and applicable Replacement of Affordable Housing Unit Fees made payable to "City of Los Angeles" must be included with this form.**

(Check only one box): ☐Check ☐Money Order ☐Credit Card (only in person)

### **Submission of Exemption Application and Fees:**

Submit the completed exemption form with a wet signature, supporting documentation, and applicable filing fees by mail or in person to the address below. *(credit card payments can only be made in person)*

**Los Angeles Housing Department  
Landlord Declarations Section  
PO BOX 17100  
Los Angeles, CA 90057**

For additional information please call (213) 808-8537.

**You must notify the Rent Stabilization Division of changes to any of the provisions identified in this form that provided the basis for the exemption. The Department shall have the authority to revoke an exemption issued pursuant to LAMC 151.02 for failure to adhere to any of the conditions for an exemption set forth in the RSO.**

## Section C – Owner Certification

I hereby declare, under penalty of perjury under the laws of the State of California, that the information provided in this form and attachments is true and correct to the best of my knowledge and belief. I state that I am legally authorized to bind the ownership entity for this property, and I further agree to permit the City of Los Angeles to verify the accuracy of the records provided and to sign all waivers and other documents as may be required to permit such verification.

**Owner's Signature:**

**Date:**



**LAHD - Landlord Declarations**  
**P.O. 17100**  
**Los Angeles, CA 90057**  
**LAHD Hotline (866) 557-7368**  
**housing.lacity.org**



For Department Use

APN:  
C.D.:  
Case:  
Amount Paid:

## RELOCATION SERVICES OR DEMOLITION MONITORING SERVICES APPLICATION

### PROPERTY INFORMATION

Address:

Unit No.:

City:

ZIP Code:

### OWNER INFORMATION

Name:

Address (Please include street address, unit #, city, state, and zip code):

Business Phone:

Home Phone:

Cell Phone:

Email Address:

### REASON FOR RELOCATION/DEMOLITION MONITORING APPLICATION

- ☐ Withdrawal of all units from the rental market (LAMC 1.09.A.10)
- ☐ Condo Conversion (LAMC 47.06)
- ☐ Demolition (LAMC 47.07). By checking this box and signing below you are declaring under penalty of perjury that all units are vacant and if tenants were evicted in order to demolish, they were paid relocation fees. You must provide a Clearance Summary Worksheet (aka demolition permit). Also, use this box for conversion to SFD.
- ☐ Eviction for owner-occupancy/resident manager occupancy (LAMC 151.09.A8)
- ☐ Eviction for compliance with a government agency order (LAMC 151.09.A11)
- ☐ HUD Foreclosure (LAMC 151.09.A.12)
- ☐ 100% affordable housing project or Shelter as defined in LAMC Section 12.03 (Mayor's Exec. Directive No. 1)

### OWNER CERTIFICATION

I hereby declare, under penalty of perjury under the laws of the State of California, that the information provided in this form is true and correct to the best of my knowledge and belief. If the City determines that a higher Relocation Services Contractor Fee is due based on a different status of one or more of the units, I will compensate the City for the balance due. All fees are non-refundable.

**Print Owner's Name:**

**Owner's Signature:**

**Date:**



On this page provide the information on whether any of the occupants in each unit is either at least 62 years or disabled or a minor child and calculate the totals. Write "Vacant" if not occupied. On page 3, provide the name and telephone number of each known occupant in each unit.

Section A. RELOCATION SERVICES FEES PER HOUSEHOLD

Unit Number	Is anyone in the unit at least 62 years?	Is anyone in the unit disabled?	Is anyone in the unit a minor child?	If "No" for ALL occupants (\$522)	If "YES" for ANY occupant (\$840)	Total Fee Amount  (Write "VACANT" and \$0 if not occupied)
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	
Section A. RELOCATION SERVICES SUBTOTAL:						
Section B. Additional Fee Types				Amount	# of Units	Total Per Fee Type
Demolition Monitoring Administrative Fee				\$45		
Relocation Services Administrative Fee				\$72		
Owner Occupancy/Resident Manager Application Fee				\$75		
Relocation Services Application Fee Underpayment Balance				\$318		
TOTAL AMOUNT DUE  (Add Section A Relocation Services Fees and Section B Additional Fee Type)						

List of All Occupants Per Unit (Required Information)		
Unit Number	Occupant Name (For all Adults) Write "VACANT" if not occupied	Occupant Telephone Number (must provide a telephone number )

# ELLIS ACT PROVISIONS: LOS ANGELES MUNICIPAL CODE

## 151.22 – 151.28

### SEC. 151.22. ELLIS ACT PROVISIONS – STATEMENT OF PURPOSE AND EFFECT.

**(Added by Ord. No. 177,901, Eff. 9/29/06.)**

California Government code Sections 7060, et seq. (the "Ellis Act") permits the City, among other things, to require landlords to provide all tenants with 120 days notice, or one year if the tenants lived in the accommodations for at least one year and are more than 62 years of age or disabled, when rental units subject to the Rent Stabilization Ordinance are to be withdrawn from the rental market. The Ellis Act also permits the City to impose other restrictions, conditions and requirements upon the property. It is the purpose of this section, and Sections 151.23 through 151.28, to implement provisions of the Ellis Act. The Department may develop forms and regulations to assist in the implementation of these provisions.

There continues to be a low vacancy rate for rental units in the City of Los Angeles, and the withdrawal of residential rental property from rent or lease will exacerbate the rental housing shortage and make it more difficult for tenants displaced by the withdrawal to obtain replacement housing. Because of the rental housing shortage, it is essential that tenants be afforded substantial advance notice to enable them to obtain replacement housing, and that they receive other protections available under law.

In any action by a landlord to recover possession of a rental unit subject to the Rent Stabilization Ordinance, including, but not limited to, where an owner seeks to displace a tenant from accommodations withdrawn from rent pursuant to this chapter by an unlawful detainer proceeding, the tenant may appear and answer or demurer pursuant to California Code of Civil Procedure Section 1170 and may raise an affirmative defense the failure of the landlord to comply with one or more of the requirements of Sections 151.22 through 151.28, as well as the failure of the landlord to comply with any other requirement of this chapter. **(Amended by Ord. No. 185,224, Eff. 12/13/17.)**

If rental units subject to the Rent Stabilization Ordinance were demolished subsequent to September 29, 2006, the effective date of Sections 151.22 through 151.28, without complying with the requirements set forth hereunder, then all replacement rental units constructed on the same property shall be deemed subject to the Rent Stabilization Ordinance, Section 151.00, et seq., and other provisions of this chapter. Additionally, any landlord who is found to have demolished a property subject to the Rent Stabilization Ordinance subsequent to September 29, 2006, without complying with the requirements of Sections 151.22 through 151.28 shall be subject to a penalty. **(Added by Ord. No. 184,873, Eff. 6/4/17.)**

Pursuant to California Government Code section 7060, the Ellis Act and Sections **151.22** through 151.28 shall not apply to a Residential Hotel as defined in accordance with California Health and Safety Code section 50519 and Section 47.70, et seq., of this Code. **(Added by Ord. No. 184.873, Eff. 6/4/17.)**

## **SEC. 151.23. ELLIS ACT PROVISIONS – REQUIRED NOTICE.**

**(Added by Ord. No. 177,901, Eff. 9/29/06.)**

Notwithstanding any provision of this chapter to the contrary, if a landlord desires to demolish rental units subject to the Rent Stabilization Ordinance, or otherwise withdraw the units from rental housing use, irrespective of whether such rental units are occupied or vacant, then the following provisions shall apply: (Amended by Ord. No. 184,873, Eff. 6/4/17.)

### **A. Notice of Intent to Withdraw. (Amended by Ord. No. 184,873, Eff.**

**6/4/17.)** The landlord shall notify the Department of an intention to withdraw a rental unit from rental housing use. This Notice of Intent to Withdraw shall be filed with the Department whether the rental unit(s) to be withdrawn or demolished are occupied or vacant at the time of filing and shall contain the following:

1. Statements, under penalty of perjury on the form and in the number prescribed by the Department, stating that the landlord intends to demolish the rental unit or to remove the rental unit from rental housing use;
2. The address or location of the rental unit;
3. The number of rental units to be demolished or removed from rental housing use;
4. The names of the tenants, if any, of each rental unit and that the landlord intends to evict such tenants in order to demolish the rental unit or to remove the rental unit from rental housing use;
5. The date on which the rental unit will be withdrawn from rental housing use; and
6. The rent applicable to that rental unit.

The Department shall have the authority to promulgate forms and procedures to assist in the implementation of this subdivision.

**B. Recordation of Non-Confidential Memorandum and Extension of the Date of Withdrawal from Rental Housing Use.** Irrespective of whether the rental units to be withdrawn or demolished are occupied or vacant at the time of filing the Notice of Intent to Withdraw, the landlord shall record with the County Recorder a memorandum summarizing the provisions of the Notice of Intent to Withdraw, other than provisions that are confidential pursuant to this section. If applicable, information respecting the name or names of the tenants, the rent applicable to any rental unit, and the total number of units is confidential information and shall be treated as confidential information by the Department for



purposes of the Information Practices Act of 1977, as contained in Chapter 1 (commencing with Section 1798) of Title 1. of Part 4 of Division 3 of the Civil Code. **(Amended by Ord. No. 184,873, Eff. 6/4/17.)**

The landlord shall submit a copy of the memorandum filed with the County Recorder to the Department concurrently with the Notice of Intent to Withdraw, with a certification that actions have been initiated as required by law to terminate any existing tenancies.

The date on which the rental units are to be withdrawn from rental housing use shall be at least 120 days from the date of the delivery to the Department in person or by first-class mail of the Notice of Intent to Withdraw.

