



August 5, 2026

Via Email

ecu@rrcc.lacounty.gov

Election Coordination Unit

Attn: Mr. Dean C. Logan, Registrar-Recorder/County Clerk
12400 Imperial Highway, 2nd Floor, Room 2013A
Norwalk, CA 90650

Re: Request to include an additional Ballot Measure to be considered at the City of Cudahy's General Municipal Election of November 3, 2026, which is to be consolidated with the County-administered election of the same date.

Dear Mr. Dean C. Logan:

This correspondence is a third request to the City of Cudahy ("City") Resolution No. 26-17 submitted to you by the City on June 4, 2026, respectively, regarding the calling of the City's General Municipal Election for November 3, 2026 ("General Municipal Election") and which request that the same be consolidated with and administered by the Registrar-Recorder/County Clerk for the County of Los Angeles ("County Registrar"). The City now requests that an additional ballot measure be included among the matters to be considered and voted on by Cudahy voters at its General Municipal Election.

At its meeting on August 4, 2026, the Cudahy City Council approved the following resolution with the corresponding ordinance attached as Exhibit A:

- Resolution No. 26-34 for the placement of a measure to require voter approval to increase the 3% maximum ceiling for annual rent increases codified under Chapter 5.13 (Rent Stabilization) of the Cudahy Municipal Code and requiring 2/3 approval of the full membership of the City Council to otherwise amend or repeal Chapter 5.13.

A true and correct certified copy of the above referenced resolution is included with this correspondence.

Please be advised that the City agrees to compensate the County for any additional costs associated with the addition of this measure on the ballot.

If you have any questions or need additional information, please do not hesitate to contact our office at (323) 773-5143 x227 during regular business hours, Monday through Thursday, from 7:00 a.m. through 6:00 p.m.

Sincerely,



Richard Iglesias
City Clerk



CUDAHY
OPEN MINDS, OPEN DOORS
Incorporated November 10, 1960

5220 Santa Ana Street
Cudahy, CA 90201
Phone: (323) 773-5143
www.cityofcudahyca.gov

Mayor
Cynthia Gonzalez, Ed.D

Vice Mayor
Daisy Lomeli

Councilmember
Elizabeth Alcantar Loza

Councilmember
Martin U. Fuentes

Councilmember
Amanda Gomez

City Manager
Christopher R. Lopez

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF CUDAHY)

I, Richard Iglesias, City Clerk of the City of Cudahy, do hereby certify that the foregoing document is a full, true, and correct copy of:

Resolution No. 26-34, of the City Council of the City of Cudahy, California (1) calling and giving notice of the submission to the voters of the City of Cudahy of a ballot measure requiring voter approval for any increase to the 3% maximum ceiling for annual rent increases codified under chapter 5.13 (rent stabilization) of the Cudahy municipal code or constructive repeal thereof and requiring 2/3 approval of the full membership of the city council to otherwise amend or repeal chapter 5.13; (2) acknowledging City Council approval of an ordinance effectuating the foregoing amendments; (3) ordering that the ballot measure be submitted as part of the city's November 3, 2026 general municipal election; (4) requesting that the Los Angeles County Board of Supervisors include the ballot measure as part of city's prior election consolidation request; (5) requesting that the Registrar-Recorder/County Clerk provide specific election administration services, inclusive of the ballot measure; and (6) setting priorities for filing written arguments and rebuttals regarding the ballot measure and directing preparation of an impartial analysis

Under my hand and seal this 5th day of August 2026 at Cudahy, California.




Richard Iglesias
City Clerk

RESOLUTION NO. 26-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA (1) CALLING AND GIVING NOTICE OF THE SUBMISSION TO THE VOTERS OF THE CITY OF CUDAHY OF A BALLOT MEASURE REQUIRING VOTER APPROVAL FOR ANY INCREASE TO THE 3% MAXIMUM CEILING FOR ANNUAL RENT INCREASES CODIFIED UNDER CHAPTER 5.13 (RENT STABILIZATION) OF THE CUDAHY MUNICIPAL CODE OR CONSTRUCTIVE REPEAL THEREOF AND REQUIRING 2/3 APPROVAL OF THE FULL MEMBERSHIP OF THE CITY COUNCIL TO OTHERWISE AMEND OR REPEAL CHAPTER 5.13; (2) ACKNOWLEDGING CITY COUNCIL APPROVAL OF AN ORDINANCE EFFECTUATING THE FOREGOING AMENDMENTS; (3) ORDERING THAT THE BALLOT MEASURE BE SUBMITTED AS PART OF THE CITY'S NOVEMBER 3, 2026 GENERAL MUNICIPAL ELECTION; (4) REQUESTING THAT THE LOS ANGELES COUNTY BOARD OF SUPERVISORS INCLUDE THE BALLOT MEASURE AS PART OF CITY'S PRIOR ELECTION CONSOLIDATION REQUEST; (5) REQUESTING THAT THE REGISTRAR-RECORDER/COUNTY CLERK PROVIDE SPECIFIC ELECTION ADMINISTRATION SERVICES, INCLUSIVE OF THE BALLOT MEASURE; AND (6) SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS AND REBUTTALS REGARDING THE BALLOT MEASURE AND DIRECTING PREPARATION OF AN IMPARTIAL ANALYSIS

WHEREAS, the City of Cudahy ("City") is a general law city, incorporated under the laws of the State of California; and

WHEREAS, pursuant to its police power, the City may enact and enforce laws within its boundaries that promote the public health, safety, or general welfare of the community, and are not in conflict with general laws; and

WHEREAS, the City Council of the City of Cudahy ("City Council") formed an Ad Hoc Committee (the "Ad Hoc Committee") at the City Council meeting of July 19, 2022, to analyze and study the issue of rent control and to formulate legislative or other appropriate recommendations for City Council consideration; and

WHEREAS, on September 20, 2022, the City Council adopted Ordinance No. 725, to temporarily restrict rent increases for certain residential properties while the City studied the issue of rent control; and

WHEREAS, on January 17, 2023, the City Council adopted Urgency Ordinance No. 731 extending the temporary restriction on rent increases enacted by Ordinance No. 725, to allow more time to study and analyze the issue; and

WHEREAS, on April 17, 2023, the City Council adopted Urgency Ordinance No. 735 extending the temporary restriction on rent increases enacted by Urgency Ordinance No. 725 and extended by Urgency Ordinance No. 731; and

WHEREAS, pursuant to its police power, on June 6, 2023, the City Council approved Ordinance No. 736, which added Chapter 5.13 to the Cudahy Municipal Code ("CMC"), restricting rent increases and establishing other regulations applicable to certain covered residential rental units in the City; and

WHEREAS, at its Regular Meeting of May 19, 2026, the City Council of the City of Cudahy ("City") approved Resolution No. 26-17, which (1) called for and gave notice of a general municipal election to be held on Tuesday, November 3, 2026, for the election of three City Councilmembers; (2) requested consolidation of such election with the County of Los Angeles with any and all elections held on such date; (3) requested the County of Los Angeles to provide specific election administration services for such election; (4) provided notice of regulations for candidates for elective office for such election regarding candidate statements; and (5) provided for the determination of tie votes by lot unless the City Council adopts the provisions of Elections Code Section 15651(b) prior to the conduct of the election resulting in the tie vote; and

