

## ANALYSIS

This Pet-Friendly Housing ordinance amends Title 8 (Consumer Protection, Business and Wage Regulations) of the Los Angeles County Code relating to Division 3 (Housing) by adding Chapter 8.70 (Pet-Friendly Housing). (Los Angeles County Code, Chapter 8.70.010 through 8.70.070.)

This ordinance: (1) authorizes tenants to have at least one pet in a rental unit in new or rehabilitated publicly-financed multi-family housing developments located in the unincorporated County of Los Angeles (County) financed, in whole or in part, on or after the effective date of this Chapter, by the County or the Los Angeles County Development Authority, consistent with all federal and State laws; and (2) requires landlords to maintain and provide a copy of pet policies to tenants who reside in the above multi-family housing developments.

MARY C. WICKHAM  
County Counsel

By



BEHNAZ TASHAKORIAN  
Principal Deputy County Counsel  
Contracts Division

BT:ml

Requested: 6/20/2019  
Revised: 11/25/2019

**ORDINANCE NO. 2020-0001**

An ordinance amending Title 8 (Consumer Protection, Business and Wage Regulations) of the Los Angeles County Code, by adding Chapter 8.70 (Pet-Friendly Housing).

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Chapter 8.70 entitled, "Pet-Friendly Housing," is added to read as follows:

**Chapter 8.70      Pet-Friendly Housing**

**8.70.010      Short Title.**

**8.70.020      Purpose and Findings.**

**8.70.030      Definitions.**

**8.70.040      Pet-Friendly Publicly-Financed Housing.**

**8.70.050      Exemptions.**

**8.70.060      Remedies.**

**8.70.070      Severability.**

**8.70.010      Short Title.**

This Chapter shall be known as "Pet-Friendly Housing."

**8.70.020 Purpose and Findings.**

A.     The 2019 Greater Los Angeles Homeless Count revealed that there are approximately 44,000 unsheltered homeless persons in the County of Los Angeles (County) on any given night. The County consistently ranks as one of the most unaffordable housing markets in the nation because of low median incomes and the

high cost of rental housing. There is also a shortfall of more than 550,000 housing units. The Countywide housing shortage coupled with the high cost of development has led to increased rental rates and home prices, ultimately contributing to the homelessness crisis.

B. Federal and State laws currently require certain publicly-financed multi-family housing developments to allow pets. However, many private landlords and most homeless shelters prohibit pets. These restrictions force people to make the difficult choice of having a home or separating from their pet. Further, homeless people who do not have housing for their pet may skip appointments, missing opportunities for additional help and services.

C. The County Board of Supervisors' intent is to ensure that tenants of multi-family housing developments financed, in whole or in part, by the County or the Los Angeles County Development Authority are allowed to maintain pets in their homes, consistent with all applicable federal and State laws.

**8.70.030 Definitions.**

For purposes of this Chapter, the following definitions shall apply:

- A. "Code" means the Los Angeles County Code.
- B. "LACDA" means the Los Angeles County Development Authority.
- C. "Pet" means a common household domesticated: animal (such as a dog, cat, rabbit, or bird); rodent (such as a mouse, hamster, guinea pig, or rat); and animal kept in an aquarium or appropriate enclosure (such as a fish, frog or non-venomous reptile less than six feet in length). A Pet is also kept in the home for pleasure rather

than for commercial purposes and does not include any equine (such as a horse, pony, donkey, burro, or mule), birds of prey, swine, sheep, goat, cattle, poultry, or other similar livestock.

D. "Public Financing" or "Publicly-Financed" means, on or after the effective date of this Chapter, multi-family housing that is developed or rehabilitated in unincorporated areas of the County with funding, in whole or in part, obtained from or through the County and/or the LACDA, including either federal, State, or local funding sources, by loan, grant or other method. This term shall not include any federal, State or local rental subsidy or assistance, such as those provided under Title 42 of the United States Code section 1437f.

E. "Rental Unit" means any dwelling unit as defined in California Civil Code section 1940, subsection (c) and all housing accommodations as defined in California Government Code section 12927, located in unincorporated areas of the County and used or occupied for payment of rent. This definition includes any dwelling unit used for residential purposes, including live-work spaces, accessory dwelling units, and mobilehomes rented by an owner to a tenant. This term also includes recreational vehicles as defined in California Civil Code section 799.29 if located in a mobilehome park or recreational vehicle park whether rent is paid for the recreational vehicle and/or for the land upon which it is located. This term applies whether or not the residential use of the Rental Unit is legally permitted.

