

Eviction for Government Order Packet

Required Forms for the Landlord to Complete and Submit to LAHD

1. Declaration of Intent to Evict in Order to Comply with a Government Agency's Order
2. Relocation Services or Demolition Monitoring Services Application

Make fees payable to **LAHD - City of Los Angeles.**

Mail Declaration with attachments, Relocation Services Application and payment to:

LAHD – Landlord Declarations
P.O. Box 17100
Los Angeles, CA 90057

THESE FEES ARE NOT REFUNDABLE even if the tenant is found to be protected and cannot be evicted.

Important Information: Please go to <https://housing.lacity.org/>

Landlords must file a copy of the notice of termination of tenancy no later than 3 business days after they serve it on the tenant. For details go to <https://housing.lacity.org/eviction-notice>

1. [RAC 960](#): Relocation Assistance Escrow Accounts and Sample Instructions
2. [Relocation Assistance Bulletin](#) : Relocation amount must be paid to the tenants within 15 days of the date of service of the notice of termination of tenancy. Relocation amount must be paid directly to the tenants or deposited in an escrow account. Note: "Mom and Pop" rates do not apply when evicting in order to comply with a government agency's order.



LAHD - Landlord Declarations
P.O. 17100
Los Angeles, CA 90057
LAHD Hotline (866) 557-7368
housing.lacity.org



FOR LAHD USE ONLY

APN:
 C.D.:
 #:

NOTICE TO TENANT: YOUR LANDLORD IS REQUIRED TO FILE THIS DECLARATION WITH THE CITY AND TO SERVE YOU WITH A COMPLETE COPY PRIOR TO OR AT THE TIME THAT YOU ARE SERVED A WRITTEN NOTICE TERMINATING YOUR TENANCY. The representations made in this declaration are entirely those of your landlord, and the City takes no responsibility for their accuracy or good faith. If you believe that the statements in this declaration are inaccurate or that your landlord is acting in bad faith, you may file a complaint with the City by calling (866) 557-RENT and/or you may seek legal advice.

**DECLARATION OF INTENT TO EVICT IN ORDER TO
 COMPLY WITH A GOVERNMENT AGENCY'S ORDER**

Rental Unit Address *(Please include street address, unit #, city, state, and zip code):*

Name of Tenants to be evicted from the unit:

Tenant Move-in Date:

Current Monthly Rent:

Date of Last Rent Increase:

Government Agency Issuing the Order:

LAHD Building & Safety County Health Other:

Have you attached a copy of the order to vacate, order to comply, order to abate, or other order that necessitates the vacating of the residential rental property?

YES NO

Does the government order instruct you to either obtain approval for an existing use or return the rental units at the building to their approved use?

YES NO

Does the government order instruct you to discontinue the use of the rental property as an apartment or hotel as a result of a revocation of a certificate of occupancy?

YES NO

Instructions

1. Complete a "Declaration of Intent to Evict" and a "Relocation Services or Demolition Monitoring Services Application".
2. Attach a copy of the government agency's order to vacate to the "Declaration of Intent to Evict".
3. Refer to the "Relocation Amounts and Administrative Fees" bulletin to determine filing fee amounts.
 Note: "Mom and Pop" relocation assistance fee amounts are not applicable to evictions due to an order to vacate.
4. Mail the "Declaration of Intent to Evict" and order to vacate, "Relocation Services or Demolition Monitoring Services Application" and fees to: LAHD – Landlord Declarations, P.O. Box 17100, Los Angeles, CA 90057
 Payment should be made by check payable to: LAHD - City of Los Angeles
5. Wait for LAHD to notify you that the "Declaration of Intent to Evict" has been processed and for Interwest (LAHD's relocation consultant) to notify you of the relocation assistance fee amount determination.
6. Serve tenant a written notice to terminate tenancy in compliance with state laws, along with a copy of the "Declaration of Intent to Evict" as required by LAMC Sec. 151.09C5.
7. Pay relocation assistance fee to tenant within 15 days after service of notice to terminate tenancy.
 See the "RAC 960: Relocation Assistance Escrow Accounts and Sample Instructions" bulletin for more information.