WHEREAS, in addition to the election contests for three of the City's five City Council seats called for under Resolution No. 26-17, the City Council also called for the placement of a rent stabilization measure as set forth in proposed Ordinance No. 773, attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter, the "Ordinance"), on to the November 3, 2026 ballot, by approval of this Resolution at the City Council's Regular Meeting of August 4, 2026; and

WHEREAS, pursuant to California Elections Code section 9222, the City Council is authorized to submit this measure to the voters at the November 3, 2026 General Municipal Election; and

WHEREAS, pursuant to California Elections Code section 9217, if approved by the voters, the Ordinance may only be amended or repealed by the voters; and

WHEREAS, the City Council wishes to include the above-referenced rent stabilization measure as part of the City's General Municipal Election ballot and included among the matters referenced under Resolution No. 26-17; and

WHEREAS, the City shall compensate the County of Los Angeles for all necessary expenses incurred by the County Registrar in performing election services for the City; and

WHEREAS, the proposed measure will only take effect if approved by a majority of votes cast at the City's General Municipal Election of November 3, 2026, which is to be consolidated with the County-administered General Election of the same date.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA, AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and incorporated into this Resolution.

SECTION 2. Pursuant to the requirements of the laws of the State of California relating to general law cities and Elections Code Section 9222, the City Council hereby orders and calls a General Municipal Election to be held in the City of Cudahy, California on Tuesday, November 3, 2026, to be consolidated with the County-administered General Election to be held on the same day, for the purpose of submitting to the qualified electors a Measure (hereinafter, the "Measure") attached hereto as attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 3. As of the effective date, this Resolution is one of three (3) resolutions submitted to the Board of Supervisors and County Registrar by the City Council relating to the City's General Municipal Election of November 3, 2026. The first resolution, Resolution No. 26-17, referenced above, (1) called for and gave notice of a general municipal election to be held on Tuesday, November 3, 2026, for the election of three City Councilmembers; (2) requested consolidation of such election with the County of Los Angeles with any and all elections held on such date; (3) requested the County of Los Angeles to provide specific election administration services for such election; (4) provided notice of regulations for candidates for elective office for such election regarding candidate statements; and (5) provided for the determination of tie votes by lot unless the City Council adopts the provisions of Elections Code Section 15651(b) prior to the conduct of the election resulting in the tie vote. The second resolution, Resolution No. 26-30, (1) Gave Notice Of The Submission Of A Ballot Measure Question To The Voters Of The City Of Cudahy Concerning The Extension Of The Temporary Three-Quarter Percent (3/4%) Transactions And Use Tax Currently Implemented As A General Use Tax Beyond Its Current Expiration Date, To Continue Until Repealed By City Voters; And (2) Set Election Procedures And Priorities For The Filing Of Written Arguments And Rebuttals Regarding The Measure And Directed The City Attorney To Prepare An Impartial Analysis; And (3) Requested The Los Angeles County Board Of Supervisors' Consent To The Consolidation Of Said Election With Other Elections To Be Held On November 3, 2026, And Directing The Registrar Of Voters To Conduct The Election. The City Council requests that the Measure in Ordinance No. 773 be added to the list of items referenced under Resolution No. 26-17 that are to be placed on the ballot for the General Municipal Election to be consolidated with the County-administered General Election of the same date.

SECTION 4. Pursuant to the requirements of Section 10403 of the Elections Code, and as part of the City Council's request under Resolution No. 26-17, it is further requested that the Board of Supervisors consent and agree to the inclusion of the above-referenced Measure in Ordinance No. 773 as part of the City of Cudahy's November 3, 2026 General Municipal Election, which is to be consolidated with the County-administered General Election to be held on the same date. Further the City Council

acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418.

SECTION 5. The following ballot question shall be submitted to the voters of the City of Cudahy at the General Municipal Election to be held on November 3, 2026:

Cudahy Rent Stabilization Protection Measure To safeguard tenant protections codified under Cudahy Municipal Code Chapter 5.13, including provisions that prevent excessive rent increases and stabilize rents over time while affording landlords reasonable returns, shall voter approval be required for any increase to the 3% maximum ceiling by which rents can be increased annually under Chapter 5.13, and 2/3 approval of the full City Council be required to otherwise amend or repeal Chapter 5.13?	Yes
	No

SECTION 6. It is respectfully requested that the Board of Supervisors authorize and direct the County Registrar to canvass the returns of the City's consolidated General Municipal Election (for the items referenced under Resolution No. 26-17, Resolution No. 26-30, and the Measure referenced in this Resolution) and that such election be held in all respects as if it were part and parcel of the County-administered General Election of the same date. It is also respectfully requested that the County Registrar assign a letter designation to the above-subject measure, such that the measure may be identified accordingly on the ballot.

SECTION 7. It is respectfully requested that the Board of Supervisors authorize and direct the County Registrar to:

- a. Print and supply ballots for the General Municipal Election; and
- b. Mail the ballot question, ballot arguments, rebuttals, and the City Attorney's impartial analysis to the registered voters in the City of Cudahy.

SECTION 8. It is also respectfully requested that the Board of Supervisors issue instructions to the County Registrar to take any and all additional steps necessary for the holding of the consolidated election requested above.

SECTION 9. The City of Cudahy shall reimburse the Registrar for any additional costs attributable to the inclusion of the Measure on the ballot of the General Municipal

Election to be consolidated with the County-administered General Election of November 3, 2026.

SECTION 10. The complete text of the proposed Ordinance submitted to the voters is attached as Exhibit "A" to this Resolution.

SECTION 11. The ballots to be used at the election shall be in form and content as required by law.

SECTION 12. As authorized under Elections Code Section 9282(b), the City Council reserves the right to file a written argument in favor of or against this Measure or authorize any member or members of the City Council to do the same. Pursuant to Elections Code Section 9282(b), written arguments for or against the Measure may also be submitted by any individual voter who is eligible to vote on the Measure; any bona fide association of citizens; any combination of voters and associations or such other persons or entities as may be authorized under Elections Code Section 9282(b). The foregoing notwithstanding, if more than one set of arguments "in favor of" or "in opposition to" the Measure is timely submitted to the City Clerk, the City Clerk shall select only one argument for and one argument against in accordance with the selection priority set forth under Elections Code Section 9287. That priority gives preference as follows: (a) The City Council or City Council-authorized members of the City Council; (b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure; (c) A bona fide association of citizens; then (d) Individual voters who are eligible to vote on the measure. Pursuant to Elections Code Section 9283, a ballot argument will not be accepted unless accompanied by the printed name and signature or printed names and signatures of the author or authors submitting the argument, or if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers who is the author of the argument. Pursuant to Elections Code Section 9283, no more than five (5) signatures shall appear with any argument submitted and if any argument is signed by more than five authors, only the signatures of the first five shall be printed. Pursuant to Elections Code Section 9282(c) ballot arguments in support of or in opposition to the Measure may not exceed 300 words in length. Consistent with Elections Code Section 9286, the City Clerk shall fix the deadline for submission of ballot arguments in favor of or in opposition to the Measure as August 14, 2026. Ballot arguments submitted after this deadline will not be accepted. Notwithstanding the requirements stated above, all ballot arguments shall comply with the Elections Code and all other applicable laws and regulations. The City Clerk's Office is located at Cudahy City Hall, 5220 Santa Ana Street, Cudahy, California 90201.