F. "State" means the State of California.

G. "Tenant" means a person entitled, or seeking to be entitled, by written or oral agreement to use or occupy any Rental Unit.

**8.70.040 Pet-Friendly Publicly-Financed Housing.**

A. A Tenant of a Publicly-Financed multi-family housing development may have at least one Pet in a Rental Unit, in accordance with the Code including, but not limited to, Title 10 (Animals), and consistent with all applicable federal and State laws.

B. Pet deposits charged to the Tenant in order to keep the Pet in the Rental Unit must be administered consistent with State laws.

C. The LACDA must, in consultation with the County's Department of Animal Care and Control, develop Pet guidelines to allow at least one Pet in a Rental Unit and ensure that the maintenance of Pets is responsible and safe. Landlords must draft Pet policies based on the LACDA guidelines for approval by the County or LACDA prior to leasing the Rental Unit to the Tenant or upon completion of rehabilitation work on the Publicly-Financed multi-family housing development. Once the Pet policies are approved, Landlords must maintain the Pet policies and provide copies to the Tenants of the Publicly-Financed multi-family housing development.

**8.70.050 Exemptions.**

Nothing contained in this Chapter shall apply or be construed to:

A. Limit federal or State laws that require reasonable accommodations be made to a person with a disability who has a Pet which provides assistance, service, or support; or

B. Prohibit removing a Pet from a Rental Unit if the Pet's conduct or condition is determined to be a violation of law including, but not limited to, nuisance or a threat to the health or safety of other Tenants of the Publicly-Financed housing development, their guests or invitees, or other persons in the community where the Rental Unit is located.

**8.70.060 Remedies.**

A. Civil Liability. Any person or entity may enforce the provisions of this Chapter by civil action. Any person or entity who violates or aids in the violation of any provision of this Chapter is liable for three times one month's rent for the Rental Unit in question. The court may also award the prevailing party reasonable attorneys' fees, costs, and/or punitive damages. Any person or entity who violates or aids in the violation of any provision of this Chapter shall also be liable for civil damages for each provision of this Chapter that is violated, and for each instance in which said provision is violated.

B. Equitable Relief. Any aggrieved person, the County Counsel, the District Attorney, or any person or entity which fairly and adequately represents the interests of Tenants protected under this Chapter, may enforce the provisions of this Chapter by seeking equitable relief, including an appropriate injunction to secure compliance with the provisions of this Chapter, in any court of competent jurisdiction.

C. Affirmative Defense. Non-compliance with any applicable provisions of this Chapter shall constitute an affirmative defense for a Tenant in any unlawful detainer

action brought pursuant to California Code of Civil Procedure section 1161, as amended.

D. Nonexclusive Remedies and Penalties. The remedies provided in this Chapter are not exclusive, and nothing in this Chapter shall preclude any person from seeking any other remedies or penalties available at law or in equity.

**8.70.070 Severability.**

The provisions of this Chapter are hereby declared to be severable. If any provision of this Chapter or the application thereof is held to be invalid, such invalidity shall not affect other provisions or applications of this Chapter which can be given effect without the invalid provisions or application.

[CH870BTCC]

SECTION 2 This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Kathryn Barger  
Chair

ATTEST:

Celia Zavala

Celia Zavala  
Executive Officer -  
Clerk of the Board of Supervisors  
County of Los Angeles

I hereby certify that at its meeting of January 7, 2020 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

	<u>Ayes</u>		<u>Noes</u>
Supervisors	<u>Hilda Solis</u>	Supervisors	<u>None</u>
	<u>Mark Ridley-Thomas</u>		
	<u>Sheila Kuehl</u>		
	<u>Janice Hahn</u>		
	<u>Kathryn Barger</u>		

Effective Date: February 6, 2020  
Operative Date: \_\_\_\_\_

Celia Zavala

Celia Zavala  
Executive Officer -  
Clerk of the Board of Supervisors  
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

CELIA ZAVALA  
Executive Officer  
Clerk of the Board of Supervisors

By [Signature]  
Deputy



APPROVED AS TO FORM:  
MARY C. WICKHAM  
County Counsel

By [Signature]  
Lester J. Tolnai  
Chief Deputy County Counsel