Explain why this government order necessitates the vacation of the building housing this rental unit.

RELOCATION ASSISTANCE REQUIREMENTS

[LAMC 151.09.G] Please see Relocation Amounts and Administrative Fees bulletin for amounts.

Is any tenant in this rental unit 62 years of age or older?

YES NO

Is any tenant in this rental unit disabled or handicapped?

YES NO

Is any tenant in this rental unit residing with one or more minor children who are legally dependent (as determined for federal income tax purposes?)

YES NO

If the answer to any of the three previous questions is YES, the tenant is a Qualified Tenant and the tenant household is entitled to relocation assistance in accordance with the level set forth for Qualified Tenants in Los Angeles Municipal Code (LAMC) Section 151.09 G. If no current tenant meets any of the above listed requirements, the tenant household is entitled to relocation assistance at the level set forth for all other Eligible tenants in LAMC Section 151.09 G.

DECLARATION OF LANDLORD

I hereby declare that I am evicting the tenant(s) at the rental property identified on this form in order to comply with a government order to vacate, order to comply, order to abate or other order that necessitates the vacating of the building housing the rental unit as a result of a violation of the Los Angeles Municipal Code (LAMC) or other provision of law.

I acknowledge that I may be held responsible for providing monetary relocation assistance to the tenant(s) being evicted in accordance with LAMC §151.09 G. I further understand that 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 or decreases allowed by the Rent Stabilization Ordinance in accordance with the LAMC.

LANDLORD'S SIGNATURE	LANDLORD'S PRINTED NAME	DATE
LANDLORD'S MAILING STREET ADDRESS	LANDLORD'S CITY, STATE, ZIP CODE	LANDLORD'S PHONE
AGENT'S SIGNATURE	AGENT'S PRINTED NAME	DATE
AGENT'S COMPANY AND STREET ADDRESS	AGENT'S CITY, STATE, ZIP CODE	AGENT'S PHONE

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 151.10 B).

The landlord must provide the tenant being evicted with a copy of this declaration, including the attached government order, prior to or at the same time as the written notice of termination [LAMC 151.09 C.5.]. Service of this document of and by itself does not satisfy the requirement under State law to provide the tenant with written notice of the termination of tenancy.



LAHD - Landlord Declarations
 P.O. 17100
 Los Angeles, CA 90057
 LAHD Hotline (866) 557-7368
 housing.lacity.org



For Department Use

APN:
 Case:
 Amount Paid:

RELOCATION SERVICES OR DEMOLITION MONITORING SERVICES APPLICATION
 Use this form with all Declarations of Intent to Evict, Ellis Act Withdrawals & Demolition Permit Clearance Request.

PROPERTY INFORMATION

Address:	
Unit No.:	
City:	ZIP Code:

OWNER INFORMATION

Name:		
Mailing Address:		
Business Phone:	Home Phone:	Cell Phone:
Email Address:		

REASON FOR RELOCATION/DEMOLITION MONITORING APPLICATION

- Withdrawal of all units from the rental market
- Condo Conversion
- Demolition Permit Clearance. 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).
- Eviction for owner-occupancy/resident manager occupancy
- Eviction for compliance with a government agency order
- HUD Foreclosure
- 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 62 years or older?	Is anyone in the unit disabled?	Is anyone in the unit a minor child?	If "No" for ALL occupants (\$561)	If "Yes" for ANY occupant (\$902)	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				\$77		
Owner Occupancy/Resident Manager Application Fee				\$75		
Relocation Services Application Fee Underpayment Balance				\$341		
TOTAL AMOUNT DUE (Add Section A Relocation Services Fees and Section B Additional Fee Type)						

THESE FEES ARE NOT REFUNDABLE even if the tenant is found to be protected and cannot be evicted.