SECTION 13. Pursuant to Elections Code Section 9285, when an argument in favor and an argument against a measure has been selected to be printed in the voter information guide, the City Clerk shall send a copy of the argument in favor to the authors of the argument against and a copy of an argument against to the authors of the argument in favor. To the extent permitted under Elections Code Section 9285(a)(2), the author or a majority of the authors of an argument may prepare and submit a rebuttal argument or

may authorize in writing another person or persons to prepare, submit, or sign the rebuttal argument. No rebuttal argument may exceed 250 words in length. Consistent with Elections Code Section 9285(a)(5), a rebuttal argument shall not be signed by more than five persons, shall be printed in the same manner as a direct argument, and shall immediately follow the direct argument which it seeks to rebut. Rebuttal arguments shall be filed with the City Clerk no later than 10 days after the final filing date for primary arguments. Rebuttals that are received after this deadline will not be accepted. Again, the City Clerk's Office is located at Cudahy City Hall, 5220 Santa Ana Street, Cudahy, California 90201.

SECTION 14. Pursuant to Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney, who shall prepare an impartial analysis of it in accordance with Section 9280 and all other applicable laws. The impartial analysis shall be printed preceding the arguments for and against the measure.

SECTION 15. The City Clerk shall follow all the public examinations and other relevant procedures set forth in Elections Code Section 9295.

SECTION 16. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

SECTION 17. The City Clerk shall forward without delay, a copy of this Resolution to the appropriate public agency which shall be assisting the City of Cudahy with the conduct of its General Municipal Election.

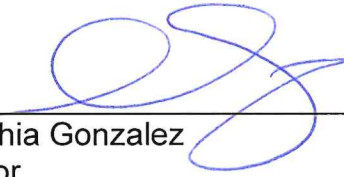
SECTION 18. The City Clerk is delegated discretion to direct the County to undertake one of the following placement options for the voter information guide: (a) Print a 75 word abbreviated ballot measure text (prescribed by law) only; (b) Print a 75 word abbreviated ballot measure text and include Official Sample Ballot Notice advising voters to call the City Clerk's Office and request a free copy of the ballot measure enclosure (OR) that the city will be sending voters a supplemental mailing; or (c) Print a 75 word abbreviated ballot measure text and include Full Ballot Measure Enclosure Text in the Official Sample Ballot Booklet.

SECTION 19. This Resolution is exempt from review under the California Environmental Quality Act (Cal. Pub. Resources Code, § 2100 et seq.) ("CEQA") and the CEQA Guidelines (14 Cal. Code of Regs., § 15000 et seq.) because it does not constitute a "project" that requires environmental review (14 Cal. Code of Regs., §§ 15060(c)(2)-(3), 15378), but if deemed to be a project, is categorically exempt under 14 Cal. Code of Regs. § 15061(b)(3) (common sense exemption).

SECTION 20. The provisions of this Resolution are severable and if any provision of this Resolution is held invalid, that provision shall be severed from the Resolution and

the remainder of this Resolution shall continue in full force and effect, and not be affected by such invalidity.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Cudahy at the regular meeting of this 4th day of August 2026.



Cynthia Gonzalez
Mayor

ATTEST:



Richard Iglesias
City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF CUDAHY) SS:

I, Richard Iglesias, City Clerk of the City of Cudahy, hereby certify that the foregoing Resolution No. 26-34 was passed and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 4th day of August 2026 and that said Resolution was adopted by the following vote, to-wit:

AYES: Alcantar Loza, Gomez, Lomeli, and Gonzalez

NOES: None

ABSENT: None

ABSTAIN: Fuentes



Richard Iglesias
City Clerk

EXHIBIT "A"
ORDINANCE NO. 773

ORDINANCE NO. 773

AN ORDINANCE OF THE PEOPLE OF THE CITY OF CUDAHY, CALIFORNIA REQUIRING VOTER APPROVAL FOR ANY INCREASE TO THE 3% MAXIMUM CEILING FOR ANNUAL RENT INCREASES CODIFIED UNDER CHAPTER 5.13 (RENT STABILIZATION) OF THE CUDAHY MUNICIPAL CODE OR CONSTRUCTIVE REPEAL THEREOF AND REQUIRING 2/3 APPROVAL OF THE FULL MEMBERSHIP OF THE CITY COUNCIL TO OTHERWISE AMEND OR REPEAL CHAPTER 5.13

WHEREAS, the City of Cudahy ("City") is a general law city, incorporated under the laws of the State of California; and

WHEREAS, pursuant to its police power, the City may enact and enforce laws within its boundaries that promote the public health, safety, or general welfare of the community, and are not in conflict with general laws; and

WHEREAS, the City Council of the City of Cudahy ("City Council") formed an Ad Hoc Committee (the "Ad Hoc Committee") at the City Council meeting of July 19, 2022, to analyze and study the issue of rent control and to formulate legislative or other appropriate recommendations for City Council consideration; and

WHEREAS, on September 20, 2022, the City Council adopted Ordinance No. 725, to temporarily restrict rent increases for certain residential properties while the City studied the issue of rent control; and

WHEREAS, on January 17, 2023, the City Council adopted Urgency Ordinance No. 731 extending the temporary restriction on rent increases enacted by Ordinance No. 725, to allow more time to study and analyze the issue; and

WHEREAS, on April 17, 2023, the City Council adopted Urgency Ordinance No. 735 extending the temporary restriction on rent increases enacted by Urgency Ordinance No. 725 and extended by Urgency Ordinance No. 731; and

WHEREAS, pursuant to its police power, on June 6, 2023, the City Council approved Ordinance No. 736, which added Chapter 5.13 to the Cudahy Municipal Code ("CMC"), restricting rent increases and establishing other regulations applicable to certain covered residential rental units in the City; and

WHEREAS, pursuant to Elections Code Section 9222, the Cudahy City Council ("City Council") has the authority to submit measures to be considered by Cudahy voters at a municipal election; and

WHEREAS, pursuant to California Elections Code section 9217, if approved by the voters, an ordinance may only be amended or repealed by the voters unless it otherwise provides; and

WHEREAS, the City Council wishes to place a measure on the November 3, 2026 ballot so that its rent stabilization program can only be amended or repealed by a supermajority (2/3) of the full membership of the City Council, except for any increase to the maximum annual permitted rent increases for covered rental units, which may only be increased or constructively repealed by the voters; and

