

RECORDING REQUEST
OFFICIAL GOVERNMENT BUSINESS
Government Code § 6103

City of Los Angeles

WHEN RECORDED MAIL TO:

Los Angeles Housing+ Community
Investment Department
Landlord Declarations
P.O. Box 57398
Los Angeles, CA 90057-0398



Space above is for Recorder's use only

Notice of Constraints to Landlords and Successors in Interest

To all persons claiming an interest in real property located at 5020-5030 N Woodman, Los Angeles, California 91423 and more particularly described as:

TR 19777, Lots 20, 21, 22, in the City of Los Angeles, County of Los Angeles, State of California, per map recorded in Book 652 page 39/40 of Maps, in the office of the Los Angeles County Recorder.

THE CITY OF LOS ANGELES hereby gives notice that certain restrictions as described in this Notice of Constraints will apply to the future use of that property and the terms under which it may be rented or offered for rent as a housing accommodation.

A *Notice of Intent to Withdraw Units from Rental Housing Use* (Notice of Intent) for this property was filed with the City of Los Angeles Housing Department; pursuant to Los Angeles Municipal Code (LAMC) Section 151.23A, on August 28, 2018. The accommodations that are the subject of the Notice of Intent for this property are deemed withdrawn from the rental housing market 120 days after August 28, 2018, unless the date was extended pursuant to the provisions of LAMC Section 151.23B up to one year after August 28, 2018. The following restrictions, as described in the LAMC, arise from the filing of the Notice of Intent:

SEC. 151.24. ELLIS ACT PROVISIONS - NOTIFICATION TO DEPARTMENT OF INTENT TO RE-RENT UNIT.

A. If a landlord desires to offer for rent or lease a rental unit that was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23, the landlord must file with the Department a Notice of Intention to Re-Rent Withdrawn Accommodations on a form prescribed by the Department. This Notice must contain the following information:

1. The names and mailing addresses of all owners of the property;
2. A statement that said owners intend to re-rent the accommodations;
3. The addresses of those accommodations.

B. Except as provided in Section 151.27 of this Article, the landlord shall not offer for rent or lease any unit from which a tenant or lessee was displaced for a period of thirty days following the filing of the Notice of Intention to Re-Rent Withdrawn Accommodations with the Department.

C. If a landlord offers for rent or lease a rental unit which was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23, irrespective of whether a Notice of Intention to Re-Rent Withdrawn Accommodations has been filed with the Department, and the landlord later wishes to recommence the withdrawal of the rental unit, the landlord must file a new Notice of Intent to Withdraw and comply with all requirements pursuant to Sections 151.09 G. and 151.23 through 151.28 of this Code.

SEC. 151.25. ELLIS ACT PROVISIONS - CIVIL PENALTIES FOR OFFERING UNITS FOR RENT WITHIN TWO YEARS OF WITHDRAWAL.

If a rental unit that was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23 is offered for rent or lease within two years of the date of withdrawal of the rental unit from the rental market:

A. The landlord shall be liable to any tenant or lessee who was displaced from the property for actual and exemplary damages. Any action by a tenant or lessee pursuant to this section shall be brought within three years of withdrawal of the rental unit from rent or lease. Nothing in this section precludes a tenant from pursuing any alternative remedy available under the law; and

B. The City may institute a civil proceeding against any landlord who has again offered a rental unit for rent or lease subject to this section, for exemplary damages for displacement of tenants or lessees. Any action by the City pursuant to this section shall be brought within three years of the withdrawal of the rental unit from rent or lease.

SEC. 151.26. ELLIS ACT PROVISIONS - REGULATION OF PROPERTY ON RE-OFFER FOR RENT OR LEASE AFTER WITHDRAWAL.

If a landlord desires to offer for rent or lease a rental unit which was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23, the following regulations apply:

A. If a rental unit that was removed from rental housing use pursuant to the provisions of Section 151.23 is offered for rent or lease during either:

1. the five-year period after the Notice of Intent to Withdraw the accommodations is filed with the Department pursuant to Section 151.23, whether or not the Notice of Intent is rescinded or the withdrawal of the accommodations is completed pursuant to the Notice of Intent; or

2. the five-year period after the accommodations are withdrawn;

then the accommodations shall be offered and rented or leased at the lawful rent in effect at the time any Notice of Intent to Withdraw the accommodations was filed with the Department, plus annual adjustments available under Section 151.06 of this article.

B. Subsection A. of this section shall prevail over any conflicting provision of law authorizing the landlord to establish the rental rate upon the initial hiring of the rental unit.

SEC. 151.27. ELLIS ACT PROVISIONS - RE-RENTAL RIGHTS OF DISPLACED TENANTS.

