



Los Angeles
HOUSING+COMMUNITY
 Investment Department
 Landlord Declarations Section
 1200 W 7th Street, 1st Floor, Los Angeles, CA 90017
 rent hotline 866.557.7368 fax 213.808.8818
 hcidla.lacity.org



Eric Garcetti, Mayor
 Rushmore D. Cervantes,
 Interim General Manager

NOT VALID WITHOUT HCIDLA RECEIPT STAMP

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.**

DECLARATION OF INTENT TO EVICT FOR LANDLORD OCCUPANCY

Rental Unit Address:	<u>Street Address</u>	<u>Unit No.</u>	<u>City</u>	<u>ZIP Code</u>
Current Tenant Name(s):	Date Tenant Moved In:			
Current Monthly Rent:	Date of Last Rent Increase:			
Name of Family Member Moving into the Rental Unit:	Family Member's Estimated Move-in Date:			
Relationship to Landlord:	G Self G Spouse G Child G Parent G Grandparent G Grandchild The landlord may recover possession of the rental unit for owner-occupancy only if the new occupant is in one of these categories [LAMC §151.09 A.8.(a)].			
Current Address of Family Member Moving into the Unit:	<u>Street Address</u>	<u>Unit No.</u>	<u>City</u>	<u>State</u> <u>ZIP Code</u>

Is the landlord a corporation, partnership or similar ownership entity? <i>A landlord must be a natural person, or a beneficiary of a trust to evict for owner-occupancy [LAMC §151.09 A.8.(a)].</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you previously evicted a tenant for occupancy by this family member at this property? <i>A landlord may use owner-occupancy as a ground to recover possession for use and occupancy by the landlord, landlord's spouse, grandchild, child, parent or grandparent only once for that person in each rental complex [LAMC §151.09 A.8.(a)].</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is any current tenant in this rental unit an elderly or disabled person who has resided in the unit for at least 10 years? [LAMC §151.30.D.1.a]	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is any current tenant in this rental unit terminally ill (as certified by a treating physician licensed to practice in the State of California)? [LAMC §151.30.D.1.b]	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is this rental unit currently registered with the City under Rent Stabilization? <i>No landlord shall demand or accept rent for a rental unit without first serving a copy of a valid registration or annual registration renewal statement on the tenant of that rental unit [LAMC §151.05 A]. In any action by a landlord to recover possession of a rental unit the tenant may raise as an affirmative defense the failure of the landlord to comply with §151.05 A [LAMC §151.09 F.].</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are any Code Enforcement fees currently delinquent? <i>A tenant may withhold the payment of any rent otherwise lawfully due and owing if any Code Enforcement fees are delinquent. Once the fees have been paid, the tenant becomes obligated to pay the current rent and any back rent withheld [LAMC §161.903.3.1]. The tenant may assert as an affirmative defense to any unlawful detainer action that the landlord has failed to pay required fees pursuant to this article [LAMC §161.903.3.2].</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is this rental unit currently subject to the Rent Escrow Account Program (REAP) or has it been subject to REAP within the past year? <i>Until a unit is removed from REAP and for one year thereafter, the landlord shall have the burden of proving that any action to recover possession, other than one based on nonpayment of rent, is not brought for the purposes of retaliation [LAMC §162.09 A.3-4].</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there a vacant and comparable unit at this property? <i>The existence of a vacant and available unit in the building which is also suitable for owner-occupancy is a factor demonstrating a possible intent to circumvent the Rent Stabilization Ordinance [RAC Regulation §613.04].</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Will the family member move in within three months of tenant's vacation of the unit? [LAMC §151.30.B]	<input type="checkbox"/> Yes <input type="checkbox"/> No
Will the family member moving in to the unit reside there for a minimum of two years? <i>When any landlord evicts a tenant based upon the owner's or the landlord's immediate relative's intention to occupy the tenant's unit, failure to maintain residence in the unit for at least two years may constitute evidence of intent to circumvent the Rent Stabilization Ordinance (RAC Regulation 613.04.2).</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
You must file declarations upon occupancy of the unit, and on 1st and 2nd anniversaries of occupancy.	
Does the landlord have legal title to 50% of the property, or is the landlord a beneficiary for a family occupancy eviction? [LAMC §151.30.A]	<input type="checkbox"/> Yes <input type="checkbox"/> No
Will the owner or family member occupy the unit as their primary place of residence? [LAMC §151.30.B]	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the tenant of the subject unit the most recent tenant to occupy a unit in this property? [LAMC §151.30.C]	<input type="checkbox"/> Yes <input type="checkbox"/> No

