

Letter to the Editor...

City Ordinance Unfair!

(Los Angeles Rent Control Changes Effective 7/3/04)



As a landlord and member of AOA, I wish to express my outrage at the City of Los Angeles' action in raising the relocation assistance payments to \$8,000. It smacks of unfairness and sends the wrong message to tenants. Eight thousand dollars is surely the pot o' gold at the end of the rainbow, however, it's the landlord who is disproportionately impacted for the follows reasons:

1. This action creates every incentive for the tenant to abuse City resources for his own benefit in his drive to go for the gold. Generate a negative and conflictive relationship and maybe, just maybe the landlord will get fed up and pop the \$8,000 in order to get him to move on.

2. The tenant gets an \$8,000 bonus for time spent in the apartment above and beyond what was agreed to in the rental contract. The landlord should be entitled to an offset where there have been additional improvements (those that do not qualify as capital improvements) made on the property that benefit the tenant.

3. Where is the quid pro quo for the landlord under this ordinance? The tenant, as a matter of right, is able to utilize every City resource to his benefit – no matter how often or how frivolous. The City responds, no questions asked. Meanwhile, the landlord develops a record, (i.e. a "jacket") in the eyes of the City (guilty until proven innocent). And... each accusatory call from the tenant is treated as though it is their first, regardless of outcome of previous complaints.

There should be a system of checks and balances built into this ordinance. The City should be equally firm with the tenant where it is clear they are abusing the system for their own benefit. Why shouldn't the tenant be required to follow mandatory procedure, i.e. prove that he advised the landlord in writing before contacting the City? And why shouldn't the City review the tenant's "jacket" to determine the validity of previous complaints or if the tenant is making the same complaint? For example, where the tenant calls Code Compliance for a one half inch diameter hole in his window screen without first notifying the landlord, or where for the past 3 years the tenant repeatedly makes the same complaint (to numerous city departments) and in each instance, the landlord is found to be in full compliance. Yet, in each instance, legitimate or not, it's the landlord who finds himself accused and has to take time out to defend himself. It's just not fair.

I say make the ordinance work in a fair and equitable manner. As it now stands, the ordinance creates an incentive for abuse, it generates a horrible waste of city resources and it places a disproportionate burden on property owners.

Sincerely,

Francisco G. Fernandez