If the tenant is at least 62 years of age or disabled (as defined in Government Code Section 12955.3) and has lived in his or her accommodations for at least one year prior to the date of delivery to the Department of the Notice of Intent to Withdraw pursuant to Subsection A. of this section, then the date of withdrawal of the accommodations of that tenant shall be extended to one year after the date of delivery of that Notice to the Department. This extension shall take place, if and only if, the tenant gives written notice of his or her entitlement to an extension to the landlord within 60 days of the date of delivery to the Department of the Notice of Intent to Withdraw. In that situation, the following provisions shall apply:

1. The tenancy shall be continued on the same terms and conditions as existed on the date of delivery to the Department of the Notice of Intent to Withdraw, subject to any adjustments otherwise available under the Rent Stabilization Ordinance.
2. No party shall be relieved of the duty to perform any obligation under the lease or rental agreement.
3. The landlord may elect to extend the date of withdrawal on any other rental units up to one year after the date of delivery to the Department of the Notice of Intent to Withdraw, subject to Subparagraphs 1. and 2.
4. Within 30 days of the notification by the tenant to the landlord of his or her entitlement to an extension, the landlord shall give written notice to the Department of the claim that the tenant is entitled to stay in the accommodations for one year after the date of delivery to the Department of the Notice of Intent to Withdraw.
5. Within 90 days of the date of delivery to the Department of the Notice of Intent to Withdraw, the landlord shall give written notice to the Department and the affected tenant of the landlord's election to extend the date of withdrawal and the new date of withdrawal under Subparagraph 3.

**C. Notice to the Tenants of Pending Withdrawal.** Within five days of delivery to the Department of the Notice of Intent to Withdraw with the certification required under Subsection B. of this section, and a copy of the memorandum recorded by

the County Recorder, the landlord shall notify, by delivery in person or by first-class mail, each affected tenant of the following:

1. That the Department has been notified pursuant to Subsection A., including the date of the delivery to the Department of the Notice of Intent to Withdraw;
2. That the Notice delivered to the Department specified the name and the amount of rent paid by the tenant as an occupant of the accommodations;
3. The amount of rent the landlord specified in the notice to the Department;
4. Notice to the tenant of his or her rights under Paragraph (3) of Subdivision (b) of Government Code Section 7060.2; and
5. Notice to the tenant stating the following:
  - i. If the tenant is at least 62 years of age or disabled, and has lived in his or her accommodations for at least one year prior to the date of delivery to the Department of the Notice of Intent to Withdraw, the tenancy shall be extended to one year after the date of delivery to the Department of the Notice of Intent to Withdraw;
  - ii. The extended tenancy shall be continued on the same terms and conditions as existed on the date of delivery to the Department of the Notice of Intent to Withdraw, subject to any adjustments otherwise available under the Rent Stabilization Ordinance; and
  - iii. No party shall be relieved of the duty to perform any obligation under the lease or rental agreement during the extended tenancy.

**D. Annual Property Status Reports. (Added by Ord. No. 184,873, Eff.**

**6/4/17.)** For no less than seven (7) years following the date of delivery to the Department of the Notice of Intent to Withdraw, or until such time as the Department advises the landlord that they have complied with all reporting requirements set forth in this section, whichever occurs first, the landlord shall file with the Department an Annual Property Status Report, under penalty of perjury and on the form and in the manner prescribed by the Department, providing the following information to the extent applicable:

1. The status related to the demolition of any withdrawn rental units;
2. The status related to the development of any withdrawn rental units; and
3. Confirmation that any newly constructed rental units have been registered with the Department in conformance with Section 151.05 and are being operated in compliance with the Rent Stabilization Ordinance.

**SEC. 151.24. ELLIS ACT PROVISIONS – NOTIFICATION TO DEPARTMENT OF INTENT TO RE-RENT UNIT.**

**(Added by Ord. No. 177,901, Eff. 9/29/06.)**

- A. If a landlord desires to offer for rent or lease a rental unit that was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section

151.23, the landlord must file with the Department a Notice of Intention to Re-Rent Withdrawn Accommodations on a form prescribed by the Department. This Notice must contain the following information:

1. The names and mailing addresses of all owners of the property;
2. A statement that said owners intend to re-rent the accommodations;
3. The addresses of those accommodations.

- B. Except as provided in Section 151.27 of this Article, the landlord shall not offer for rent or lease any unit from which a tenant or lessee was displaced for a period of thirty days following the filing of the Notice of Intention to Re-Rent Withdrawn Accommodations with the Department.
- C. If a landlord offers for rent or lease a rental unit which was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23, irrespective of whether a Notice of Intention to Re-Rent Withdraw has been filed with the Department, and the landlord later wishes to recommence the withdrawal of the rental unit, the landlord must file a new Notice of Intent to Withdraw and comply with all requirements pursuant to Sections 151.09G. and 151.23 through 151.28 of this Code. **(Added by Ord. No. 184,873, Eff. 6/4/17.)**

## **SEC. 151.25. ELLIS ACT PROVISIONS - CIVIL PENALTIES FOR OFFERING UNITS FOR RENT WITHIN TWO YEARS OF WITHDRAWAL**

**(Added by Ord. No. 177,901, Eff. 9/29/06.)**

If a rental unit that was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23 is offered for rent or lease within two years of the date of withdrawal of the rental unit from the rental market:

- A. The landlord shall be liable to any tenant or lessee who was displaced from the property for actual and exemplary damages. Any action by a tenant or lessee pursuant to this section shall be brought within three years of withdrawal of the rental unit from rent or lease. Nothing in this section precludes a tenant from pursuing any alternative remedy available under the law; and
- B. The City may institute a civil proceeding against any landlord who has again offered a rental unit for rent or lease subject to this section, for exemplary damages for displacement of tenants or lessees. Any action by the City pursuant to this section shall be brought within three years of the withdrawal of the rental unit from rent or lease.
- C. Pursuant to California Government Code Section 7060.3, the City may apply the constraints as set forth in this section to a successor in interest of a landlord who has withdrawn a rental unit from rent or lease, by recording a notice, to be indexed in the grantor-grantee index, with the County Recorder which shall specifically describe the property where the rental unit is located, the dates applicable to the constraints and the name of the owner(s) of record of the property. **(Added by Ord. No. 184,873, Eff. 6/4/17.)**

## **SEC. 151.26. ELLIS ACT PROVISIONS - REGULATION OF PROPERTY ON RE-OFFER FOR RENT OR LEASE AFTER WITHDRAWAL.**

**(Added by Ord. No. 177,901, Eff. 9/29/06.)**

If a landlord desires to offer for rent or lease a rental unit which was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23, the following regulations apply:

- A. If a rental unit that was removed from rental housing use pursuant to the provisions of Section 151.23 is offered for rent or lease during either:
  1. the five-year period after the Notice of Intent to Withdraw the accommodations is filed with the Department pursuant to Section 151.23, whether or not the Notice of Intent is rescinded or the withdrawal of the accommodations is completed pursuant to the Notice of Intent; or
  2. the five-year period after the accommodations are withdrawn;then the accommodations shall be offered and rented or leased at the lawful rent in effect at the time any Notice of Intent to Withdraw the accommodations was filed with the Department, plus annual adjustments available under Section 151.06 of this article.
- B. Subsection A. of this section shall prevail over any conflicting provision of law authorizing the landlord to establish the rental rate upon the initial hiring of the rental unit.
- C. If a landlord offers for rent or lease a rental unit that was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23, irrespective of whether a Notice of Intention to Re-Rent Withdrawn Accommodations has been filed with the Department, and the landlord later wishes to recommence the withdrawal of the rental unit, the landlord must file a new Notice of Intent to Withdraw and comply with all requirements pursuant to Sections 151.09 G. and 151.23 through 151.28 of this Code. **(Added by Ord. No. 184,873, Eff. 6/4/17.)**
- D. Pursuant to California Government Code Section 7060.3, the City may apply the constraints as set forth in this section to a successor in interest of a landlord who has withdrawn a rental unit from rent or lease, by recording a notice, to be indexed in the grantor-grantee index, with the County Recorder which shall specifically describe the property where the rental unit is located, the dates applicable to the constraints and the name of the owner(s) of record of the property. **(Added by Ord. No. 184,873, Eff. 6/4/17.)**

## **SEC. 151.27. ELLIS ACT PROVISIONS - RE-RENTAL RIGHTS OF DISPLACED TENANTS.**

**(Added by Ord. No. 177,901, Eff. 9/29/06.)**

If a landlord desires to offer for rent or lease a rental unit that was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23, the following regulations apply:



- A. A landlord who offers accommodations for rent or lease within two years from the date of withdrawal shall first offer to rent or lease each unit to the tenant or tenants displaced from that unit by the withdrawal, provided that the tenant or tenants advised the landlord in writing within 30 days of displacement of his or her desire to consider an offer to renew the tenancy, and provided the landlord with an address to which that offer is to be directed. That tenant or tenants may advise the landlord at any time during the period of eligibility of a change of address to which an offer is to be directed.

If a landlord again offers accommodations for rent or lease pursuant to the provisions of this subsection, and the tenant or lessee has advised the landlord pursuant to this subsection of a desire to consider an offer to renew the tenancy, then the landlord shall offer to reinstitute a rental agreement or lease on terms permitted by law to that displaced tenant or lessee.

A landlord who re-offers rental or lease accommodations to a previously displaced tenant pursuant to the provisions of this subsection shall deposit the offer in the United States mail, by registered or certified mail with postage prepaid, addressed to the displaced tenant or tenants at the address furnished to the landlord as provided in this subsection, and shall describe the terms of the offer. The displaced tenant or tenants shall have 30 days from the deposit of the offer in the mail to accept the offer by personal delivery of that acceptance or by deposit of the acceptance in the United States mail by registered or certified mail with postage prepaid.

