



Relocations Following Foreclosures in Condominiums and Single Family Properties

Tenant Relocations in Condominiums and Single-Family Properties Following Foreclosure

Tenants in the City of West Hollywood are protected from most evictions. However, a tenant may be evicted for nonpayment of rent; for violating valid conditions of a lease; failing to provide the landlord with reasonable access; causing a nuisance; using the unit for illegal purposes; and other specific issues listed in the Ordinance.

Tenancies may also be terminated through no fault of the tenants for an owner or relative occupancy, certain corrections of violations ordered by governmental agencies, or foreclosures.

This fact sheet answers some basic questions about one type of termination: the relocation of tenants living in condominium units or on single-family properties following foreclosure (Section 17.52.010(14)), in the City of West Hollywood.

When a foreclosure has occurred on a property, can the tenants be relocated?

Relocations for foreclosure are allowed in West Hollywood for properties that only have one unit on the entire parcel. This means only single-unit properties and condominiums.

Under the West Hollywood Rent Stabilization Ordinance, tenants may be relocated following a foreclosure sale only:

- a. If they live in a condominium unit or on a single-unit property. The Ordinance defines single-family dwelling as a property where there is only one unit on the entire parcel. So, if there is a main house and a guesthouse with a rental history, the property is multi-unit and the tenants may not be relocated because a foreclosure has occurred.
- b. The landlord commences the process no more than thirty (30) days after obtaining title through the foreclosure sale;
- c. The tenant took occupancy after the date the mortgage was recorded;

The tenant *may not* be relocated following foreclosure if the notice is given later than 30 days after the owner obtains title through the sale. Or if the specific

loan leading to the foreclosure was recorded after the tenant moved in.

Who May Relocate Tenants Due to Foreclosure

Besides owners who are natural persons, corporations, companies, partnerships and other legal persons who hold title to the property may relocate tenants for foreclosure.

Noticing Requirements

The landlord must give the tenant in a condominium or single-family property at least sixty (60) days written notice that the tenant is being evicted following foreclosure. The relocation fee must be paid at the time of notice.

The notice must include the cause for the relocation and recite Subsection 17.52.010(14) under which the tenancy is being terminated.

Relocation Fees

When an owner is relocating a tenant for foreclosure, relocation fees must be paid at the time of giving notice.

Tenant households receive the greatest of the following relocation fees for which they qualify:

- a. **General tenants** receive relocation fees based on unit size:

Bachelor	\$5,100
One Bedroom	\$7,200
Two Bedrooms	\$9,700
Three or More Bedroom	\$12,800

- b. **Qualified Tenants** receive \$13,500 independent of unit size. These include "Moderate Income" households and households that include seniors, disabled, minor dependents living with tenants, or terminally ill persons.

Seniors are persons 62 years or older.

"Disabled tenant" is defined in the Ordinance as: a person who has a physical or mental impairment that substantially limits one or more major life activities, and who identifies himself or herself as disabled

Moderate Income is as follows:

Persons in Household	Moderate Income Standard
1	\$41,451-\$60,439
2	\$47,351-\$65,274
3	\$53,301-\$70,109
4	\$59,201-\$74,944
5	\$63,951-\$79,779

c. **Lower-income households** receive \$17,000

Persons in Household	Lower Income Standard
1	\$41,450
2	\$47,350
3	\$53,300
4	\$59,200
5	\$63,950

Relocation Fee Is Due at Time of Noticing

The relocation fee is due when the tenant is given the termination notice. The sixty (60) day notice is not valid until the appropriate relocation fee is paid to the tenant household.

Landlord Must File Copy of Termination Notice With City

The landlord must file a copy of the notice to the tenant with the Department.

Landlord Must Apply For Relocation Counseling and Pay Fee Through City

The landlord must also file a "Tenant Relocation Counseling Assistance Form" with the Rent Stabilization and Housing Department, when giving notice to the displaced tenant. A fee is collected from the landlord to cover the costs of relocation services which are provided to the tenant through an outside agency. The fee for households with seniors, disabled persons, minor dependents or that are lower-income is \$640. For all other households the fee is \$400.

What happens if the tenant refuses to move at the end of Sixty (60) days, when they have been given proper notice and the relocation fee?

If the tenant does not vacate the unit within the sixty (60) day period, they may be taken to court for eviction. In addition, the tenant may have to refund the relocation fees paid by the landlord.

Who do I call for assistance?

If you have any questions about your rights and respon-

sibilities under the Ordinance, please contact the Department during normal business hours: Monday, Tuesday, Thursday, 8 a.m. to 5 p.m.; Wednesday, 9:00 a.m. to 5 p.m., and Fridays, 8: a.m. to 4:30 p.m.. The Department is closed alternate Fridays to meet AQMD clean air standards. Our phone number is (323) 848-6450. Our office is located on the First Floor at 8300 Santa Monica Boulevard.

The Rent Stabilization Ordinance is amended periodically. Tenants and landlords are encouraged to contact the West Hollywood Rent Stabilization and Housing Department for the most current version of the Ordinance.