WHEREAS, the ballot measure seeking approval of this Ordinance was given the letter designation Measure “XX” which presented the following question to Cudahy voters:

Cudahy Rent Stabilization Protection Measure To safeguard tenant protections codified under Cudahy Municipal Code Chapter 5.13, including provisions that prevent excessive rent increases and stabilize rents over time while affording landlords reasonable returns, shall voter approval be required for any increase to the 3% maximum ceiling by which rents can be increased annually under Chapter 5.13, and 2/3 approval of the full City Council be required to otherwise amend or repeal Chapter 5.13?	YES
	NO

WHEREAS, this Ordinance was approved by the City Council for first reading on August 4, 2026, respectively, subject to the requirement that the ballot measure authorizing the implementation of this Ordinance is in fact approved by Cudahy voters at the general municipal election held November 3, 2026; and

WHEREAS, as required by Election Code Section 9217, the ballot measure seeking approval of this Ordinance was approved by a simple majority of votes cast at the general municipal election of November 3, 2026, by a final count of _____ “Yes” votes (or _____% “Yes”) to _____ “No” votes (or _____% “No”).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUDAHY, ACTING WITH THE CONSENT OF THE VOTERS FOLLOWING A NOVEMBER 3, 2026 GENERAL MUNICIPAL ELECTION, HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and incorporated into this Ordinance.

SECTION 2. Chapter 5.13 (Rent Stabilization) of Title 5 (Business Licenses and Regulations) of the Cudahy Municipal Code is hereby amended and retitled in its entirety to now state the following:

Chapter 5.13 RENT STABILIZATION

Article I. Title, Purpose, Definitions and Applicability

- 5.13.010 Title.**
- 5.13.020 Purpose.**
- 5.13.030 Definitions.**
- 5.13.040 Applicability.**

Article II. General Provisions

- 5.13.050 Permitted rent increases for covered rental units.**
- 5.13.060 Capital improvements pass-through cost recovery.**
- 5.13.070 Landlord fair return petition for rent increase.**
- 5.13.080 Tenant petition for adjustment.**
- 5.13.090 Security deposit.**
- 5.13.100 Rental unit registration.**
- 5.13.110 Notices to tenants.**

Article III. Administration and Enforcement

- 5.13.120 Enforcement.**
- 5.13.130 Administrative review and appeals.**
- 5.13.140 Administrative citations.**
- 5.13.150 Remedies.**
- 5.13.160 Waiver.**
- 5.13.170 Severability.**
- 5.13.180 Amendment.**

Article I. Title, Purpose, Definitions and Applicability

- 5.13.010 Title.**

This chapter shall be known as the rent stabilization ordinance of the city.

- 5.13.020 Purpose.**

(1) The purpose of this chapter is to protect tenants from excessive rent increases and to promote long-term stability and certainty for tenants in the rental market while providing landlords an ability to receive a fair return on their rental property.

(2) This chapter regulates rents for certain tenancies. It requires landlords to register rental units, establishes an administrative petition process, and provides for procedures and guidelines for the implementation of this chapter.

5.13.030 Definitions.

For the purposes of this chapter, unless the context requires otherwise, the following definitions shall apply:

(1) "Base rent" means the rent charged for a rental unit in effect on April 11, 2022, when the city council declared its intent to regulate rent for residential properties in the city, or at the initiation of the tenancy, whichever is later, plus any rent increase allowed thereafter pursuant to this chapter.

(2) "Capital improvement" means the addition, substantial repair or replacement of any improvements to dwelling units, buildings, or common areas, which materially adds to the value of the property, appreciably prolongs its useful life or adapts it to new uses, and which is the same type of improvement as those allowed to be amortized over the useful life of the improvement in accordance with the Internal Revenue Code and its regulations and as specified in CMC 5.13.060. "Capital improvement" does not include normal or routine maintenance or repair or repairs covered by insurance.

(3) "City" means the city of Cudahy.

(4) "Code" means Cudahy Municipal Code.

(5) "Consumer Price Index" or "CPI" means the Consumer Price Index for all urban consumers of the Los Angeles – Long Beach – Anaheim, California, area, published by the U.S. Department of Labor, Bureau of Labor Statistics, or any successor designation of that index that may later be adopted by the U.S. Department of Labor.

(6) "Covered rental unit" means any rental unit that is not designated as exempt pursuant to CMC 5.13.040.

(7) "Department" means the community development department of the city of Cudahy, or other department designated by the city council to administer the provisions of this chapter.

(8) "Director" means the director of the department, or their designee.

(9) "Hearing officer" means the person designated by the city manager or designee to conduct a review hearing and decide petitions and appeals under this chapter.

(10) "Housing services" means all services provided by the landlord related to the use or occupancy of a rental unit, including water, heat, utilities, insurance, maintenance,

repairs, painting, elevator service, laundry facilities, janitorial service, refuse removal, furnishings, window shades and screens, parking, storage, security services, recreational areas, right to have specified number of tenants or occupants, allowing pets, communications technologies (internet, cable and satellite services), and any other benefit, privilege or facility that has been provided by the landlord to the tenant with use or occupancy of a rental unit. Housing services to a rental unit shall include a proportionate part of services provided to common facilities of the building or residential complex in which a rental unit is contained.

(11) "Landlord" means an owner, lessor, sublessor, or any other person entitled to offer any rental unit for rent or entitled to receive rent for the use and occupancy of a rental unit, and the agent, representative, or successor of any of the foregoing. "Landlord" includes an owner of a mobilehome park and its agent, representative, or successor.

(12) "Mobilehome" means any mobilehome as defined under California Civil Code Section 798.3.

(13) "Mobilehome park" means an area of land located where two or more mobilehome spaces are rented or leased out for mobilehomes used as residences.

(14) "Rent" means the sum of all periodic payments and all nonmonetary consideration demanded or received by a landlord from a tenant for the use or occupancy of a rental unit, including tenant's access to and use of housing services. "Rent" includes, without limitation, the fair market value of goods accepted, labor performed, or services rendered. "Rent" does not include any of the following: security deposits, utility charges billed separately to the tenant by the utility company, and pass-through fees and charges authorized pursuant to this chapter.

(15) "Rental agreement" means an agreement, oral, written, or implied, between a landlord and tenant for the use or occupancy of a rental unit and related housing services.

(16) "Rental unit" means any dwelling unit, as defined under California Civil Code Section 1940(c), located in the jurisdictional boundaries of the city of Cudahy and that is used or occupied for human habitation in consideration of payment of rent, whether or not the residential use is legally permitted, including mobilehomes rented by the owner of the mobilehome, and accessory dwelling units. "Rental unit" also means a mobilehome park space located in the jurisdictional boundaries of the city of Cudahy.

(17) "Residential real property" includes any parcel of land containing one or more dwelling units intended for human habitation.