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)

A. RELOCATION ASSISTANCE BULLETIN

RELOCATION ASSISTANCE

No-Fault Evictions Under the RSO & JCO

All tenant not-at-fault evictions require payment of relocation assistance and the filing of a *Declaration of Intent to Evict* form with the Los Angeles Housing Department (LAHD) prior to evicting tenants from units covered by the Rent Stabilization Ordinance (RSO) or the Just Cause Ordinance (JCO). Failure to file the Landlord Declaration with the LAHD makes the eviction a violation of the RSO or JCO. Notices to terminate tenancy can only be served on the tenant after the landlord files the Declaration with LAHD and a copy of the notice must be filed with LAHD no later than 3 days after it is served. To file a copy go to housing.lacity.gov/eviction-notices.

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, 165.03.H.). Evictions for the purpose of resident manager occupancy are allowed only if required by law or an affordable housing covenant or regulatory agreement. 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, convert to a commercial use, or remove the rental unit from rental housing use (LAMC 151.09.A.10, 165.03.I). For RSO units, 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 landlord seeks to recover possession of the rental unit to complete substantial remodel, provided the landlord has secured permits necessary and served a copy of them with a written termination notice stating the reason for termination, the type of scope of the work, why the work cannot be reasonably accomplished in a safe manner with the tenant in place and why the work requires the tenant to vacate for at least 30 days. “Substantial remodel” shall have the same meaning as the term is defined in California Civil Code Section 1946.2. This is only for units which are subject to JCO and not for RSO units. (LAMC 165.03.I.(2))
4. The landlord evicts to comply with a governmental agency’s Order to Vacate (LAMC 151.09.A.11, 165.03.J.). 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 to vacate the property prior to sale (LAMC 151.09.A.12, 165.03.K.).
6. Residential Hotel Unit conversion or demolition (LAMC 151.09.A.13, 165.03.L.).
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, 165.03.M.).
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 OR JCO (LAMC 47.06 & 47.07).

A. RELOCATION ASSISTANCE BULLETIN

How Much Relocation Assistance Is Required?

The amount of relocation fees due to the tenant 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.

However, if a tenant is being displaced for the purpose of demolition for new construction under the Resident Protections Ordinance then there are other factors which are explained in the Relocation Assistance Bulletin Chart B: Demolition for New Construction under the Resident Protections. For relocation amounts, refer to the Relocation Assistance and the HUD Low Income Limits in the charts in both this bulletin and the [B. Relocation Assistance Bulletin: Eviction for Demolition for New Construction Under the Resident Protections Ordinance](#).

- **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. This applies only for evictions for occupancy by owner, family or manager.
- **Single Family Dwellings Owned by Natural Persons** When the residential real property is a single-family dwelling subject to the JCO and the owner is a natural person, including natural persons who hold properties in a trust or registered legal entity controlled by that natural person, who owns no more than four dwelling units and a single-family home on a separate lot in the City of Los Angeles: one month's rent that was in effect when the landlord served the written notice to terminate the tenancy, as either a monetary payment or credit. The Los Angeles Municipal Code Section 151.30(E) shall not apply. (LAMC 165.06.A.(6)).
- **Demolition for New Construction** The City's Resident Protections Ordinance (RPO) and the State's Housing Crisis Act (HCA) require that **ONLY** lower income households being displaced for the purpose of demolition of their units where the owner will replace the units with new construction receive relocation payment consistent to the relocation benefits required to be paid by public entities pursuant to Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 (Government Code 66300.6(b)(4)(A)). All tenants

A. RELOCATION ASSISTANCE BULLETIN

being displaced for new construction should receive a minimum of the RSO or JCO amounts to be increased only if the HCA or RPO require it.

The reduced fee for Mom and Pop properties applies only for evictions for occupancy by the owner or eligible relative and only 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.