If a landlord desires to offer for rent or lease a rental unit that was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23, the following regulations apply:

A. A landlord who offers accommodations for rent or lease within two years from the date of withdrawal shall first offer to rent or lease each unit to the tenant or tenants displaced from that unit by the withdrawal, provided that the tenant or tenants advised the landlord in writing within 30 days of displacement of his or her desire to consider an offer to renew the tenancy, and provided the landlord with an address to which that offer is to be directed. That tenant or tenants may advise the landlord at any time during the period of eligibility of a change of address to which an offer is to be directed.

If a landlord again offers accommodations for rent or lease pursuant to the provisions of this subsection, and the tenant or lessee has advised the landlord pursuant to this subsection of a desire to consider an offer to renew the tenancy, then the landlord shall offer to reinstitute a rental agreement or lease on terms permitted by law to that displaced tenant or lessee.

A landlord who re-offers rental or lease accommodations to a previously displaced tenant pursuant to the provisions of this subsection shall deposit the offer in the United States mail, by registered or certified mail with postage prepaid, addressed to the displaced tenant or tenants at the address furnished to the landlord as provided in this subsection, and shall describe the terms of the offer. The displaced tenant or tenants shall have 30 days from the deposit of the offer in the mail to accept the offer by personal delivery of that acceptance or by deposit of the acceptance in the United States mail by registered or certified mail with postage prepaid.

B. A landlord who offers accommodations for rent or lease not exceeding ten years from the date of withdrawal shall first offer to rent or lease each unit to the tenant or tenants displaced from that accommodation by the withdrawal, provided that the tenant or tenants requests the offer in writing within 30 days after the landlord has notified the Department of an intention to offer the accommodations again for residential rent or lease pursuant to the requirements of Section 151.24. The landlord shall be liable to any tenant or tenants who were displaced by that action for failure to comply with this subsection, for punitive damages in an amount that does not exceed the contract rent for six months.

SEC. 151.28. ELLIS ACT PROVISIONS - RENTAL OF REPLACEMENT UNITS.

A. Replacement Units Subject to the Rent Stabilization Ordinance. If a building containing a rental unit that was the subject of a Notice of Intent to Withdraw pursuant to the provisions of Subsection A. of Section 151.23 is demolished and rental units are constructed on the same property and offered for rent or lease within five years of the date the rental unit that was the subject of the Notice of Intent to Withdraw was withdrawn from rent or lease, the owner may establish the initial rental rate for the newly constructed rental units. The provisions of the Rent Stabilization Ordinance, Section 151.00, et seq., and other provisions of this chapter shall apply to the newly constructed rental units.

SEC. 151.23. ELLIS ACT PROVISIONS - REQUIRED NOTICE.

D. Annual Property Status Reports. For no less than seven (7) years following the date of delivery to the Department of the Notice of Intent to Withdraw, or until such time as the Department advises the landlord that they have complied with all reporting requirements set forth in this section, whichever occurs first, the landlord shall file with the Department an Annual Property Status Report, under penalty of perjury and on the form and in the manner prescribed by the Department, providing the following information to the extent applicable:

1. the status related to the demolition of any withdrawn rental units;
2. the status related to the development of any withdrawn rental units; and
3. confirmation that any newly constructed rental units have been registered with the Department in conformance with Section 151.05 and are being operated in compliance with the Rent Stabilization Ordinance.

Citations to particular City of Los Angeles Municipal Code sections are to those in effect on the date of recording.

All the above restrictions apply to the withdrawing landlord and to any successor in interest including, but not limited to, the holder of a security interest or purchaser at a forced sale upon the foreclosure of a security interest, upon sale of the property pursuant to a power of sale contained in a deed of trust or similar instrument, or upon sale under a statutory or other involuntary lien.

This Notice of Constraints is filed in order to preserve the rights of the City of Los Angeles and the rights of all affected past, present, and future tenants of this property. This Notice of Constraints shall not be deemed an admission that the landlord has lawfully withdrawn this property from rent or lease. This Notice of Constraints shall not be construed in such a way as to limit any rights of the City of Los Angeles or of any past, present or future tenants to make any claims against the landlord or successors in interest.

APN: 2359-024-031

Executed on August 28, 2018, at Los Angeles, California.

Property Address:

LOS ANGELES HOUSING+COMMUNITY
INVESTMENT DEPARTMENT
Rushmore D. Cervantes, General Manager

**5020-5030 N Woodman
Los Angeles, CA 91423**

Property Owner of Record:

By: **MATT CABRERA**
Management Analyst
Landlord Declarations Section

AJR Investment Partnership, L.P.

For: 
ANNA ORTEGA
Director, Rent Stabilization

Ellis # LD054528