Relocation Assistance Requirements [LAMC §151.09.G]

Is any current tenant in this rental unit 62 years of age or older? Yes No

Is any current tenant in this rental unit disabled or handicapped? Yes No

Is any current tenant in this rental unit residing with one or more minor children who are legally dependent on that tenant (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) §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 §151.09 G.

HOWEVER - THE FOLLOWING RELOCATION PAYMENTS SHALL APPLY IF ALL OF THESE CIRCUMSTANCES EXIST:

- 1) The building containing the rental unit contains four or fewer rental units;
- 2) Within the previous three years the landlord has not paid the fee authorized by this Subsection to any tenant who resided in the building;
- 3) The landlord owns, in the City of Los Angeles, no more than four units of residential property and a single-family home on a separate lot; and
- 4) Any eligible relative for whom the landlord is recovering possession of the rental unit does not own any residential

THE FOLLOWING RELOCATION ASSISTANCE REQUIREMENTS SHALL APPLY:

Type of Tenant	Less than 3 years	3 years or more	Less than 80% AMI
Eligible	\$ 7,600	\$ 10,050	\$ 10,050
Qualified	\$ 16,100	\$ 19,000	\$ 19,000

Eligible	\$ 7,350
Qualified	\$14,750

HUD Area Median Income Limits 80% AMI (Los Angeles)

1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
\$45,650	\$52,200	\$58,700	\$65,200	\$70,450	\$75,650	\$80,850	\$86,100

If the rental unit is currently occupied by two or more tenants, each tenant shall be paid a pro-rata share. In accordance with LAMC §151.09G.2, the landlord shall pay relocation assistance amount owed to the tenant, either directly or via an escrow account in the tenant's name, within fifteen (15) days of service of a written notice of termination.

Additional Notifications

- 1) An administrative fee of \$75 is due and payable to the City of Los Angeles—HCIDLA when submitting this declaration.
 - 2) You must file declarations of occupancy of the unit within 3 months of tenant eviction, and 1st and 2nd anniversaries of occupancy.
 - 3) You must file a Notice of Intention to Re-Rent with the HCIDLA before renting or leasing the rental unit.
 - 4) If you act in bad faith in recovering possession of a rental unit, you shall be liable to any tenant who was displaced from the property for three times the amount of actual damages, exemplary damages, equitable relief, and attorney fees. The City may institute a civil proceeding for equitable relief and exemplary damages for displacement of tenants.
- 1) If you fail to file a statement or notice as required, you must pay a fine in the amount of \$250 per day for each day the notice is delinquent.

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.). This document of and by

DECLARATION OF LANDLORD

I hereby declare that I am evicting the tenant(s) at the rental property identified on this form for occupancy for myself or the listed related person in accordance with the requirements of Los Angeles Municipal Code (LAMC) §151.09 A.8.(a) and that I am held responsible for providing monetary relocation assistance to the tenant(s) being evicted in accordance with LAMC §151.09.G.

I understand that **the rent for any subsequent tenant(s) is not decontrolled** and therefore must be established at the rental amount indicated above plus any increases or decreases allowed by the Rent Stabilization Ordinance in accordance with LAMC §151.06 C.

Furthermore, if said unit is returned to the rental market, I recognize it is my responsibility to file a re-rental Declaration with the Los Angeles Housing and Community Investment Department (HCIDLA) within ten (10) days of re-rental, in accordance with LAMC §151.09 I., and that my failure to notify HCIDLA of the re-rental of my rental units may result in late and delinquent registration fees being added to the regular registration fee.

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