(18) "Service reduction" means any decrease or diminution in the level of housing services provided by the landlord on or after the effective date of this chapter, including, but not limited to, services the landlord is required to provide pursuant to:

(a) California Civil Code Section 1941 et seq.;

(b) The landlord's implied warranty of habitability, which cannot be contractually excluded or waived;

(c) A rental agreement between the landlord and the tenant; and

(d) The level of service as implied by the condition of improvements, fixtures, and equipment, and their availability for use by the landlord at the time of execution of the rental agreement between the landlord and the tenant.

(19) "Tenancy" means the lawful right or entitlement of a tenant to use or occupy a rental unit. This includes a lease or a sublease.

(20) "Tenant" means a tenant, subtenant, lessee, sublessee, or any other person entitled under the terms of a rental agreement to the use or occupancy of any rental unit.

5.13.040 Applicability.

(1) This chapter shall apply to all rental units within the jurisdictional boundaries of the city, unless expressly exempt pursuant to any provision of this chapter or state or federal law.

(2) Exemptions. The following are specifically exempt from the provisions of this chapter:

(a) Any dwelling unit that has a certificate of occupancy or equivalent permit for residential occupancy issued after February 1, 1995.

(b) Any dwelling unit that is alienable separate from the title to any other dwelling unit, including single-family residences, condominiums and townhomes, but excluding mobilehomes offered for rent by the owner of the mobilehome, or is a subdivided interest in a subdivision, as specified in California Business and Professions Code Section 11004.5(b), (d) or (f).

(c) Housing restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for persons and families of very low, low or moderate income, as defined in California Health and

Safety Code Section 50093, or subject to an agreement that provides housing subsidies for affordable housing for persons and families of very low, low or moderate income, as defined in California Health and Safety Code Section 50093 or comparable federal statutes, but excluding any dwelling unit for which a landlord receives federal housing assistance vouchers issued under Section 8 of the United States Housing Act of 1937, line 9 (42 U.S.C. § 1437f).

(d) Residential real property containing no more than two rental units in which the owner occupies one of the units as the owner's principal place of residence since the beginning of the tenancy, so long as the owner continues in occupancy. For purposes of this subsection:

(i) The term "owner" means a natural person who owns at least a 25 percent ownership interest in the residential real property.

(ii) An exemption under this subsection shall expire by operation of law when the owner ceases to reside on the property as their principal place of residence.

(e) Accommodations in hotels, motels, inns, tourist homes and boarding houses, and rooming houses, or other facilities, for which the city has received or is entitled to receive payment of transient occupancy tax pursuant to Chapter 3.32 CMC, Transient Occupancy Tax, and California Civil Code Section 1940(b).

(f) Housing accommodations in a nonprofit hospital, religious facility, extended care facility, licensed residential care facility for the elderly (as defined in California Health and Safety Code Section 159.2), or any other facility licensed by the state to provide medical care for residents.

(3) Application for Rental Unit Exemption. Any person with an ownership interest in a rental unit may claim an exemption from this chapter by filing with the department an application of exemption on a form approved by the department.

Article II. General Provisions

5.13.050 Permitted rent increases for covered rental units.

(1) A landlord shall not increase the rent for a covered rental unit by more than the change in CPI, or three percent, whichever is lower. For purposes of this section, "change in CPI" means the percentage change in the Consumer Price Index over the previous 12-month period ending in March of each year. The provisions of Section 5.13.180 of this Chapter notwithstanding, any amendment to increase the 3% ceiling for annual rent increases as set forth in this Section, or the constructive repeal thereof, shall require voter approval and any such amendment made without voter approval shall be null and

void and of no force or effect. The preceding sentence shall not operate to prohibit the repeal of this Chapter in its entirety by the City Council in the manner provided under Section 5.13.180 of this Chapter so long as such repeal does not constructively repeal the 3% ceiling for annual rent increases set forth in this Section, above.

(2) A landlord shall not impose more than one rent increase for a covered rental unit in any 12-month period, calculated from the date the rent increase takes effect, unless otherwise permitted pursuant to this chapter.

(3) The department shall announce the annual maximum allowable rent increase effective as of July 1st of the same year, in accordance with the department's procedures and guidelines.

(4) A landlord may impose an annual rent increase for any covered rental unit, as allowed in this section, only after providing at least 30 days' written notice to the tenant of the rent increase pursuant to California Civil Code Section 827.

(5) A landlord may impose an annual rent increase only upon registering the rental unit with the city and paying any required annual registration fees pursuant to CMC 5.13.100, and maintaining compliance with state and local laws and requirements.

(6) A landlord who does not impose a rent increase or imposes only a portion of the permitted rent increase in any 12-month period, as provided in this section, waives that annual rent increase or the remaining portion of that permitted annual rent increase for the remainder of the tenancy. A landlord shall not bank any waived and/or unused portions of permitted annual rent increases for use in future years.

(7) This chapter does not supersede a landlord's right to set the initial rent for new tenancies under state law.

(8) A tenant of a covered rental unit subject to this chapter shall not enter into a sublease that results in a total rent for the rental unit that exceeds the allowable rent authorized by this section. Nothing in this chapter authorizes a tenant to sublet or assign the tenant's interest where otherwise prohibited.

(9) A tenant may refuse to pay a rent increase which is in violation of this chapter. Such refusal to pay the unallowed increased amount in excess of permitted rent charges shall be an affirmative defense in any action brought to recover possession of a rental unit or to collect the rent increase owed.

(1) A landlord may pass through 50 percent of capital improvement costs to existing tenants in covered rental units in accordance with the provisions of this section.

(2) Capital improvements must be for the primary benefit, use and enjoyment of tenants, cost-factored, and amortized over a useful life of at least five years, and permanently fixed in place or relatively immobile and appropriate to the use of the rental property.

(3) Capital improvements eligible for pass-through cost recovery include, but are not limited to:

(a) The addition, but not the replacement, of the following improvements to a rental unit or common areas of the building in which the rental unit is located: air conditioning, security gates and other security items, swimming pool, sauna or hot tub, fencing, children's play equipment permanently installed on the premises, and other similar improvements as determined by the department.

(b) Replacement or substantial modification of any structural, electrical, plumbing, or mechanical system that requires a permit pursuant to state or local law.

(c) Abatement of hazardous materials, such as lead-based paint, mold or asbestos, in accordance with applicable federal, state, and local laws.

(4) Capital improvements cannot include regular maintenance or repairs from wear and tear, or be the result of a landlord's failure to perform regular maintenance and repairs, or repairs covered by insurance.

(5) Application Process.

(a) A landlord must apply to the department for recovery of capital improvement costs, on a form approved by the department, within 12 months from the date of completion of the capital improvement.