- B. A landlord who offers accommodations for rent or lease not exceeding ten years from the date of withdrawal shall first offer to rent or lease each unit to the tenant or tenants displaced from that accommodation by the withdrawal, provided that the tenant or tenants requests the offer in writing within 30 days after the landlord has notified the Department of an intention to offer the accommodations again for residential rent or lease pursuant to the requirements of Section 151.24. The landlord shall be liable to any tenant or tenants who were displaced by that action for failure to comply with this subsection, for punitive damages in an amount that does not exceed the contract rent for six months. **(Amended by Ord. No. 185,224, Eff. 12/13/17.)**
- C. Pursuant to California Government Code Section 7060.3, the City may apply the constraints as set forth in this section to a successor in interest of a landlord who has withdrawn a rental unit from rent or lease, by recording a notice, to be indexed in the grantor-grantee index, with the County Recorder which shall specifically describe the property where the rental unit is located, the dates applicable to the constraints and the name of the owner(s) of record of the property. **(Added by Ord. No. 184,873, Eff. 6/4/17.)**

## **SEC. 151.28. ELLIS ACT PROVISIONS - RENTAL OF REPLACEMENT UNITS.** **(Added by Ord. No. 178,848, Eff. 7/16/07.)**

- A. **Replacement Units Subject to the Rent Stabilization Ordinance.** If a building containing a rental unit that was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section [151.23](#) is demolished and rental units are constructed on the same property and offered for

rent or lease within five years of the date the rental unit that was the subject of the Notice of Intent to Withdraw was withdrawn from rent or lease, the owner may establish the initial rental rate for the newly constructed rental units. The provisions of the Rent Stabilization Ordinance, Section 151.00, et seq., and other provisions of this chapter shall apply to the newly constructed rental units.

This section shall not apply to demolished buildings containing four or fewer rental units, if the owner of the building, whose name appears on legal title to the property, is a natural person and resided in the building for three consecutive years prior to demolition, or if the building is not yet demolished, for three consecutive years prior to filing an application for exemption. To obtain this exemption, an owner must apply to the Department for exemption pursuant to the provisions of Subdivision 3. of Subsection C. of this section.

Notwithstanding any provision to the contrary contained herein, if rental units subject to the Rent Stabilization Ordinance were demolished subsequent to September 29, 2006, the effective date of these provisions, without complying with the requirements of Sections 151.22 through 151.28, then all replacement rental units constructed on the same property shall be deemed subject to the Rent Stabilization Ordinance, Section 151.00, et seq., and other provisions of this chapter. Additionally, any landlord who is found to have demolished a property subject to the Rent Stabilization Ordinance subsequent to September 29, 2006 without complying with the requirements of Sections 151.22 through 151.28 shall be subject to a penalty to be adopted by Council. **(Added by Ord. No. 184,873, Eff. 6/4/17.)**

**B. Exemption from the Rent Stabilization Ordinance with Replacement Affordable Units. (Amended by Ord. No. 184,873, Eff. 6/4/17.)** An owner who replaces the number of demolished rental units with a number of affordable housing units at least equal to the number of withdrawn rental units subject to the Rent Stabilization Ordinance on a one-for-one basis or at least 20% of the total number of newly constructed rental units, whichever is greater, may apply to the Department for an exemption of the newly constructed rental units from the provisions of the Rent Stabilization Ordinance. The affordable housing units must be located in the newly constructed accommodations. The Department shall issue an exemption where it finds all of the following to exist:

1. The owner executed and recorded a covenant and agreement, in a form satisfactory to the Department, guaranteeing that the replacement affordable housing units, affordable for low or very low households with an income at or below 80% of Area Median Income as established by the California Department of Housing and Community Development or any successor agency, shall remain affordable for 55 years from the date the covenant and agreement is recorded. The covenant and agreement must contain provisions as required by the Department to ensure the effective administration and enforcement of this subsection.
2. The replacement affordable housing units shall be reasonably dispersed throughout the newly constructed accommodations and shall not be segregated in a portion of the accommodations dedicated to affordable housing units.

3. The replacement affordable housing units shall be comparable to the market rate units and contain, on average, the same number of bedrooms, bathrooms and square footage as the market rate units. The replacement affordable housing units shall be comparable in architectural style to the average of the market rate units.

Units that are used to qualify for a density bonus pursuant to the provisions of either California Government Code Section 65915 or Los Angeles Municipal Code Section 12.22 A.25., or are used to satisfy any inclusionary zoning or replacement affordable housing requirement, or are used to qualify for any other public benefit or incentive, may be used to qualify as replacement affordable housing units pursuant to the provisions of this subsection.

## **C. Application for Exemption from the Rent Stabilization Ordinance.**

### **1. Hardship Exemption. (Amended by Ord. No. 186,455, Eff.**

**1/15/20.)** The Department shall have the authority to grant an exemption from the provisions of this section in cases of undue financial hardship arising from detrimental reliance upon the provisions of this article before enactment of this section. An owner claiming a hardship exemption for their multi-family project (project) must file a written application on the form(s) provided by the Department which demonstrates to the satisfaction of the Department that the criteria of either Paragraph (a) or (b) have been met:

- i. The application was filed with the Department within 90 days of June 4, 2017 (the date Ordinance No. 184,873 was enacted), and demonstrates that the hardship to the project existed as of that date; or
- ii. The application is filed with the Department within 60 days of the effective date of this Paragraph (b) and demonstrates that the owner received discretionary entitlements for the project before June 4, 2017, and that at least fifteen percent (15%) of the total number of units at the project are restricted for and affordable to Very Low Income households for a term of 55 years from the date of issuance of the certificate of occupancy and the number of Very Low Income restricted units is no less than the number of rental units subject to the Rent Stabilization Ordinance demolished for the project, if any.

An owner who files an application for exemption pursuant to the provisions of this subdivision shall pay to the Department an administrative fee in the amount of \$160.00 for each application. The administrative fee shall be used to finance the costs of processing and investigating applications for exemption.

2. **Replacement Affordable Housing Unit Exemption.** An owner may, at any time, apply for exemption pursuant to the provisions of Subsection B. of this section, but must do so by written application on a form provided by the Department. If the Department issues an exemption while there are tenants residing in rental units that are subject to the provisions of the Rent Stabilization Ordinance, each of the units shall continue to be subject to the provisions of the Rent Stabilization Ordinance until all tenants in a unit voluntarily vacate the unit, or have their tenancies terminated pursuant to

the provisions of Subdivisions 1., 2., 3., 4., 5., 6., 7., 9., 11., or 12. of Subsection A. of Section 151.09 of this article.

An owner who files an application for exemption from the Rent Stabilization Ordinance pursuant to the provisions of this subdivision shall pay to the Department an administrative fee in the amount of \$705.00 for each application, plus \$75.00 for each replacement affordable housing unit. The administrative fee shall be used to finance the costs of processing and investigating applications for exemption, and continued monitoring.

3. **Owner Occupancy Exemption.** An owner, whose name appears on legal title to the property, may file an application for exemption from the Rent Stabilization Ordinance on the grounds that the owner is a natural person who occupied the demolished building, which consisted of four or fewer rental units, for three years prior to the demolition of the building. If the building has not yet been demolished, an owner may file an application for exemption from Subsection A. of Section 151.28 on the grounds that the building to be demolished consists of four or fewer rental units, and that the owner occupied the building for three consecutive years prior to filing an application for exemption. An owner may, at any time, apply for exemption, but must do so by written application on a form provided by the Department. If the Department issues an exemption while there are tenants residing in units that are subject to the provisions of the Rent Stabilization Ordinance, each of the units shall continue to be subject to the provisions of the Rent Stabilization Ordinance until all tenants in a unit voluntarily vacate the unit, or have their tenancies terminated pursuant to the provisions of Subdivisions 1., 2., 3., 4., 5., 6., 7., 9., 11., or 12. of Subsection A. of Section 151.09 of this article.

An owner who files an application for exemption from the Rent Stabilization Ordinance pursuant to the provisions of this subdivision shall pay to the Department an administrative fee in an amount to be determined by ordinance. The administrative fee shall be used to finance the costs of processing and investigating applications for exemption.

4. **Verification of Information.** Information submitted in any written application to the Department for any of the exemptions outlined in this section, will be subject to verification and approval by the Department.

- D. **Appeals.** An owner who is denied an exemption from the Rent Stabilization Ordinance for an application filed pursuant to the provisions of Subsection C. of this section may appeal the denial by requesting a hearing before the General Manager. The appeal must be filed in writing and received by the Department within 15 calendar days of the date of mailing the denial decision. The appeal must be on a form provided by the Department and identify the grounds for appeal. If an appeal from a decision to deny an exemption is not received by the Department within the 15 day appeal period, the decision will be final.

An owner who files an appeal from an application for exemption filed pursuant to the provisions of Subdivisions 1. or 2. of Subsection C. of this section shall pay to the Department an administrative fee in the amount of \$290.00 for each appeal. An owner who files an appeal from an application for exemption filed



pursuant to the provisions of Subdivision 3. of Subsection C. of this section shall pay to the Department an administrative fee in an amount to be determined by ordinance. The fee shall be used to finance the cost of the appeal process.

The General Manager's hearing shall be held within 30 days of receiving the appeal and will follow the procedures set forth in Division 8 of Article 1 of Chapter XVI of this Code. The owner may present proof at the hearing of entitlement to an exemption, and a Department representative shall explain the reason for the denial of the exemption application.

The General Manager shall issue a written decision of the appeal and may affirm, modify, or reverse the determination of the Department. The General Manager may grant a continuance of the hearing upon a showing of good cause or where further Department investigation is warranted.

- E. **Authority of Department.** The Department shall be responsible for carrying out the provisions of this section and shall have the authority to promulgate and administer policies, rules, and regulations to effectuate the purposes of this section.