Chart A: Relocation Assistance Amounts
Effective July 1, 2024 through June 30, 2025

Tenant Household	Tenants with Less Than 3 Years	Tenants with Length of Tenancy of 3 or More Years Or Low Income at or below 80% AMI	Tenants Renting Units in Mom & Pop Properties (Only for owner or family occupancy evictions)	Single Family Dwelling owned by natural person (JCO only)
Eligible Household	\$10,300	\$13,500	\$9,900	One month's rent
Qualified Household	\$21,750	\$25,700	\$19,950	

Increases every July 1st.

If a tenant is being displaced for a no-fault reason described on page 1 of this bulletin, then the relocation amounts above apply. The amounts above do not apply if the reason for eviction is due to demolition of a Protected Unit for the purpose of new construction and the tenant is low income. For information about relocation for tenants being displaced for the purpose of demolition for new construction, please review the [B. Relocation Assistance Bulletin: Eviction for Demolition for New Construction Under the Resident Protections Ordinance](#).

2024 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	\$77,700	\$88,800	\$99,900	\$110,950	\$119,850	\$128,750	\$137,600	\$146,500

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, 2024)

A. RELOCATION ASSISTANCE BULLETIN

How and When Shall Landlords Provide Payment

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

1. The entire payment shall be made 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 payment.
3. If more than one 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 [RAC Regulations, Section 960.00](#)).

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.
3. Relocation Offset: A landlord may offset the tenant's accumulated rent against any relocation assistance, unless the relocation assistance is owed because a termination of tenancy is required by a governmental agency order to vacate or comply issued for an unpermitted dwelling. (LAMC 151.09.G,5., 165.06.J.).

A. RELOCATION ASSISTANCE BULLETIN

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 LAHD'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, 165.06.C.).
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, 165.06.F.).

Application Fees	FEE PER UNIT
Effective July 1, 2024 to June 30, 2025 (subject to increase on July 1st)	
Relocation Service Fee for Eligible Tenants	\$585*
Relocation Service Fee for Qualified Tenants	\$941*
Relocation Service Administrative Fee	\$80*
Demolition Monitoring Administrative Fee	\$45
Relocation Assistance Dispute Resolution Fee	\$300
Residential Hotel Ordinance - Claim of Exemption	\$205
Landlord Declaration for Owner, Eligible Relative, or Resident Manager Occupancy Filing	\$75

**Increases July 1st*

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 is still responsible for the payment of relocation assistance in these cases.

How and where does an owner establish an escrow account, if they 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

A. RELOCATION ASSISTANCE BULLETIN

tenant(s) during normal business hours. ([RAC Regulations, Section 960.00.](#))

What are the tenant's remedies if the owner does not pay relocation?

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. A tenant may file a complaint with LAHD online at <https://housing.lacity.gov/residents/file-a-rso-complaint> or call the general hotline at (866) 557-7368. A tenant may seek a private right of action by obtaining legal advice.

Escrow Account Dispute - Where there is an escrow dispute between the escrow account holder, tenant and owner about the release of deposited funds, a dispute notice must be sent to the LAHD by the escrow holder. A copy of the escrow instructions given to the tenant must accompany the notice. (RAC Regulations, Section 967.00.)

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 LAHD recommends that you verify information in the event that new changes are not yet reflected in this publication. The LAHD 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.

AUXILIARY AIDS AND SERVICES: "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 its programs, services and activities."

#33A - 03/04/2025



RELOCATION ASSISTANCE BULLETIN



RELOCATION ASSISTANCE ESCROW ACCOUNTS

Rent Adjustment Commission Regulations • Section 960.00
• Effective April 16, 2009