(b) The capital improvement cost recovery application must contain the following information, and be accompanied by copies of relevant supporting documentation:

(i) A description of the completed capital improvement;

(ii) A copy of all estimates, contracts, bills, invoices, and other documentation reasonably necessary to establish the cost of the capital improvement;

- (iii) The proposed amortization period to be used based on the department's procedures and guidelines, if the period differs from 60 months;*
 - (iv) A list of tenants that will be affected by or benefit from the capital improvement;*
 - (v) The formula used to calculate the pro rata share of each tenant;*
 - (vi) The monthly cost to each affected or benefiting tenant;*
 - (vii) The commencement and completion dates of the capital improvement; and*
 - (viii) Such other information as the department may reasonably request.*
- (c) Within five calendar days after submission of the application with the department, the landlord shall serve each affected tenant with notice of the application via personal service or certified mail return receipt requested. The notice must include a copy of the application.*
- (d) Within 10 calendar days after submission of the application, the landlord shall file with the department a proof of service signed under penalty of perjury stating that a copy of the application was served upon the affected tenant(s). Such proof of notice is required before the application will be reviewed by the department.*
- (6) A landlord may not pass through costs of capital improvements to tenants until the department approves the landlord's application and the landlord registers each affected rental unit and pays any required annual registration fees pursuant to CMC 5.13.100.*
- (7) No pass-through cost recovery shall be approved in an amount that would exceed five percent of the rent in effect at the time the pass-through application is filed with the department. If the total amount of calculated pass-through costs would result in an increase that exceeds five percent, the pass-through cost amortization period may be extended beyond the established amortization period to allow the landlord to recover eligible capital improvement costs while not exceeding the maximum increase authorized by this subsection.*
- (8) A landlord shall provide written notice of an approved pass-through cost to tenants in accordance with California Civil Code Section 827 and the notice shall be delivered at least 30 days before the approved pass-through cost takes effect.*
- (9) The approved pass-through cost should appear as a separate line item on a rent statement along with the end date of the amortization period and any remaining pass-*

through balance. An approved pass-through cost is not considered rent for purposes of this chapter.

(10) Pass-through cost recovery applications will be considered and determined by the director in accordance with guidelines and procedures established by the department; and the director's determination may be appealed to a hearing officer in accordance with the procedures set forth in CMC 5.13.130.

5.13.070 *Landlord fair return petition for rent increase.*

(1) Landlord's Fair Return Application for Rent Increase. A landlord may file a fair return petition ("application for rent increase") with the department to request an increase in rent for a covered rental unit, beyond that which is otherwise permitted under CMC 5.13.050, if the landlord contends, in good faith, that they are not receiving a fair and reasonable return on the landlord's investment from the allowable rent increases under CMC 5.13.050, in accordance with the provisions of this section.

(a) Presumption. It shall be a rebuttable presumption that the annual net operating income earned by a landlord, and rent increases allowed under CMC 5.13.050, provide the landlord with a fair and reasonable return on the investment. A landlord shall have the burden to prove the necessity of any additional rent increase necessary to earn a fair and reasonable return.

(b) Nothing in this section shall be interpreted to authorize a rent increase for a covered rental unit in excess of the amount authorized pursuant to California Civil Code Section 1947.12.

(2) Approval of the landlord's application for rent increase may become effective only after all of the following:

(a) A landlord has provided written notice to the affected tenant of the approved rent increase for the covered rental unit in accordance with California Civil Code Section 827; and

(b) A landlord has registered each affected rental unit in the rental property, and is current on payment of registration fees, pursuant to CMC 5.13.100.

(3) Review and Approval of Application for Rent Increase.

(a) The department shall consider the following factors, as well as any other relevant factors, in reviewing the application for rent increase and making its determination, and no one factor shall be determinative:

(i) Changes in the CPI.

(ii) The rental history of the affected covered rental unit(s) and the rental property, including the base rent and pattern of past rent increases or decreases.

(iii) Increases or decreases in property taxes.

(iv) The history of any prior hearings or determinations on an application for rent increase by landlord.

(v) The addition of capital improvements on the rental property.

(vi) The physical condition of the affected covered rental unit(s) and building, including the quantity and quality of maintenance and repairs performed during the preceding 12 months, as well as the long-term patterns of operating, maintenance, and capital improvement expenditures.

(vii) The need for repairs caused by circumstances other than ordinary wear and tear.

(viii) Any increase or decrease of housing services since the last rent increase.

(ix) Any existing rental agreement lawfully entered into between the landlord and the tenant.

(x) A decrease in net operating income.

(xi) A fair and reasonable return on the building prorated among the rental units in the building.

(xii) If landlord received rent in violation of this chapter or has otherwise failed to comply with this chapter.

(b) The director may approve or deny an application for rent increase and make the following determinations, with written findings in support thereof, in compliance with the provisions of this chapter:

(i) The department determines the rent increase in the amount requested by landlord is necessary and appropriate to ensure the landlord receives a fair and reasonable return on the landlord's investment, and will not cause an undue financial burden on the affected tenant.

(ii) The department determines a lesser rent increase than the amount requested by landlord more appropriately ensures a fair and reasonable return on the landlord's investment and will not cause an undue financial burden on the affected tenant.

(iii) The department determines no additional rent increase is necessary and appropriate to ensure the landlord receives a fair and reasonable return on the landlord's investment.

(c) Nothing in this section shall be interpreted to authorize a rent increase for a covered rental unit in excess of the amount authorized pursuant to California Civil Code Section 1947.12.

(d) The department's decision may be appealed to a hearing officer, in accordance with the procedures set forth in CMC 5.13.130.

(4) Notices Upon Filing Application for Rent Increase. Within five calendar days after submission of an application for rent increase with the department, the landlord, at their own expense, shall provide written notice of said application to each affected tenant via personal service or certified mail return receipt requested.

(5) Submittal to Department of Application for Rent Increase. Upon receipt of an application for rent increase, the department shall review and evaluate whether there should be a rent increase in accordance with this section and the department's procedures and guidelines.

(a) The application shall be on a form approved by the department, signed under penalty of perjury, and must be accompanied by an application fee, if any, and must include the following:

(i) The specific rent increase or adjustment requested;

(ii) Copies of any books, records, papers, or other financial information relevant to the review of the application; and

(iii) Other documentation reasonably required by the department relevant to the application.

(b) Application Fees. The department may set a reasonable application fee to be paid by the applicant at the time of the filing based on the administrative expenses incurred in reviewing and processing the application.

(c) The department shall have the authority to deem an application complete.

(6) Right of Assistance. All parties to an application for rent increase may seek assistance from attorneys or any other person designated by said parties.

(7) Consolidation. Applications for rent increase pertaining to tenants in the same building or rental property may be consolidated for determination at the election of the department.

5.13.080 Tenant petition for adjustment.

(1) Tenant Application for Adjustment. A tenant of a covered rental unit may file a petition for adjustment ("application for adjustment") with the department for its determination, if the tenant contends, in good faith, that they should receive an adjustment to their monthly obligation(s) because of a landlord's potential violation(s) of this chapter. A tenant must file an application for adjustment within 180 days from the date the tenant knew, or reasonably should have known, of the landlord's potential violation(s), in accordance with the provisions of this section.

(a) Unlawful Rent and/or Fees or Charges. A tenant may file an application for adjustment with the department due to a landlord's demand for rent, fees, or other charges that may be in excess of that permitted for a covered rental unit under this chapter.