**EXHIBIT I**

**WEST LOS ANGELES**

**DEMOGRAPHIC PROFILE**

# 2021 CITY OF LOS ANGELES - DEPARTMENT OF CITY PLANNING

## WEST LOS ANGELES

### DEMOGRAPHIC PROFILE

(SOURCE: American Community Survey (ACS) 2017-2021)

7.1 square mile study area (approximate)

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POPULATION	Percent
Total person	75,737
Persons in households	75,529 99.7%
Persons in group quarters	396 0.5%
Persons per square mile	10,671

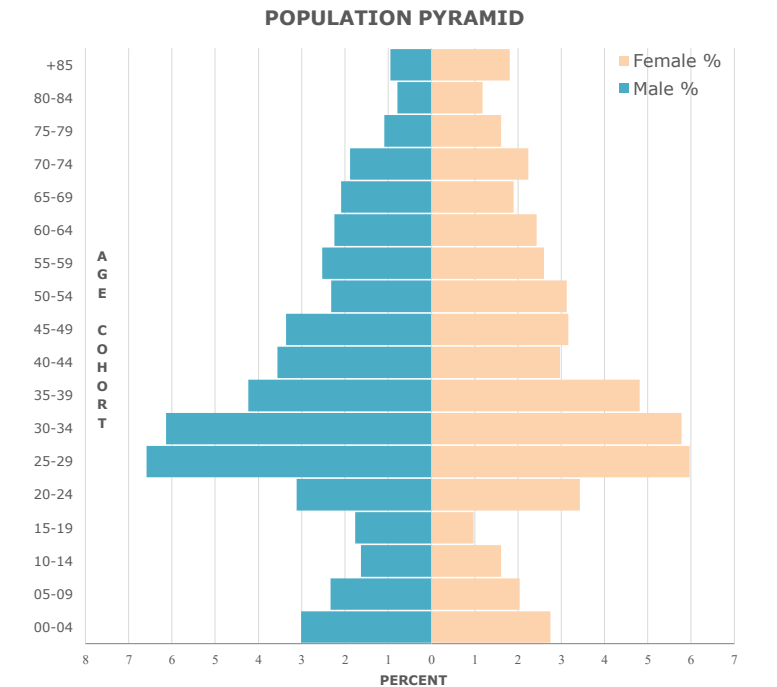
<b>Growth in Population</b>	Percent
April 1st, 2010	74,952 Change
Population growth	785 <b>1.0%</b>

RACE/ETHNICITY	Percent
<b>Race</b>	
White	49,561 65.4%
Black or African American	2,007 2.6%
American Indian and Alaska Native	130 0.2%
Asian	15,367 20.3%
Native Hawaiian and Pacific Islander	88 0.1%
Some Other Race	3,089 4.1%
Two or More Races:	5,495 7.3%

<b>Hispanic or Latino Origin by Race</b>	
<b>Not Hispanic or Latino:</b>	<b>66,281 88%</b>
White	44,550 67.2%
Black or African American	1,977 3.0%
American Indian and Alaska Native	45 0.1%
Asian	15,283 23.1%
Native Hawaiian and Pacific Islander	62 0.1%
Some Other Race	743 1.1%
Two or More Races:	3,620 5.5%
<b>Hispanic or Latino:</b>	<b>9,456 12%</b>
White	5,011 53.0%
Black or African American	29 0.3%
American Indian and Alaska Native	85 0.9%
Asian	84 0.9%
Native Hawaiian and Pacific Islander	26 0.3%
Some Other Race	2,345 24.8%
Two or More Races:	1,875 19.8%

CHANGE (2010* TO 2021)	Number	Percent
<b>GENDER</b>		
Total males	975 2.7%	
Total females	-190 -0.5%	
<b>AGE</b>		
Under 5 years old	244 5.9%	
5 to 9 years old	22 0.7%	
10 to 17 years old	-787 -17.6%	
<b>School age (5 to 17 years old)</b>	<b>-765 -9.9%</b>	
18 to 21 years old	-694 -28.2%	
22 to 34 years old	2,150 10.5%	
35 to 59 years old	-736 -2.9%	
60 to 64 years old	-362 -9.3%	
65 to 74 years old	1,010 19.7%	
75 or older	-61 -1.1%	
<b>HOUSING</b>		
Total units	1,402 3.6%	
Occupied units	-106 -0.3%	
Owner occupied	-745 -5.4%	
Renter occupied	639 2.9%	

GENDER AND AGE	Percent
<b>Total Males</b>	<b>37,574 49.6%</b>
Under 5 years old	2,280 6.1%
5 to 9 years old	1,767 4.7%
10 to 17 years old	1,960 5.2%
18 to 21 years old	1,072 2.9%
22 to 34 years old	11,536 30.7%
35 to 59 years old	12,116 32.2%
60 to 64 years old	1,697 4.5%
65 to 74 years old	3,007 8.0%
75 or older	2,139 5.7%
<b>Total Females</b>	<b>38,164 50.4%</b>
Under 5 years old	2,082 5.5%
5 to 9 years old	1,543 4.0%
10 to 17 years old	1,724 4.5%
18 to 21 years old	698 1.8%
22 to 34 years old	11,027 28.9%
35 to 59 years old	12,625 33.1%
60 to 64 years old	1,844 4.8%
65 to 74 years old	3,135 8.2%
75 or older	3,486 9.1%



#### HISPANIC OR LATINO and mixed race categories.

RACE-For the first time, since the year 2000 Census of Population and Housing permitted persons to check more than one category to define their race. The selection of categories and the option to choose more than one is strictly a matter of personal choice and personal preference. The choices are: White, Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and Pacific Islander, Some Other Race, and Two or More Races.

ETHNICITY- As in the two previous censuses, persons are also further self defined as being HISPANIC OR LATINO or NOT HISPANIC OR LATINO. It is important to note that this is a separate ETHNIC grouping as opposed to the RACIAL categories listed above.

# 2021 CITY OF LOS ANGELES - DEPARTMENT OF CITY PLANNING

## WEST LOS ANGELES

### DEMOGRAPHIC PROFILE

(SOURCE: American Community Survey (ACS) 2017-2021)

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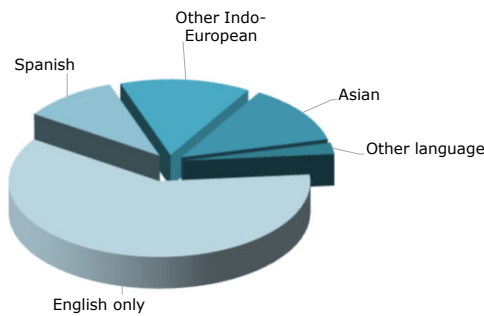
#### POPULATION

<b>Total person</b>	<b>75,737</b>	
<b>CITIZENSHIP</b>		
		<b>Percent</b>
Native born	54,137	71.5%
Foreign born - naturalized	12,390	16.4%
Foreign born - non citizen	9,210	12.2%

#### LANGUAGE SPOKEN AT HOME

		<b>Percent</b>
English only	21,532	60.7%
Spanish	3,651	10.3%
linguistic isolation	414	11.3%
Other Indo-European	4,973	14.0%
linguistic isolation	1,264	25.4%
Asian	4,446	12.5%
linguistic isolation	740	16.6%
Other language	870	2.5%
linguistic isolation	59	6.8%

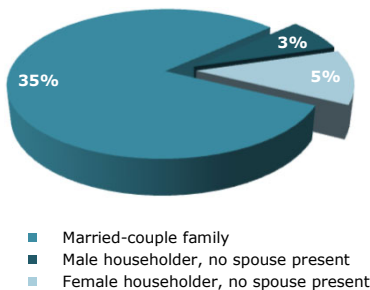
#### LANGUAGE SPOKEN AT HOME



#### HOUSEHOLD TYPE

		<b>Percent</b>
<b>Family Households</b>		
Married-couple family	12,560	35.4%
Male householder, no spouse present	1,104	3.1%
Female householder, no spouse present	1,829	5.2%
<b>NonFamily Households</b>		
Householder living alone	14,234	40.1%
Householder not living alone	5,746	16.2%

#### FAMILY HOUSEHOLDS



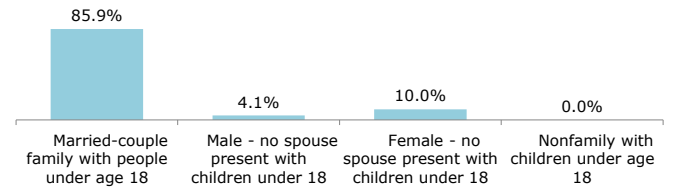
#### HOUSING AND TENURE

<b>Total dwelling units</b>	<b>39,903</b>	
Vacant units	4,430	11.1%
<b>Occupied units</b>		
Owner occupied	13,180	37.2%
Renter occupied	22,293	62.8%
<b>DWELLING UNITS PER GROSS ACRE</b>		
	<b>8.8</b>	

#### HOUSEHOLDS BY PRESENCE OF PEOPLE UNDER AGE 18

		<b>Percent</b>
<b>Households with 1 or more people under 18 years</b>		
Married-couple family with people under age 18	5,084	85.9%
Male - no spouse present with children under 18	245	4.1%
Female - no spouse present with children under 18	590	10.0%
Nonfamily with children under age 18	0	0.0%
<b>Households with no people under 18 years</b>		
	<b>29,554</b>	<b>83.3%</b>

#### HOUSEHOLD and CHILDREN



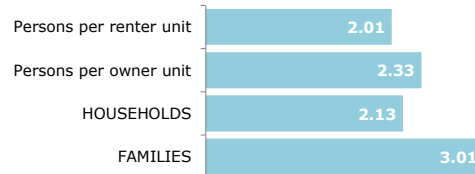
#### PERSONS PER HOUSEHOLD

	<b>2.13</b>	
Persons in owner occupied units	30,697	40.6%
Persons per owner occupied unit	2.33	
Persons in renter occupied units	44,832	59.4%
Persons per renter occupied unit	2.01	

#### TOTAL FAMILIES

	<b>15,493</b>	
Families per household	0.44	
Persons in families	46,642	
Persons per family	3.01	