Rent Adjustment Commission Regulations

- 960.00 RELOCATION ASSISTANCE ESCROW ACCOUNTS**
- 961.00 DEFINITIONS**
 - 961.01 HUD - U.S. Department of Housing and Urban Development
 - 961.02 LAMC - Los Angeles Municipal Code
 - 961.03 HCIDLA - Los Angeles Housing and Community Investment Department
 - 961.04 Pro-Rata Share - The amount each tenant receives from the total relocation assistance payment provided by the landlord in accordance with the following circumstances:
 - a. The entire fee shall be paid to a tenant who is the only tenant in a rental unit;
 - b. If a rental unit is occupied by two or more tenants then each tenant of the unit shall be paid an equal share of the fee.
 - 961.05 RAC - Rent Adjustment Commission
 - 961.06 RSO - Rent Stabilization Ordinance, Chapter XV of the LAMC
 - 961.07 Subject Unit - Rental unit from which one or more tenants are being evicted for which the owner must pay a relocation fee pursuant to the RSO.
- 962.00 APPLICABILITY**
 - 962.01 The RSO provides that owners must pay tenant(s) a relocation fee in the following circumstances:
 - a. Eviction of the tenant so that the owner, the owner's family or a resident manager may occupy the subject rental unit pursuant to LAMC Section 151.09.A.8;
 - b. Election of the tenant to permanently relocate from the rental unit pursuant to a Tenant Habitability Plan (RAC Regulation 715.00 et seq.);
 - c. Eviction of the tenant for permanent removal of the rental unit from the rental market pursuant to LAMC Section 151.09.A.10.a;

6640 VAN NUYS BLVD.
VAN NUYS, CA 91405

2215 N. BROADWAY AVE.
LOS ANGELES, CA 90031

690 KNOX ST., SUITE 125
LOS ANGELES, CA 90502

3550 WILSHIRE BLVD.
15TH FLOOR
LOS ANGELES, CA 90010

8475 S. VERMONT AVE.
2ND FLOOR
LOS ANGELES, CA 90044

1645 CORINTH AVE.
SUITE 104
LOS ANGELES, CA 90025



CITY OF LOS ANGELES



RELOCATION ASSISTANCE ESCROW ACCOUNTS

RAC Regulations • Section 960.00 • Effective April 16, 2009

Rent Adjustment Commission Regulations

- d. Eviction of the tenant for demolition of the rental unit pursuant to LAMC Section 151.09.A.10.b;
- e. Eviction of the tenant to comply with a government order to vacate, order to comply, order to abate, or any other order which necessitates the vacation of the rental unit pursuant to LAMC Section 151.09.A.11; or
- f. Eviction of the tenant pursuant to LAMC Section 151.09.A.12 in order to vacate the property prior to its sale where the owner of the property is the Secretary of HUD.

963.00 DETERMINATION OF RELOCATION AMOUNT

- 963.01 The owner must pay the relocation fee to the tenants of the Subject Unit in the amount determined by the City's Relocation Assistance Service Provider pursuant to LAMC Section 151.09.G, or as otherwise determined by the HCIDLA pursuant to LAMC Section 151.09.
- 963.02 If the rental unit is occupied by more than one tenant, each tenant shall be paid an equal Pro-Rata Share of the fee.

964.00 ESTABLISHMENT OF AN ESCROW ACCOUNT

- 964.01 At the owner's sole discretion, the owner may pay the relocation fee due to a tenant pursuant to LAMC Section 151.09.G by depositing the fee in an escrow account within fifteen days of service of a notice of termination of tenancy as set forth in California Civil Code Section 1946 (LAMC 151.09.G.2).
- 964.02 The owner shall place the escrow account with any of the following:
 - a. federally insured bank, savings and loan association, or credit union;
 - b. broker licensed by the California Real Estate Commission;
 - c. escrow service licensed by the California Department of Corporations; or
 - d. client trust account of an attorney currently eligible to practice law in California pursuant to the records of the State Bar of California.
- 964.03 The escrow account must be in a location that is reasonably accessible to the tenant (s) during normal business hours.
- 964.04 Escrow Instructions for the escrow account must provide for the following:
 - a. Name of each tenant and the Pro-Rata Share of the relocation fee due to that tenant pursuant to this Regulation;
 - b. Disbursements permitted prior to the tenant(s) vacating the unit pursuant to Section 965.00 of this Regulation;
 - c. Release of remaining funds upon the tenant's vacation of the unit pursuant to Section 966.00 of this Regulation;
 - d. Dispute resolution procedures pursuant to Sections 967.00 and 968.00 of this Regulation;
 - e. Escrow closure provisions pursuant to Section 969.00 of this Regulation;