(b) Failure to Maintain Habitable Premises. A tenant may file an application for adjustment with the department to request a refund of, or decrease in, rent proportional to a landlord's potential failure to maintain the covered rental unit as a habitable premises in accordance with applicable laws or the rental agreement.

(i) A landlord shall not be liable to a tenant for failure to maintain habitable premises if the tenant caused the condition that is the subject of the application.

(ii) Prior to filing an application for adjustment for failure to maintain habitable premises, a tenant shall file a complaint with the proper enforcement agency and provide such proof of complaint filing to the department.

(c) Decrease in Housing Services. A tenant may file an application for adjustment with the department for a service reduction in housing services, without a corresponding reduction in rent, which may be considered an increase in excess of permitted rent.

(2) Prior to filing an application for adjustment with the department, a tenant shall:

(a) Provide written notice to landlord identifying the potential violation(s) of excess rent, fees or charges, failure to maintain habitable premises and/or decrease in housing services; and

(b) Provide a reasonable opportunity for the landlord to correct the issues.

(3) Review and Determination of Application for Adjustment. The department shall consider the following factors, as applicable, as well as any other relevant factors, in making its determination and no one factor shall be determinative:

(a) Increases or decreases in rent or housing services since the effective date of this chapter.

(b) The pattern of recent rent or housing service increases or decreases.

(c) Whether the landlord has received payment in excess of the maximum allowable rent, fees, or charges permitted by this chapter or has otherwise failed to comply with this chapter.

(d) When and how the service reduction was first identified by the tenant and when and how the landlord was notified of the alleged service reduction, orally, or in writing, and landlord's response to such notice and whether housing services were reinstated or restored by the landlord, and if so, when and how.

(e) Whether any habitability violations stated by the tenant in the application were improved or corrected, and if so, when and how.

(f) The status of the habitability issues as of the date the application is signed.

(4) Notice Upon Filing Application for Adjustment. Within five calendar days after submission of an application for adjustment with the department, the tenant shall provide written notice of said application to the landlord via personal service or certified mail return receipt requested.

(5) Submittal to Department of Application for Adjustment. Upon receipt of an application, the department shall review and evaluate whether there should be an adjustment to tenant's monthly obligations in accordance with this section and the department's procedures and guidelines.

(a) The application shall be on a form approved by the department, signed under penalty of perjury, and must be accompanied by an application fee, if any, and must include the following:

(i) The specific adjustment requested and the basis for such adjustment;

(ii) Copies of any books, records, papers, or other financial information relevant to the review of the application; and

(iii) Other documentation reasonably required by the department relevant to the application.

(b) Application Fees. The department may set a reasonable application fee to be paid by the applicant at the time of the filing based on the administrative expenses incurred in reviewing and processing the application.

(c) The department shall have the authority to deem an application complete.

(6) Right of Assistance. All parties to an application for adjustment may seek assistance from attorneys or any other person designated by said parties.

(7) Consolidation. Applications for adjustment for tenants who live in the same building or rental property may be consolidated for determination at the election of the department.

5.13.090 Security deposit.

(1) Landlord may not demand or receive a security deposit, however denominated, in an amount or value in excess of the security deposit charged or received at the initiation of the tenancy.

(2) As used in this section, security deposit means any "security" as defined in California Civil Code Section 1950.5.

5.13.100 Rental unit registration.

(1) On or before July 1, 2024, and by July 1st of each subsequent year, a landlord must register with the department each rental unit that is rented or available for rent for a term exceeding 30 consecutive days by filing a rental registration in a form approved by the department. After initial rental unit registration, a landlord shall notify the department and update the rental registration within 30 days of the start of a new tenancy or any subsequent change in tenancy or ownership.

(2) Registration must include, but is not limited to, the following information:

(a) Property information, including address, year built and certificate of occupancy date.

(b) Rent for each rental unit in the rental property at the time of registration and the date and amount of the last rent increase.

(c) Ownership information for the rental property.

(d) The number of total rental units in the rental property.

(e) The number of bedrooms and bathrooms for each rental unit.

(f) Tenant information, including names and move-in dates.

(g) A description of housing services.

(h) Any additional information reasonably required by the department to implement this chapter.

(3) Registration Fee. A landlord must pay an annual registration fee for each rental unit as established by resolution of the city council. Such fees are intended to recover the city's reasonable costs to implement, administer and enforce its rent stabilization and tenant eviction protection regulations as set forth in this chapter and Chapter 5.14 CMC. The registration fee established by this subsection shall be waived for any rental unit in a residential real property containing four or fewer dwelling units in which the owner occupies one of the units as the owner's principal place of residence, so long as the owner continues in occupancy. For purposes of this subsection:

(a) The term "owner" means a natural person who owns at least a 25 percent ownership interest in the residential real property.

(b) A waiver under this subsection shall expire by operation of law when the owner ceases to reside on the property as their principal place of residence.

(4) Registration Fee Pass-Through. A landlord may recover 50 percent of a registration fee from the tenant. A landlord may only collect one annual registration fee pass-through cost at a time and must also meet the following requirements to pass through this registration fee:

(a) Timely and accurately submits an annual registration for each rental unit in the rental property;

- (b) Lists the registration fee pass-through cost as a separate line item on the monthly obligation(s) statement;*
- (c) Provides tenant with 30 days' notice before collecting any registration fee pass-through cost; and*
- (d) A tenant's payment to the landlord for the registration fee pass-through cost is paid in 12 equal, monthly installments, unless otherwise agreed to by the tenant.*

5.13.110 Notice to tenants.

(1) Mandatory Notices to Tenants. Landlords must provide to each tenant, prior to, or at the time of agreeing to rent or lease a covered rental unit, a notice of tenant rights under this chapter. The department shall publish a form notice of tenant rights in English and other frequently spoken languages. Landlords must provide the form notice in the following circumstances:

- (a) When entering into a rental agreement, by including a copy of the form notice as an exhibit or attachment to the written rental agreement;*
- (b) When renewing a rental agreement; and*
- (c) When providing notice of a rent increase or decrease in a covered rental unit.*

(2) Notice Regarding Potential Pass-Through Costs and Fees. A landlord shall include language in the rental agreement that tenant may be subject to pass-through costs and fees that have been reviewed and approved by the department.

(3) If the rental agreement is negotiated or written in a language other than English, the landlord must also provide the form notice of tenant rights in English and the language in which the rental agreement was negotiated or written.

Article III. Administration and Enforcement

5.13.120 Enforcement

(1) Enforcement Authority. The department is authorized to take appropriate steps it deems necessary to administer and enforce this chapter.

(2) The director of the department, or designee, may develop and publish procedures and guidelines to aid in the implementation of this chapter.

5.13.130 Administrative review and appeals.

(1) Administrative Review.

(a) The department shall review and evaluate applications pursuant to this chapter and issue a notice of decision in accordance with its procedures and guidelines.

(b) The department may request documents, interview witnesses and affected parties, and gather necessary evidence to review and make appropriate conclusions and findings.