#### HOUSEHOLD SIZE and FAMILY SIZE



#### MEDIAN HOUSEHOLD INCOME

**\$102,802**

#### PERSONS IN HOUSEHOLDS

	<b>75,529</b>	
1-person household	14,234	40.1%
2-person households	12,185	34.4%
3-person households	4,478	12.6%
4-person households	3,231	9.1%
5-person households	960	2.7%
6-person households	242	0.7%
7-or-more-person households	142	0.4%



# 2021 CITY OF LOS ANGELES - DEPARTMENT OF CITY PLANNING

## WEST LOS ANGELES

### DEMOGRAPHIC PROFILE

(SOURCE: American Community Survey (ACS) 2017-2021)

page 3

#### POPULATION

Total person 75,737

#### SCHOOL ENROLLMENT

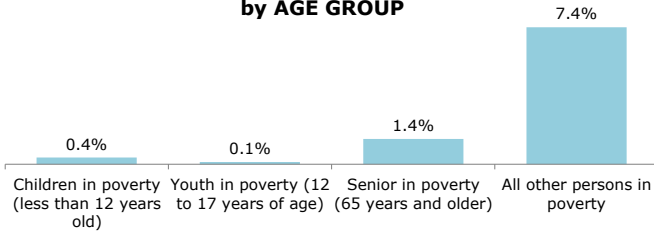
		Percent
Total enrolled in school	14,625	19.3%
Nursery school, preschool	1,599	2.1%
Kindergarten	576	0.8%
Grade 1 to grade 4	2,564	3.4%
Grade 5 to grade 8	1,715	2.3%
Grade 9 to grade 12	1,776	2.3%
College, undergraduate years	3,309	4.4%
Graduate or professional school	3,085	4.1%
Total not enrolled in school	58,524	77.3%

#### POVERTY by AGE GROUP

		Percent
Income in the past 12 months below poverty level:		
All persons:	6,984	9.2%
Children in poverty (less than 12 years old)	274	0.4%
Youth in poverty (12 to 17 years of age)	86	0.1%
Senior in poverty (65 years and older)	1,030	1.4%
All other persons in poverty	5,594	7.4%

Income in the past 12 months at or above poverty level:		
All persons:	68,413	90.3%

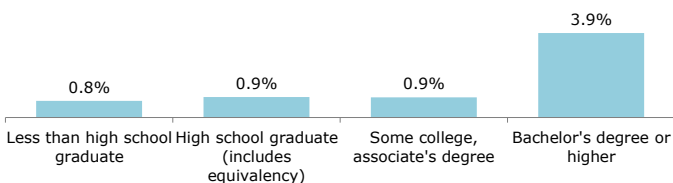
INCOME BELOW POVERTY LEVEL  
by AGE GROUP



#### POVERTY by EDUCATION ATTAINMENT

		Percent
Income in the past 12 months below poverty:	4,975	6.6%
Less than high school graduate	582	0.8%
High school graduate (includes equivalency)	716	0.9%
Some college, associate's degree	703	0.9%
Bachelor's degree or higher	2,974	3.9%
Income in the past 12 months at/above poverty:	53,355	70.4%
Less than high school graduate	1,969	2.6%
High school graduate (includes equivalency)	3,847	5.1%
Some college, associate's degree	8,577	11.3%
Bachelor's degree or higher	38,962	51.4%

INCOME BELOW POVERTY LEVEL  
by EDUCATION ATTAINMENT



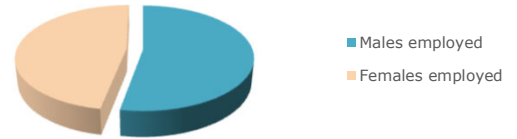
#### UNITS IN STRUCTURE

		Percent
Total dwelling units	39,903	
Single housing units	9,614	24.1%
Multiple housing units	30,247	75.8%
Mobile and other units	42	0.1%

#### EMPLOYMENT

		Percent
Males employed	23,577	31.1%
Males unemployed	1,608	6.4%
Males not in labor force	6,787	9.0%
Females employed	21,052	27.8%
Females unemployed	1,172	5.3%
Females not in labor force	11,004	14.5%

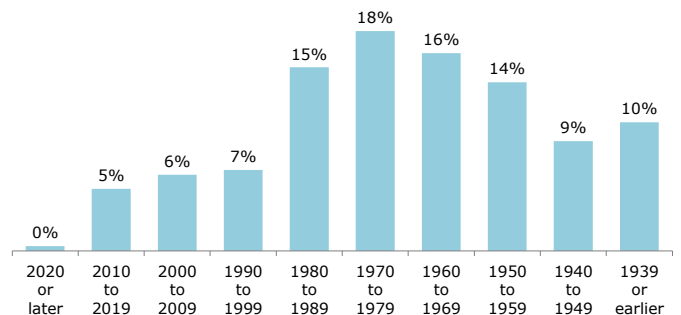
EMPLOYMENT



#### YEAR STRUCTURE BUILT

		Percent
Built 2020 or later	148	0.4%
Built 2010 to 2019	2,005	5.0%
Built 2000 to 2009	2,461	6.2%
Built 1990 to 1999	2,622	6.6%
Built 1980 to 1989	5,948	14.9%
Built 1970 to 1979	7,124	17.9%
Built 1960 to 1969	6,407	16.1%
Built 1950 to 1959	5,466	13.7%
Built 1940 to 1949	3,551	8.9%
Built 1939 or earlier	4,171	10.5%

YEAR STRUCTURE BUILT



Information included in this report comes from the 2017-2021 American Community Survey (ACS) 5-year estimates. The ACS produces period estimates of socioeconomic and housing characteristics. It is designed to provide estimates that describe the average characteristics of an area over a specific time period. For example, the 2010-2014 ACS 5-year estimates describe the population and housing characteristics of an area for the period January 1, 2010 through December 31, 2014. The land area data is for internal reference only.

**EXHIBIT J**

**WEST LOS ANGELES**

**CONDO CONVERSION CASES**

**2013-2023**

## Residential Condominium Conversions for West LA Community Plan Area 2013-2023

Case Number	Address	Plan Area	Units	Approval	COO Info
AA-2018-2696-PMLA-CC	1848 S BARRINGTON	West Los Angeles	3	AA approved 11/13/2018	No COO for condo
TT-82687-CC	1730 S COLBY	West Los Angeles	20	AA approved 7/21/2022	No COO for condo
TT-82688-CC	1725 S BUTLER	West Los Angeles	20	AA approved 7/21/2022	No COO for condo
3 CC for West LA		Total	43		

Generated on August 4, 2023

**EXHIBIT K**

**PUBLIC CORRESPONDENCE**





Daisy Benicia &lt;daisy.benicia@lacity.org&gt;

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## Condo Conversion at 2969 Kelton Ave - Tenant Statement

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Stacy Li &lt;stacyli80@gmail.com&gt;

Fri, Jul 15, 2022 at 11:54 AM

To: "connie.chauv@lacity.org" &lt;connie.chauv@lacity.org&gt;

Cc: daisy.benicia@lacity.org, paul.koretz@lacity.org

Connie, Daisy, &amp; Paul,

My name is Stacy Li and I am a tenant at [2969 Kelton Ave](#). It has come to my attention that the building is currently under review for condominium conversion. I have concerns regarding Steve Nazemi's application for condo conversion (Case #: VTT-82689-CC), listed as follows:

**1. Rental vacancy is at about 4% in West LA**, meaning there is inadequate renter vacancy in our neighborhood to legally allow for condo conversion. As I'm sure you're well aware, this is the tightest rental market we've seen in decades. And through a quick google search, you can easily see how tight the current state of renting in LA is. Below are just a few of hundreds of headlines regarding low vacancy. Legally, this condo conversion cannot take place if the vacancy rate in the area is below 5%.

[LA Daily News - Tenants struggle to find rentals as vacancies linger near 22-year lows](#) (May 2022)

[LA Times - Finding a place to rent has become a competitive sport](#) (May 2022)

[LA Business Journal - LA Apartment Vacancies Drop, Rents Rise](#) (Sep 2021)

**2. There is an insufficient number of comparable units within a 1.5mi radius of the property.** As a tenant I have a legal right to request a list of comparable units within 1.5mi of the current property (ie. similar square footage, same rent, same amenities...etc) With just a quick search on Apartments.com and Zillow, I see only one potentially comparable unit and that's it. Will this one unit accommodate the 40-50 residents that will be displaced? Unless the applicant and the City can provide a complete list of comparable housing, no further action should be taken on this case.

**3. Relocation assistance fees do not adequately cover present costs of moving.** Given the current state of inflation, the housing crisis, and rental shortage, it seems comedic to suggest that \$3200 for an "unqualified" or \$8000 for a "qualified" renter could adequately cover the costs and additional burden of relocation. In the current horrific state of renting, a property management company can request up to two months of rent as a security deposit, on top of the first month's rent payment.

For example, currently it costs about \$3000/month to rent my unit. Moving to a building that has a 2-month security deposit would mean we would need upwards of \$9000 upfront just to secure a unit. And that is *excluding* the actual cost of a moving service, rental applications, wifi & utility setup costs, and loss of wages through taking time off to move or search for a new apartment. I would argue that a minimum of \$10,000 per "unqualified" household and \$25,000 per "qualified" household would be more realistic to the current state of the market. **Additionally, it would be ridiculous to assume that a renter can afford to purchase the unit under the current housing & interest frenzy.**

I would hope that my representatives both within City Planning and City Council could recognize the consequences of approving this condo conversion, both from a legal, and frankly, ethical perspective. Given the current state of housing in West LA, I believe displacing our entire building would do great harm to all the tenants who live here and depend on having adequate apartments in the area. Thank you so much for your time.