RELOCATION ASSISTANCE ESCROW ACCOUNTS

RAC Regulations • Section 960.00 • Effective April 16, 2009

Rent Adjustment Commission Regulations

- f. A statement that the owner and the escrow holder indemnify and hold harmless from all liability the City and its employees, and any hearing officers selected by HCIDLA pursuant to this Regulation.
- g. Provision that all costs of the escrow are to be prepaid by the owner when establishing the escrow account;
- h. Provision that all payments from the escrow account shall be made within three (3) business days of the escrow holder receiving a request for payment

964.05 The RAC provides the attached form, "Sample Escrow Instructions," as model escrow instructions which comply with the requirements set forth in this Regulation.

964.06 Owners who use any other escrow instructions shall attach to the escrow instructions a copy of this Regulation.

964.07 Owners shall provide a copy of the escrow instructions to all tenants of the Subject Unit within fifteen days of service of a notice of termination of tenancy as set forth in California Civil Code Section 1946.

965.00 DISBURSEMENTS PRIOR TO TENANT(S) VACATION OF THE SUBJECT UNIT

965.01 The escrow account must provide for payments to the tenant(s) for actual relocation expenses incurred or to be incurred by the tenant prior to vacating the unit (LAMC Section 151.09.G.2).

965.02 The following are expenses for relocation to a new rental unit for which the owner must permit disbursements prior to the tenant(s) vacating the Subject Unit:

- a. First and last month's rent;
- b. Security deposit;
- c. Utility connection charges and deposits; or
- d. Moving expenses.

965.03 The escrow instructions shall authorize payment for the expenses listed in Section 965.02 directly to the tenant(s) upon presentation of a receipt for the expense, or upon presentation of a written estimate or an agreement to incur the expense. The escrow may allow the escrow holder to verify that the expense has been paid or that the agreement to incur an expense has been entered into by the tenant(s). Verification for these purposes for these purposes shall consist of a telephone call or an email to confirm that the expense has been incurred or there is an agreement to incur the expense.

965.04 The receipt for the expense must provide the amount paid or owing, indicate the purpose of the expense and identify the payee and the payee's contact information, including telephone number.



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966.00 DISBURSEMENTS UPON TENANT(S) VACATION OF THE SUBJECT UNIT

966.01 The escrow instructions shall provide that the tenant(s) sign an affidavit confirming vacation of the subject unit, indicating the date of the vacation, and a forwarding mailing address. The affidavit shall include a statement that the tenant has permanently departed from the unit and surrendered the keys to the landlord.

966.02 The escrow instructions shall provide for release of all remaining funds owing to the tenant(s) within 3 business days of presentation of an affidavit that conforms to Section 966.01.

967.00 DISPUTE RESOLUTION PROCEDURES

967.01 The escrow instructions shall contain a dispute resolution procedure that provides for HCIDLA to resolve disputes as to the disbursement of funds.

967.02 At the request of any of the tenants, the landlord or at the option of the escrow holder, the escrow holder shall notify HCIDLA of the dispute, the reason for the dispute, and the amount in dispute.

967.03 The escrow holder shall notify HCIDLA, to the attention of the Director of the Rent Division, within five business days of the request for HCIDLA resolution of a dispute.

967.04 The escrow instructions shall control disbursement of all remaining funds not subject to the dispute. The disputed amount shall not be released pending a final determination of the dispute by HCIDLA.

967.05 HCIDLA shall contact the parties within five (5) working days of notification by the escrow holder of the dispute to conduct an investigation.

967.06 HCIDLA shall issue a determination regarding the disbursement of the disputed funds within fifteen (15) days of notification by the escrow holder of the dispute.

