

**PROPOSED AMENDMENTS TO REGULATION 11200(j)
(Registration Fee Waivers)**

11200. Registration Fee

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(j) Registration Fee Waiver for Units Occupied by Very Low-Income Senior Citizens or Very Low-Income Disabled Citizens

(1) The Board shall grant a waiver of the registration fee for a controlled rental unit, which is rented, to a very low-income senior or a very low-income disabled citizen upon application by such tenant. For purposes of this regulation, very low income is defined as 60% of median income for Los Angeles County, determined by the U.S. Department of Housing and Urban Development, adjusted for household size. **However, no registration fee waiver shall be granted to a very low-income senior or very low-income disabled person if he or she occupies a unit on a property which is wholly or partially owned by any of the following:**

- (A) **his or her child, parent, grandparent, brother, sister, father-in-law, mother-in-law, son-in-law, and/or daughter-in-law;**
- (B) **a partnership, limited or otherwise, of which his or her child, parent, grandparent, brother, sister, father-in-law, mother-in-law, and/or daughter-in-law is a partner;**
- (C) **a limited liability company, of which his or her child, parent, grandparent, brother, sister, father-in-law, mother-in-law, and/or daughter-in-law is a member;**
- (D) **a closely held corporation, of which his or her child, parent, grandparent, brother, sister, father-in-law, mother-in-law, and/or daughter-in-law is a shareholder.**

(2) In order to be eligible for a fee waiver as provided under this section, the tenant of the subject unit must be sixty-two (62) years of age or older or must be a "disabled individual" as defined below. In addition, the tenant's gross household income shall not exceed the following 60% of median income for Los Angeles County determined periodically by the U.S. Department of Housing and Urban Development. The income limits shall be calculated using 60% of median income for a family of four, adjusted for household size as follows:

Number of persons	1	2	3	4	5	6 or more
Factor	.7	.8	.9	base	1.08	1.16

For the purposes of this section "gross household income" shall include the income every member of the household received during the preceding calendar year including, but not limited to, wages, salaries, bonuses, tips, gross amounts of pensions and annuities, retirement benefits, social security payments, disability payments, life insurance benefits, gifts, interest, capital gains and inheritances. **"Gross household income" shall include the amount of any withdrawal of cash or assets from an investment. In addition, "gross household income" shall include an amount equal to 5% of the value of the household's total assets valued from \$100,000 to \$200,000, in addition to the actual income earned by the asset. "Gross household income" shall also include an amount equal to 10% of the value of the household's total assets valued from \$200,000 to \$300,000, in addition to the actual income earned by the asset.**

If the senior or disabled person's household owns total assets valued at \$300,000 or more, he or she is not eligible for the registration fee waiver authorized by this subparagraph.

If requested by the Board, the tenant shall annually provide appropriate ~~evidence~~ **documentation** of gross household income **and all assets owned by members of the household**, including, if necessary, third-party income verification, consistent with the relevant portions of Board regulation 17304.

- (3) A "disabled individual" shall mean any person who has a long-term physical impairment or who presently has a mental impairment, either of which substantially limits one or more major life activities.
- (4) A "physical impairment" means any long-term physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculo-skeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic or lymphatic; skin; or endocrine. A "physical impairment" may include but is not limited to such diseases as permanent orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, cancer, heart disease, diabetes, drug addiction and alcoholism.
- (5) A "mental impairment" means any present mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional illness, and specific learning disabilities.
- (6) "Substantially limits" means that the impairment has been shown to affect the individual's ability to secure employment.
- (7) "Major life activities" means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, and receiving educational or vocational training.
- (8) Application for determination of eligibility for fee waiver under this section must be made on a form provided by the Board. The application on the basis of disability must include one of the following:
 - (i) A declaration from a licensed physician stating that the tenant suffers from a long-term physical impairment or a present mental or physiological disorder and that such impairment or disorder substantially limits the individual's ability to secure employment.
 - (ii) Proof that the individual tenant is a recipient of social security disability income or social security supplemental security income (SSI) for the blind or disabled.
- (9) Upon determination of eligibility for fee waiver as provided by this subsection, the Board shall notify the landlord of the unit for which the fee waiver is granted and refund a portion of the registration fee for the eligible unit. The amount of the refund shall be calculated on a prorated fiscal year basis, commencing with the month of the determination of eligibility for the fee waiver.
- (10) Upon the granting of a registration fee waiver as provided under this section, the landlord will cease charging the tenant the monthly prorated registration fee.
- (11) Fee waivers provided for under this section shall expire whenever the tenant for whom the application was granted vacates the unit or no longer meets the applicable qualifications.
- (12) Tenants who have received fee waivers under this regulation, or Regulation 11016(j) may renew the fee waiver yearly without filing a complete new application provided that they cooperate with the Board in verifying continued eligibility.

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