Warmly,  
**Stacy Li**

[UCLA '19](#) | [Design @ Google](#)

Los Angeles, CA

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Stacy Li

Product Design | UCLA 19

760 978-8330 | [stacyli.com](#)



Daisy Benicia &lt;daisy.benicia@lacity.org&gt;

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**Fwd: 2969 Kelton Ave**

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**Connie Chauv** <connie.chauv@lacity.org>  
To: Daisy Benicia <daisy.benicia@lacity.org>

Mon, Jul 18, 2022 at 7:57 AM

**Connie Chauv**

Pronouns: She, Her, Hers

City Planner

**Los Angeles City Planning**

200 N. Spring St., Room 720/721

Los Angeles, CA 90012

T: (213) 978-0016 | Planning4LA.org



----- Forwarded message -----

From: **Alex Vonhungen** <indomitablespirit@gmail.com>

Date: Fri, Jul 15, 2022 at 8:27 AM

Subject: [2969 Kelton Ave](#)

To: &lt;connie.chauv@lacity.org&gt;

Hi Connie,

My name is Alex Vonhungen and I live at [2969 Kelton Ave](#). I am currently traveling for work but I wanted to reach out and let you know how concerned I am about the recent development that our apartment building may be turned into condos. This situation completely caught me and my girlfriend off-guard and we are struggling to understand what our rights are in this situation.

Based on what I have seen, the building is asking for waivers to move the sidewalk out further and on the face of it I think that is a very bad idea for two reasons. One, at the intersection of National and Kelton there is a crosswalk. I have wanted to write to the city many times to explain how dangerous this crosswalk is. I have seen cars drive straight through while people are walking and I myself have nearly been hit trying to cross the street. If the road was thinned it seems like the reduced space would make the situation even worse. A second but related reason is that my car has been sideswiped while parked on National in front of the building just across this intersection. My rear view mirror was completely taken off and because the driver left no information I was forced to pay for it myself. Again, reducing the space that cars have in this already tight area seems very risky.

I would also like to get a more clear understanding of the conversion process so that I can understand who's responsibility it is to provide us tenants with information about the decision making process. I am out of the country so I could not attend the Zoom call, but I am told there was a discussion of how a 5% occupancy rate would affect the conversion and that neither the city nor the management company was unable to provide any information. I have also read online that the management company would need to provide us tenants with moving expenses and information about comparable apartments but it does not seem like any of those things have been addressed.

When I return to Los Angeles, I will look further into my legal rights as a tenant and take any necessary steps to prevent an incursion on my living space. There are elderly people in our building and I am concerned for their sake even more than my own. Please provide any information that you can.

Best regards,  
Alex Vonhungen  
(310) 560-4195





Daisy Benicia &lt;daisy.benicia@lacity.org&gt;

---

**Fwd: 2969 Kelton Ave**

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**Connie Chauv** <connie.chauv@lacity.org>  
To: Daisy Benicia <daisy.benicia@lacity.org>

Thu, Jul 21, 2022 at 1:43 PM

**Connie Chauv**

Pronouns: She, Her, Hers

City Planner

**Los Angeles City Planning**

200 N. Spring St., Room 720/721

Los Angeles, CA 90012

T: (213) 978-0016 | Planning4LA.org



----- Forwarded message -----

From: **Ashley Duwe** <amduwe@gmail.com>  
Date: Fri, Jul 15, 2022 at 6:34 AM  
Subject: Re: [2969 Kelton Ave](#)  
To: <connie.chauv@lacity.org>

Hi Connie,

To confirm this is for case numbers:

VTT-82689-CC

ENV-2019-7606-CE

BTC: VO19-904 &amp; VO21-457

Thank you,

Ashley

On Thu, Jul 14, 2022 at 7:35 PM Ashley Duwe &lt;amduwe@gmail.com&gt; wrote:

Hi Connie,

My name is Ashley Duwe and I am a current tenant at [2969 Kelton Ave](#). I am writing in response to the notice we received about our apartment building possibly being converted into condos. This news is very alarming and extremely upsetting. Being displaced at a time when the economy is suffering along with extremely low rental vacancies is beyond concerning. It is my understanding that as of August 1, 2022 landlords can raise rent up to 10%. With inflation, rental increases and another 5% increase allowance for landlords to implement soon, this puts a huge burden on all of us.

During our zoom call no one provided answers as to why this condo conversion is taking place. This entire situation just doesn't seem fair. We were told we have an opportunity to purchase, but after reviewing the estimated cost of the condos, it clearly is nowhere near affordable to do so. Everyone is struggling to make ends meet and I hope this email will put into perspective how disheartening it is to hear you could be losing your home soon.

I ask this case be reevaluated with all of the tenants kept in mind and how awful it would be if you or anyone else was in this situation.

Best,



7/22/22, 7:43 AM

City of Los Angeles Mail - Fwd: 2969 Kelton Ave

Ashley Duwe



Daisy Benicia &lt;daisy.benicia@lacity.org&gt;

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**Fwd: VTT-82688-CC**

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**Connie Chauv** <connie.chauv@lacity.org>  
To: Daisy Benicia <daisy.benicia@lacity.org>

Mon, Jul 25, 2022 at 7:33 AM

**Connie Chauv**

Pronouns: She, Her, Hers

City Planner

**Los Angeles City Planning**

200 N. Spring St., Room 720/721

Los Angeles, CA 90012

T: (213) 978-0016 | Planning4LA.org



----- Forwarded message -----

From: **Liz Vacovec** <evacovec@gmail.com>  
Date: Fri, Jul 22, 2022 at 4:23 PM  
Subject: VTT-82688-CC  
To: [connie.chauv@lacity.org](mailto:connie.chauv@lacity.org) <connie.chauv@lacity.org>  
Cc: Ryan Black <ryanstevenblack@yahoo.com>

Dear Ms. Chauv,

Re:  
ENV-2019-7606-CE  
BTC: VO19-904 & VO21-457

My name is Liz Vacovec and I reside at [2969 Kelton Ave, Apt. 205](#). My fiancé and I have lived here for two years and we are **against** the conversion from an apartment building to condominiums. We are getting married next year and plan to start a family shortly after. With the state of real estate in Los Angeles we cannot afford anything other than apartment living at the moment. This apartment has become our home and we have hopes of raising a child here.

At this point, we have already reached out to legal counsel on the matter and plan to pursue further legal action should this move forward.

Thank you for your time.

Best,  
Liz

--

Liz Vacovec  
Producer  
781-789-1695  
[IMDB](#)  
[LinkedIn](#)



Daisy Benicia &lt;daisy.benicia@lacity.org&gt;

---

**VESTING TENTATIVE TRACT NO. 82689-CC Response**

---

**Andrew Hammond** <andrewhammond@hotmail.com>

Mon, Jul 25, 2022 at 6:59 AM

To: "connie.chauv@lacity.org" <connie.chauv@lacity.org>, "jane.choi@lacity.org" <jane.choi@lacity.org>, "daisy.benicia@lacity.org" <daisy.benicia@lacity.org>, "eric.claros@lacity.org" <eric.claros@lacity.org>  
Cc: "Iva Radosevic (ivaradosevic@hotmail.com)" <ivaradosevic@hotmail.com>

**RE: Case Numbers****VTT-82689-CC****ENV-2019-7606-CE****BTC: VO19-904 & VO21457**

Dear Ms. Chauv, Ms. Choi, Ms. Benicia, and Mr. Claros,

Further to the above referenced case numbers, we are writing to request that you deny the application proposed under VESTING TENTATIVE TRACT NO. 82689-CC requesting to convert the existing 18-unit apartment building located at [2969 Kelton Avenue](#) to an 18-unit residential condominium building.

Our request to deny the application is based upon the following three objections:

1. The proposed project is in violation of Los Angeles Municipal Code (LAMC) Section 12.95.2F.6 part 1), specifically that the vacancy rate is less than 5%;
2. The proposed project is not compatible with the West Los Angeles Community Plan; and
3. The proposed project application contains false claims regarding provision of the notifications required under LAMC Section 12.95.2 D.3.

Please accept the following comments in elaboration of the points raised above. All page references refer to the document "VESTING TENTATIVE TRACT NO. 82689-CC" located at: [https://planning.lacity.org/plndoc/Staff\\_Reports/2022/07-06-2022/VTT\\_82689.pdf](https://planning.lacity.org/plndoc/Staff_Reports/2022/07-06-2022/VTT_82689.pdf)

**1. The proposed project is in violation of Los Angeles Municipal Code (LAMC) Section 12.95.2F.6**

On page 23, part m), it is stated that, "THE VACANCY RATE OF THE PLANNING AREA IN WHICH THE PROPERTY IS LOCATED IS NOT LESS THAN 5 PERCENT."

On page 24, paragraph 2, the applicant also states that, "Consistent with the requirements of Los Angeles Municipal Code (LAMC) Section 12.95.2F.6 the Advisory Agency considered the criteria enumerated in this subsection. The Department of City Planning Demographics Unit reports that the overall vacancy rate is 8.63 percent, which is more than 5 percent. The vacancy rate was calculated using 2019 American Community Survey 5-year Estimate data."

The claim that the vacancy rate is under 5% is outdated, referring to 2019 data from the American Community Survey conducted by the US Census Bureau. Updated data for the First Quarter of 2022 is available from the US Census Bureau

calculating the vacancy rate for the Los Angeles metropolitan area to be 3.5%, which is significantly below the 5% threshold. In fact, a May 17, 2022 Los Angeles Times article entitled, "Finding a place to rent in Los Angeles has become a competitive sport," makes it clear that the number of apartments available for rent in Los Angeles County is the lowest it's been in two decades, and the vacancy rate in Los Angeles County in the first quarter of this year was the lowest since 2001.

You may find the US Census Bureau data here: <https://www.census.gov/housing/hvs/data/rates.html>

And the Los Angeles Times article here: <https://www.latimes.com/business/story/2022-05-17/california-housing-market-rental-vacancies>

On page 24, paragraph 3, the applicant also offers the claim that, "The project does not have a significant cumulative effect on the rental housing market. There have been zero condominium conversions having occurred within a 600-foot radius of the project site since at least 2000."