968.00 APPEALS

968.01 Any party to the dispute may appeal HCIDLA's determination within 10 days of HCIDLA's mailing of its determination. HCIDLA's determination is stayed until the appeals deadline has expired, or, if an appeal is filed, the determination is stayed until there has been a decision by a hearing officer pursuant to Section 968.06.

968.02 The appeal must state why the appellant believes HCIDLA erred in its determination.

968.03 HCIDLA shall conduct a hearing by a hearing officer designated by HCIDLA within 30 days of the filing of the appeal.

968.04 HCIDLA shall notify the escrow holder, the owner and the tenant(s) of the time and place of the hearing no later than ten (10) days prior to the scheduled hearing.



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- 968.05 All parties may submit documents, testimony, written declarations or other relevant evidence.
- 968.06 The hearing officer shall issue a determination within 10 working days of the appellate hearing.
- 968.07 The hearing officer's decision shall constitute the final administrative determination of the dispute.
- 968.08 The appellant may rescind the appeal in writing prior to the issuance of a hearing officer's determination. If the appeal is rescinded, HCIDLA's original determination shall be carried out by the escrow holder, upon notification by HCIDLA.
- 969.00 ESCROW CLOSURE PROVISIONS**
- 969.01 The escrow instructions must contain a provision for final closure of the escrow, and disbursement of any remaining funds.
- 969.02 Upon final disbursement of all remaining funds, a final accounting and copies of all escrow related papers must be sent to the owner within five (5) business days, by registered mail to the last known address of each party.
- 969.03 The owner may request return of any remaining funds to the owner only if the tenant(s) are in legal possession of the subject unit and the eviction is no longer in process, or if the tenant(s) has vacated the subject unit and unclaimed funds still remain in escrow 65 days after the date the tenant(s) vacated the unit.
- 969.04 Within five (5) working days of a request by the owner pursuant to Section 969.03, the escrow holder must send a copy of the request to the tenant(s) and a notice that the request may be disputed in accordance with Sections 967.00 and 968.00 of this Regulation. The notice must be sent by registered mail to the last known address of the tenant(s).
- 969.05 If the escrow holder does not receive written notification that a tenant disputes disbursement of the remaining funds to the owner within 10 business days of the escrow holder's notification to the tenants, and there are no pending claims against the escrow account, the escrow holder may proceed to close the escrow and disburse the remaining funds to the owner.



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RENT ADJUSTMENT COMMISSION SAMPLE ESCROW INSTRUCTIONS RELOCATION ASSISTANCE ESCROW ACCOUNT RENT ADJUSTMENT COMMISSION REGULATION 960.00

To: _____
(Escrow Company)

(Address)

(Address)

1. _____ (Landlord) establishes this account for the sole purpose of facilitating the distribution of relocation fees to tenants residing at _____ (Subject Unit) pursuant to Los Angeles Municipal Code (LAMC) Section 151.09.G.
2. Concurrent with the signing of these instructions, the Landlord shall submit to the Escrow Company the sum of \$_____ to be used for payment of relocation fees and the sum of \$_____ to be used by Escrow Company as its escrow fee for administration of the escrow account and performance of the instructions contained in this document.
3. This sum is to be disbursed for relocation assistance to the following persons who reside as tenants in the Subject Unit in the amount of the pro-rata share specified pursuant to the escrow instructions contained in this document:

_____	_____
(Name of Tenant)	(Pro-Rata Share)
_____	_____
(Name of Tenant)	(Pro-Rata Share)
_____	_____
(Name of Tenant)	(Pro-Rata Share)

4. **Disbursements Prior to the Tenant’s Vacation of the Subject Unit**
 - a. Upon presentation of a receipt or a written estimate for the following expenses, or upon presentation of an agreement to incur any of the following expenses, Escrow Company shall verify by phone or email that the expenses have been incurred or there is an agreement to incur the expense:
 - i. First and last month’s rent
 - ii. Security Deposit
 - iii. Utility connection charges and deposits
 - iv. Moving Expenses



