

SANTA MONICA RENT CONTROL BOARD

TO: Board Commissioners
FROM: Legal Staff
RE: [Proposed Amendments to Regulation 4003 \(Filing and Notice of Individual Rent Adjustments\)](#)
FOR BOARD MEETING OF: May 10, 2007

INTRODUCTION

Under our current regulations, when a tenant believes he or she is entitled to a rent decrease, at least 30 days notice (but no more than 180 days) to the landlord must be given before the Board will accept a decrease petition. The purpose of this provision is to allow the landlord to remedy the condition upon which the decrease petition is based.

The proposed amendment would allow an alternative method of notice. In cases where a Compliance Order has been issued by the Santa Monica Department of Building and Safety for the same condition upon which the decrease petition is based, this Compliance Order may be used to satisfy the 30-day notice requirement. The Compliance Order must have been sent to the landlord at least 30 days before a decrease petition may be filed.

DISCUSSION

Board Regulation 4003(c) currently requires a tenant who seeks a rent decrease based on poor conditions or loss of housing services to notify the landlord at least 30 days but not more than 180 days of the complained-of condition before filing. This notice allows the landlord to remedy the condition without the necessity of a formal process.

The proposed amendment provides that in lieu of this notice, a tenant may attach a copy of a Compliance Order from the City's Building and Safety Department to the rent decrease petition. The Compliance Order must include the conditions upon which the petition is based, and must have been sent to the landlord at least 30 days before a petition may be filed. If the petition is based on other conditions not covered in the Compliance Order, the tenant must comply with the usual 30-day notice requirement.

REQUESTED ACTION BY THE BOARD

Staff requests that the Board adopt the proposed amendment to the filing and notice requirements of individual rent adjustments.

Attachment: [Exhibit A, Proposed Amended Regulation](#)