(2) Appeal. Any party dissatisfied by the department's final decision pursuant to this chapter may request an appeal of the department's decision to a hearing officer, unless otherwise prohibited by this chapter. The department's administrative record shall be reviewable by the hearing officer.

(3) Time Limit. A party must file an appeal in writing before the department within 30 days of the department's final decision. The hearing officer shall have no authority to consider matters not filed within 30 days of the department's final decision.

(4) Filing of Appeals. An appeal shall be filed with the department, on the prescribed form, along with any accompanying appeal fee, and shall state specifically the basis of the appeal.

(5) Procedures for Appeals.

(a) Hearing Dates. A hearing on a request for appeal will be scheduled before a hearing officer for a date no sooner than 15 days and no later than 60 days after receipt of the request for appeal and proof of service, unless the hearing officer determines that good cause exists for an extension of time. Upon setting the hearing date, the hearing officer shall send written notice to the appealing party of the date, time and place set for the hearing. Within five calendar days of receipt of the notice of hearing, the appealing party shall deliver a copy of the notice to each affected tenant or landlord, as applicable, via personal service or certified mail return receipt requested.

(b) Public Hearing. The appeal hearing shall be conducted as a hearing open to the public. At the hearing, the hearing officer shall review the record of the decision and hear testimony of the party requesting the appeal, representatives of the

department, and any other interested party. The hearing officer may continue the hearing and request additional information from the landlord or tenant before issuing a written decision. The hearing officer shall have the power to issue orders to keep order and decorum during the hearing.

(c) Application and Materials. At an appeal hearing, the hearing officer shall consider only the administrative record that was the subject of the department's final decision.

(6) Decision and Notice.

(a) After the hearing, the hearing officer shall either:

(i) Affirm, modify, or reverse the department's decision and specify the reasons for its decision; or

(ii) Refer the matter back to the department for further review.

(b) Decisions shall be rendered within 30 days of the close of the hearing. If the hearing officer fails to act within 30 days of the close of the hearing, the department's decision shall be deemed affirmed.

(7) The hearing officer shall mail the hearing officer's decision to the affected parties within 10 days after it is rendered.

(8) Final Decision. The decision of the hearing officer shall be final and not subject to further appeal.

(9) Judicial Review of Hearing Officer Decision. Any person directly aggrieved by an administrative decision of a hearing officer pertaining to a request for appeal of a director's decision under this chapter may seek judicial review in the court pursuant to California Government Code Section 53069.4 and/or California Code of Civil Procedure Sections 1094.5 and 1094.6.

5.13.140 Administrative citations.

(1) Administrative Citation. Any landlord or tenant who violates any provision of this chapter, or the department's procedures and guidelines, is subject to administrative fines and citations as provided in Chapter 1.40 CMC.

(2) Remedies Are Cumulative. Each day that a violation continues shall constitute a separate and distinct offense for which an administrative fine may be imposed. The remedies set forth in this section are cumulative and in addition to any other penalty

provided by law, including any remedies which may be sought in a civil action. The provisions of this chapter shall not be construed as limiting any party's right to obtain relief to which he or she may be entitled at law or in equity.

(3) Notices of Violation and Administrative Fine. If the department determines that a landlord or tenant has violated this chapter, the department may issue notices of violation and administrative fines and citations in accordance with the authority and procedures set forth in Chapter 1.40 CMC.

(4) Administrative Appeals and Judicial Review.

(a) Administrative Appeal. Any landlord or tenant who receives a notice of administrative fines or citations may request an administrative hearing before a hearing officer in accordance with Chapter 1.40 CMC.

(b) Judicial Review of Hearing Officer Decision. Any landlord or tenant may seek judicial review of a hearing officer's decision pertaining to the imposition of an administrative fine or citation in accordance with Chapter 1.40 CMC.

5.13.150 Remedies

(1) Civil Liability. Any tenant, or any other person or entity acting on behalf of the tenant who will fairly and adequately represent the tenant's interest, including the city, is authorized to bring a civil action and/or proceeding in a court of competent jurisdiction for violation of this chapter, for civil penalties, injunctive, declaratory and other equitable relief, restitution and reasonable attorneys' fees and costs and may take such other steps as necessary to enforce this chapter. The court may award reasonable attorneys' fees and costs to a landlord who prevails in any such action if the court determines that the tenant's action was frivolous.

(2) Civil Penalty. Any person violating any of the provisions, or failing to comply with any of the requirements, of this chapter may be liable for a civil penalty not to exceed \$1,000 for each violation.

(3) Criminal Penalty. Any person violating any of the provisions or failing to comply with any of the requirements of this chapter shall be guilty of a misdemeanor and punished by a fine of not more than \$1,000, or by imprisonment in the county jail for a period of not more than six months, or by both.

(4) Defense to Eviction. A tenant may assert as an affirmative defense a landlord's failure to comply with the provisions of this chapter in any action by a landlord to recover possession of a rental unit.

(5) Each violation of any provision of this chapter, and each day during which any such violation is committed, permitted or continued, shall constitute a separate offense.

(6) The above remedies are not exclusive and do not preclude the city or any tenant from seeking other remedies or penalties provided by applicable law.

5.13.160 Waiver.

Any waiver of rights under this chapter shall be void as contrary to public policy.

5.13.170 Severability.

If any provision of this chapter or the application thereof to any person, property, or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this chapter that can be given effect without the invalid provision(s) or application, and to this end, the provisions of this chapter are declared to be severable.

5.13.180 Amendment.

Except as otherwise provided under Section 5.13.050 of this Chapter, above, any amendment to the provisions of this Chapter or any repeal of this Chapter in its entirety must be approved by 2/3 vote of the full membership of the City Council. Any amendment or repeal made in violation of this requirement shall be null and void and shall be of no force or effect.

SECTION 3. Effective Date. This Ordinance shall become effective ten (10) days after the City Council has certified the results of the General Municipal Election by Resolution.

SECTION 4. CEQA. This Ordinance is exempt from review under the California Environmental Quality Act (Cal. Pub. Resources Code, § 2100 *et seq.*) ("CEQA") and the CEQA Guidelines (14 Cal. Code of Regs., § 15000 *et seq.*) because it does not constitute a "project" that requires environmental review (14 Cal. Code of Regs., §§ 15060(c)(2)-(3), 15378), but if deemed to be a project, is categorically exempt under 14 Cal. Code of Regs. § 15061(b)(3) (common sense exemption).

SECTION 5. Certification of Adoption. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published pursuant to California

Government Code Section 36933, following approval by Cudahy voters at the City's general election held of November 3, 2026.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2026.

THE CITY OF CUDAHY

Mayor

APPROVED AS TO FORM:

ATTEST:

Shelley Preisler
City Attorney

Richard Iglesias
City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF CUDAHY)

I, _____, City Clerk of the City of Cudahy, do hereby certify that the above and foregoing Ordinance No. _____ was passed, approved, and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of Cudahy held on this _____ day of _____ 2026, and that said Ordinance was adopted by the following votes to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Richard Iglesias
City Clerk, City of Cudahy