This claim is of little significance considering that a) the majority of the 600-foot radius of the project site within the West Los Angeles Community Plan area consists almost entirely of R1-zoned single family residential properties which would never have been eligible for a condominium conversion project, and b) 600 feet represents 0.00064% of the total residential square footage in the West Los Angeles Community Plan. Note that the West Los Angeles Community Plan area comprises an area of 4,565 acres, 2,161 of which are zoned residential, this is equivalent to 94,133,160 square feet. Furthermore, the vast majority of the Medium density, R-3 zoned rental property inventory in the West Los Angeles Community Plan area is located in the northwest portions of the Plan area. In the areas immediately adjacent to the proposed project property, there are very few Medium density R-3 zoned properties, and the removal of even a single one would in fact represent a significant change to the rental housing market for that same 600-foot radius area noted by the applicant.

## **2. The proposed project is not compatible with the West Los Angeles Community Plan**

On Page 19, part a), paragraph 4, the applicant claims that the project is compatible with the West Los Angeles Community Plan, and in particular claims compliance with Objective 1-1, and Policy 1-1.2 of the West Los Angeles Community Plan. These claims are without merit and the project is actually in opposition to the goals, objectives, and policies of the West Los Angeles Community Plan.

Goal 1 of the West Los Angeles Community Plan (WLACP) is to provide, "A SAFE, SECURE, AND HIGH-QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY."

Objective 1-1 supports this goal by stating the importance of providing, "for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area."

Policy 1-1.2 specifically states the priority to preserve all residential neighborhoods.

First and foremost, the WLACP places an emphasis on preserving the existing character of residential housing in the Community. This existing character includes a mix of owner-occupied dwellings, and tenant occupied dwellings. Furthermore, it includes a diverse economic and demographic background of residents. Rather than preserving the existing character of residential housing in the community, the proposed conversion would change the existing character by reducing the number of tenant-occupied dwellings and removing access to affordable housing units.



This is in direct contravention of Objective 1-4 of the WLACP which specifically requires the promotion of "adequate and affordable housing," and increasing its accessibility to more segments of the population, especially students and senior citizens. In addition, Policy 1-4.1 provides for the promotion of greater individual choice in type, quality, price and location of housing, and Policy 1.4-2 is to ensure that new housing opportunities minimize displacement of residents.

The applicant's proposed conversion would serve to reduce the amount of affordable housing, the choice of housing type, and would lead to the displacement of residents by converting rental properties to condominiums. On page 19, part a), paragraph 5, the applicant contends that, "(t)he project will provide new homeownership opportunities," but with the cost of home ownership at an all-time high, the new home ownership opportunities will only apply to the wealthy, and not to the diverse set of potential residents served by rental housing opportunities in the community.

**3. The proposed project application contains false claims regarding provision of the notifications required under LAMC Section 12.95.2 D.3**

Page 2, GENERAL COMMENTS, paragraph 4 states that:

"Pursuant to LAMC Section 12.95.2 D.3, the applicant has submitted evidence of notice to the existing tenants in the form of signed letters or U.S. Postal Service Certified Mail Receipts. Additionally, the project owner has submitted a statement certifying that any person who applies for rental applicant or becomes a tenant after the date of application will be given written notice of the pending condominium conversion application prior to written or oral rental agreement."

We hereby attest that a) no such notice pursuant to LAMC Section 12.95.2 D.3 was delivered to us, nor was any written notice provided to us in our rental application, or lease agreement (which went into effect November 1, 2021,) regarding the pending condominium conversion project.

Thank you for your review and consideration of our objections to the proposed project. We are available for further consultation on our concerns, and we look forward to receiving confirmation that this project proposal has been denied.

Sincerely,

Andrew Hammond

2969 Kelton Ave # 306

Los Angeles CA

90064

310 968 0908

[andrewhammond@hotmail.com](mailto:andrewhammond@hotmail.com)

Iva Radosevic

2969 Kelton Ave # 306

Los Angeles CA

90064

626 298 1920

[ivaradosevic@hotmail.com](mailto:ivaradosevic@hotmail.com)





Daisy Benicia <daisy.benicia@lacity.org>

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## VESTING TENTATIVE TRACT NO. 82689-CC Response

---

**Andrew Hammond** <andrewhammond@hotmail.com>

Tue, Jul 26, 2022 at 7:18 PM

To: Daisy Benicia <daisy.benicia@lacity.org>

Cc: "connie.chauv@lacity.org" <connie.chauv@lacity.org>, "Iva Radosevic (ivaradosevic@hotmail.com)" <ivaradosevic@hotmail.com>

Hi Daisy,

Thank you for your acknowledgement of my letter. In reviewing what I sent I noticed a typo at Part 3 of my letter. Our lease went into effect November 1, 2020, not 2021 as written below. I would appreciate if you could update this for the case file.

Kind regards,

Andrew Hammond

[Quoted text hidden]



Daisy Benicia &lt;daisy.benicia@lacity.org&gt;

---

## Objections to the application propped under VESTING TENTATIVE TRACT NO. 82689-CC

---

yan liu &lt;liuyanji@gmail.com&gt;

Tue, Jul 26, 2022 at 12:14 AM

To: connie.chauv@lacity.org, jane.choi@lacity.org, eric.claros@lacity.org, daisy.benicia@lacity.org

Cc: Jiandong Sun &lt;sjdpillar@gmail.com&gt;

**RE: Case Nos****VTT-82689-CC****ENV-2019-7606-CE****BTC: VO19-904 & VO21457**

Dear Ms. Chauv, Ms. Choi, Ms. Benicia, and Mr. Claros,

We are writing to request that you deny the application proposed under **VESTING TENTATIVE TRACT NO. 82689-CC** requesting to convert the existing 18-unit apartment building located at **2969 Kelton Avenue** to an 18-unit residential condominium building.

We OBJECT to this application for the following reasons:

First, we hereby attest that a) no notice pursuant to LAMC Section 12.95.2 D.3 was delivered to us, nor was any written notice provided to us in our rental application, or lease agreement (which went into effect **July 25, 2021**) regarding the pending condominium conversion project. We were so distressed to get to know the project a couple of weeks ago.

Second, our 6-year-old kid loves his school, Clover Avenue Elementary School, which he has been going to since we moved here a year ago. In fact, it took him quite a while to get used to the new environment, and he is happy to make new friends here now. We cannot imagine how challenging it would be for us to find a place to rent in the community.

Thank you for your review and consideration of our objections to the proposed project. We are available for further consultation on our concerns, and we look forward to receiving confirmation that this project proposal has been denied.

Sincerely,

Yan Liu and Jiandong Sun  
**2969 Kelton Ave # 102**





Daisy Benicia &lt;daisy.benicia@lacity.org&gt;

## Fwd: 2969 Kelton Ave Public Commentary

**Connie Chauv** <connie.chauv@lacity.org>  
To: Daisy Benicia <daisy.benicia@lacity.org>

Tue, Jul 26, 2022 at 7:20 AM

**Connie Chauv**

Pronouns: She, Her, Hers

City Planner

**Los Angeles City Planning**

200 N. Spring St., Room 720/721

Los Angeles, CA 90012

T: (213) 978-0016 | Planning4LA.org



----- Forwarded message -----

From: **Joanna Grzeskowiak** <joanna@uclabruins.com>  
Date: Wed, Jul 13, 2022 at 11:42 AM  
Subject: [2969 Kelton Ave](#) Public Commentary  
To: <connie.chauv@lacity.org>

Hi Connie,

Thank you so much for hosting this morning's Zoom call on [2969 Kelton Ave](#), it was very informative and interesting. I am writing to you today in reference to said Zoom call re: [2969 Kelton Ave](#) condo conversion proposal and case numbers:

VTT-82689-CC  
ENV-2019-7606-CE  
BTC: VO19-904 & VO21-457

During the call, I asked what the rental occupancy rate of our neighborhood is. Steve Nazemi was not able to quantify a number and only gave a vague response of "occupancy rates are constantly changing," (aka I don't know) without providing any percentage. Thank you for your response, you responded with a historical figure of roughly 8.4% from 2019, again thank you for this insight into previous historical figures.

I'd like to note however, that 2019 was three years ago and much has happened since then (COVID, decades-high inflation, a worsening housing crunch AND rental supply shortage in LA county, and soaring interest rates). Also, my attorneys inform me that a cursory search of public records and county statistics reveal current occupancy rates in our neighborhood ranging from 3.5% -4.9%. These are within the threshold of below 5% occupancy, which would be grounds for denying approval for condo conversion due to an extremely tight and difficult rental housing market.

I think we were all very pleased that you chose the sage decision today to place this case under further consideration for the next two weeks, as we do not have all the available, accurate, and current datapoints to deem a decision on the legality of this condo conversion.

I would implore both the City and the Applicant to provide current and accurate occupancy rates for our West LA neighborhood, and not rely on stale, outdated figures. It would be in both the City's and Applicant's best interests to perform their due diligence before granting any approval to Steve Nazemi/DHS & Associates, as this could lead to a complex situation down the road.

Also, during the Zoom call I asked why this condo conversion was occurring in the first place and would like to state for the record that I did not receive any response to this, or justification or reasoning behind this proposal. I feel strongly this would have a detrimental impact on both the community, neighborhood, and of course the 18-units or roughly 50

residents you would be displacing during the highest inflation, toughest housing rental market, and most sought-after neighborhood in Southern California at the worst time. I would like to hear the Applicant's and City's reasoning behind considering this proposal and why you think this would be beneficial and not outright harmful?

Connie thank you again so much for your consideration on this matter, I hope you will take my remarks into consideration, and also the forthcoming feedback from the residents of 2969 Kelton.

