



"Great Apartments Start Here!"

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Via Electronic Mail

Hon. Mayor D'Amico and Members of City Council
West Hollywood City Hall
8300 Santa Monica Boulevard
West Hollywood, California 90069

Re: Smoking in Multi-Family Dwellings (Agenda Item 3.A.)

Dear Hon. Mayor D'Amico and Members of the West Hollywood City Council:

At the March 16th City Council meeting, the Council will be considering adoption of an ordinance prohibiting smoking in enclosed common areas and in new units within multifamily dwellings and the establishment of a registration program to monitor units' smoking designations. The Apartment Association of Greater Los Angeles' (AAGLA) recognizes the multitude of health benefits that may result following the implementation of a smoke-free housing policy and supports the development of a smoke-free multifamily dwelling program. Further, AAGLA has collaborated with the University of California at Los Angeles (UCLA) and the Los Angeles Housing + Community Investment Department (LAHCID) to establish guidelines for adopting smoke-free multifamily housing policies. Nevertheless, our Association has concerns with the registration program and administrative obligations that would be imposed on owners of multifamily rental units within the City.

The proposed ordinance establishes a registration program that will require owners to survey all the units in their building to determine if the renter wishes to designate their unit as smoking or non-smoking. This initial survey must be conducted through a written notice to all renters. Renters then have a two-month period in which to notify the owner of their unit designation. The owner must then circulate the full list or chart of unit designations to all the renters in the building, at which time renters can change their unit designation. The owner must then finalize the smoking / non-smoking units' designation chart, recirculate it to all the dwelling units and submit it to the City's Code Compliance Division.

Following the above described lengthy process, the owner must continue to maintain, update, recirculate and resubmit the chart, each time a unit becomes vacant, and if the unit was a smoking unit it will now automatically be designated as a non-smoking unit. In addition to the unit designation



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process, the owner must also provide current, new and prospective renters with a program information sheet provided by the City and the building's current smoking designation chart. Owners would also be required to post notice requirements and related signage in conspicuous areas of the building.

As noted above, we appreciate and support the City's objective of transitioning multifamily dwellings to smoke-free housing. Cities such as neighboring Beverly Hills have implemented smoke-free ordinances very simply without placing an administrative burden on its owners or renters. The process, as proposed, would be administratively unduly burdensome on owners who would be required to engage in an extensive process in order to obtain the required smoking designation information which must be continually updated, recirculated and resubmitted to the City.

Most of our members and rental property owners in the City are individuals with regular "9 to 5 jobs" who do not have the time and resources to handle the requirements imposed by the process set forth in the proposed ordinance. Further, owners, operating under severe rent control regulations, have no means to recover the costs associated with this process other than through the setting of higher initial rents following a unit vacancy, which only serves to increase the City's overall rental rates. We urge the City Council to re-evaluate the proposed registration program, seek ways to minimize the administrative burdens that would be imposed on owners and look to smoke-free housing models in cities like Beverly Hills.

Thank you for your consideration of these matters. If you have any questions, please call me at (213) 384-4131; Ext. 309 or contact me via electronic mail at danielle@aagla.org.

Very truly yours,

Danielle Leidner-Peretz