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- b. The receipt, written estimate or agreement to incur the above expenses must indicate the amount paid, or to be paid, the purpose of the payment, the name of the payee and the payee's contact information, including telephone number.
- c. Escrow Company shall release payment within three business days of the tenant's request for payment and submission of supporting documentation unless the Escrow Company disputes the request pursuant to section 6 of this Agreement.
- d. Landlord may also request return of all remaining funds when the tenant(s) remain in legal possession of the subject unit and Landlord is no longer proceeding with an eviction of the tenant(s). Upon request of a return of all remaining funds pursuant to this provision, Escrow Company shall notify the tenant(s) of the Subject Unit in writing of Landlord's request. If the tenant(s) do not notify Escrow Company in writing within 10 working days of a dispute of Landlord's request, Escrow Company shall disburse remaining funds to Landlord and close the escrow account.

5. Disbursements Upon Tenant's Vacation of the Subject Unit

- a. In the event that any funds remain in the escrow account after a tenant(s)' vacation of the Subject Unit, the tenant(s) shall sign an affidavit stating that the Subject Unit has been permanently vacated, indicate on the affidavit the date on which the Subject Unit was vacated, and provide current mailing address(es). The tenant(s) shall verify permanent vacation of the unit and surrender of the keys to the landlord.
- b. Escrow Company shall release payment of all remaining funds to the tenant(s) within three days of the tenants' submission of the affidavit verifying permanent vacation of the unit.
- c. In the event that any funds remain in the escrow account 65 days after the tenant(s)' permanent vacation of the Subject Unit, Landlord may request return of all undisbursed funds and closure of the escrow account. Landlord shall indicate in the request the date that the tenant(s) vacated the Subject Unit. Upon receipt of the request, Escrow Company shall notify the tenant(s) by registered mail of Landlord's request. Escrow Company shall notify the tenant(s) at their last known mailing address. If the tenant(s) do not notify Escrow Company in writing within 10 business days of a dispute of Landlord's request, Escrow Company shall disburse remaining funds to Landlord and close the escrow account.

6. Dispute Resolution Procedures

- a. In the event of a dispute regarding release of escrow funds, the Escrow Company shall request resolution of the dispute by the Los Angeles Housing + Community Investment Department (HCIDLA). Escrow Company shall specify in writing that the dispute exists, the reason for the dispute, and the amount in dispute.
- b. Escrow Company shall notify HCIDLA at the following address:

Director, Rent Stabilization Division
Los Angeles Housing + Community Investment Department
The Garland Building
1200 West Seventh Street, 8th Floor
Los Angeles, CA 90017



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- c. Escrow Company shall release payment of the disputed amount only pursuant to HCIDLA's final determination of the dispute in accordance with City of Los Angeles Rent Adjustment Commission Regulation 960.00 et seq.

7. Release of Liability

- a. Escrow Company is hereby released from all liability and/or responsibility for the vacation of the Subject Unit by the tenant(s), or any disputes which may arise between Landlord and the tenant(s) of the Subject Unit. Escrow Company's liability shall be confined to claims which arise from its performance of the written instructions contained in this document.
- b. Landlord agrees to save and hold Escrow Company harmless, by reason of any misrepresentation or omission by any of the parties to this escrow, as to compliance with rules and/or regulations of any governmental agency, State, Federal, Municipal, or otherwise.
- c. Landlord authorizes Escrow Company to destroy without liability and without further notice all documents, papers, instructions and any other material in connection with this escrow instruction five years after closure of the escrow account.
- d. The owner agrees to indemnify and hold harmless from all liability, arising out of or related to the resolution of a dispute in accordance with City of Los Angeles Rent Adjustment Commission Regulation 960.00 et seq. the City of Los Angeles and its employees, and any hearing officer selected by HCIDLA to adjudicate disputes pursuant to the provisions of City of Los Angeles Rent Adjustment Commission Regulations 967.00 et seq.

SIGNATURE PAGE

(Landlord's Signature)

(Date)

(Landlord's Printed Name)

(Address)

(Phone)