Warmly,

Joanna

**JOANNA GRZEŚKOWIAK**

**MOBILE** 310.936.6621

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**CONNECT ON** [LinkedIn](#)



Daisy Benicia &lt;daisy.benicia@lacity.org&gt;

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**Response to VESTING TENTATIVE TRACT NO. 82689-CC**

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**Ryan Black** <ryanstevenblack@yahoo.com>

Wed, Jul 27, 2022 at 10:42 AM

To: "connie.chauv@lacity.org" <connie.chauv@lacity.org>, "jane.choi@lacity.org" <jane.choi@lacity.org>, "eric.claros@lacity.org" <eric.claros@lacity.org>, "daisy.benicia@lacity.org" <daisy.benicia@lacity.org>, "paul.koretz@lacity.org" <paul.koretz@lacity.org>  
Cc: Liz Vacovec <evacovec@gmail.com>

**Sent by e-mail:**

Connie Chauv, City Planner  
[connie.chauv@lacity.org](mailto:connie.chauv@lacity.org)

Jane Choi, Principal City Planner  
[jane.choi@lacity.org](mailto:jane.choi@lacity.org)

Eric Claros, Senior City Planner  
[eric.claros@lacity.org](mailto:eric.claros@lacity.org)

Daisy Benicia, City Planning Associate  
[daisy.benicia@lacity.org](mailto:daisy.benicia@lacity.org)

Paul Koretz, LA City Council Member  
[paul.koretz@lacity.org](mailto:paul.koretz@lacity.org)

**RE: Case Nos**

**VTT-82689-CC**  
**ENV-2019-7606-CE**  
**BTC: VO19-904 & VO21457**

Dear Ms. Chauv, Ms. Choi, Ms. Benicia, Mr. Claros and Mr. Koretz,

We would like to add our names/voices to the growing list of concerned residents of the apartment building at [2969 Kelton Avenue, Los Angeles, 90064](#).

Further to the above referenced case numbers, we are writing to request that you deny the application proposed under VESTING TENTATIVE TRACT NO. 82689-CC requesting to convert the existing 18-unit apartment building located at [2969 Kelton Avenue](#) to an 18-unit residential condominium building.

Our request to deny the application is based upon the following three objections:

1. The proposed project is in violation of Los Angeles Municipal Code (LAMC) Section 12.95.2F.6 part 1), specifically that the vacancy rate is less than 5%;
2. The proposed project is not compatible with the West Los Angeles Community Plan; and
3. The proposed project application contains false claims regarding provision of the notifications required under LAMC Section 12.95.2 D.3.

Please accept the following comments in elaboration of the points raised above. All page references refer to the document "VESTING TENTATIVE TRACT NO. 82689-CC" located at: [https://planning.lacity.org/Plndoc/Staff\\_Reports/2022/07-06-2022/VTT\\_82689.pdf](https://planning.lacity.org/Plndoc/Staff_Reports/2022/07-06-2022/VTT_82689.pdf)

**1. The proposed project is in violation of Los Angeles Municipal Code (LAMC) Section 12.95.2F.6**

On page 23, part m), it is stated that, "THE VACANCY RATE OF THE PLANNING AREA IN WHICH THE PROPERTY IS LOCATED IS NOT LESS THAN 5 PERCENT."

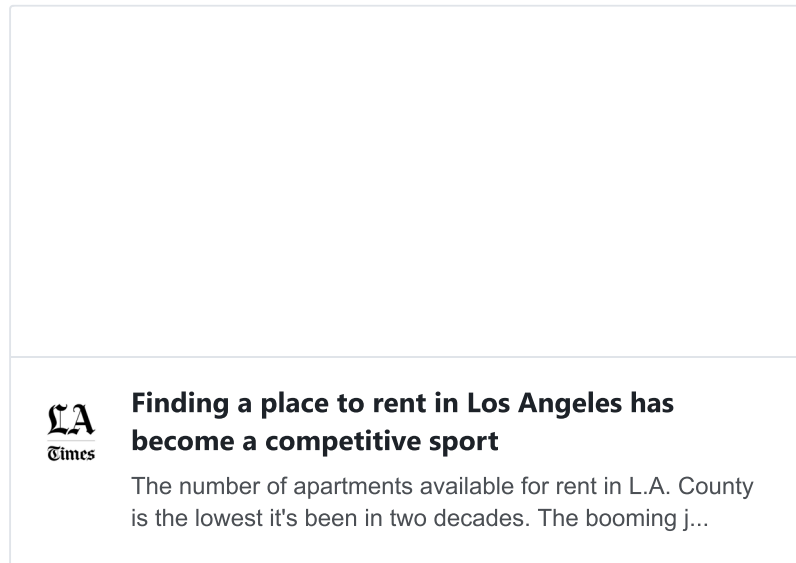
On page 24, paragraph 2, the applicant also states that, "Consistent with the requirements of Los Angeles Municipal Code (LAMC) Section 12.95.2F.6 the Advisory Agency considered the criteria enumerated in this subsection. The

Department of City Planning Demographics Unit reports that the overall vacancy rate is 8.63 percent, which is more than 5 percent. The vacancy rate was calculated using 2019 American Community Survey 5-year Estimate data.”

The claim that the vacancy rate is under 5% is outdated, referring to 2019 data from the American Community Survey conducted by the US Census Bureau. Updated data for the First Quarter of 2022 is available from the US Census Bureau calculating the vacancy rate for the Los Angeles metropolitan area to be 3.5%, which is significantly below the 5% threshold. In fact, a May 17, 2022 Los Angeles Times article entitled, “Finding a place to rent in Los Angeles has become a competitive sport,” makes it clear that the number of apartments available for rent in Los Angeles County is the lowest it’s been in two decades, and the vacancy rate in Los Angeles County in the first quarter of this year was the lowest since 2001.

You may find the US Census Bureau data here: <https://www.census.gov/housing/hvs/data/rates.html>

And the Los Angeles Times article here: [Finding a place to rent in Los Angeles has become a competitive sport](#)



On page 24, paragraph 3, the applicant also offers the claim that, “The project does not have a significant cumulative effect on the rental housing market. There have been zero condominium conversions having occurred within a 600-foot radius of the project site since at least 2000.”

This claim is of little significance considering that a) the majority of the 600-foot radius of the project site within the West Los Angeles Community Plan area consists almost entirely of R1-zoned single family residential properties which would never have been eligible for a condominium conversion project, and b) 600 feet represents 0.00064% of the total residential square footage in the West Los Angeles Community Plan. Note that the West Los Angeles Community Plan area comprises an area of 4,565 acres, 2,161 of which are zoned residential, this is equivalent to 94,133,160 square feet. Furthermore, the vast majority of the Medium density, R-3 zoned rental property inventory in the West Los Angeles Community Plan area is located in the northwest portions of the Plan area. In the areas immediately adjacent to the proposed project property, there are very few Medium density R-3 zoned properties, and the removal of even a single one would in fact represent a significant change to the rental housing market for that same 600-foot radius area noted by the applicant.

## 2. The proposed project is not compatible with the West Los Angeles Community Plan

On Page 19, part a), paragraph 4, the applicant claims that the project is compatible with the West Los Angeles Community Plan, and in particular claims compliance with Objective 1-1, and Policy 1-1.2 of the West Los Angeles Community Plan. These claims are without merit and the project is actually in opposition to the goals, objectives, and policies of the West Los Angeles Community Plan.

Goal 1 of the West Los Angeles Community Plan (WLACP) is to provide, “A SAFE, SECURE, AND HIGH-QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.”

Objective 1-1 supports this goal by stating the importance of providing, “for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area.”

Policy 1-1.2 specifically states the priority to preserve all residential neighborhoods.



First and foremost, the WLACP places an emphasis on preserving the existing character of residential housing in the Community. This existing character includes a mix of owner-occupied dwellings, and tenant occupied dwellings. Furthermore, it includes a diverse economic and demographic background of residents. Rather than preserving the existing character of residential housing in the community, the proposed conversion would change the existing character by reducing the number of tenant-occupied dwellings and removing access to affordable housing units.

This is in direct contravention of Objective 1-4 of the WLACP which specifically requires the promotion of "adequate and affordable housing," and increasing its accessibility to more segments of the population, especially students and senior citizens. In addition, Policy 1-4.1 provides for the promotion of greater individual choice in type, quality, price and location of housing, and Policy 1.4-2 is to ensure that new housing opportunities minimize displacement of residents.

The applicant's proposed conversion would serve to reduce the amount of affordable housing, the choice of housing type, and would lead to the displacement of residents by converting rental properties to condominiums. On page 19, part a), paragraph 5, the applicant contends that, "(t)he project will provide new homeownership opportunities," but with the cost of home ownership at an all-time high, the new home ownership opportunities will only apply to the wealthy, and not to the diverse set of potential residents served by rental housing opportunities in the community.

**3. The proposed project application contains false claims regarding provision of the notifications required under LAMC Section 12.95.2 D.3**

Page 2, GENERAL COMMENTS, paragraph 4 states that:

"Pursuant to LAMC Section 12.95.2 D.3, the applicant has submitted evidence of notice to the existing tenants in the form of signed letters or U.S. Postal Service Certified Mail Receipts. Additionally, the project owner has submitted a statement certifying that any person who applies for rental applicant or becomes a tenant after the date of application will be given written notice of the pending condominium conversion application prior to written or oral rental agreement."

We hereby attest that a) no such notice pursuant to LAMC Section 12.95.2 D.3 was delivered to us, nor was any written notice provided to us in our rental application, or lease agreement (which went into effect November 1, 2020,) regarding the pending condominium conversion project.

Thank you for your review and consideration of our objections to the proposed project. We are available for further consultation on our concerns, and we look forward to receiving confirmation that this project proposal has been denied.

Sincerely,

Ryan Black & Liz Vacovec  
2969 Kelton Ave., Apt. 205  
Los Angeles, CA 90064  
310-514-6361



VESTING TENTATIVE TRACT NO. 82689-CC Response.docx  
21K

**Sent by e-mail:**

Connie Chauv, City Planner

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Jane Choi, Principal City Planner

[jane.choi@lacity.org](mailto:jane.choi@lacity.org)

Eric Claros, Senior City Planner

[eric.claros@lacity.org](mailto:eric.claros@lacity.org)

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[daisy.benicia@lacity.org](mailto:daisy.benicia@lacity.org)

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