

**RENT ADJUSTMENT COMMISSION**

**OF THE**

**CITY OF LOS ANGELES**

**WORKING RULES**

These Working Rules were compiled by the Rent Adjustment Commission (RAC) to provide a standard set of procedures, which serve as a guide when conducting official business. **Updated Working Rules were adopted by the RAC on October 31, 2013, June 20, 2019 and March 7, 2024.**

# LOS ANGELES HOUSING DEPARTMENT

## RENT ADJUSTMENT COMMISSION

### WORKING RULES

These working rules adopted by the Rent Adjustment Commission (RAC) on December 20, 2012, govern the proceedings of the RAC. Any rule is subject to change or to be set aside at any single meeting by a motion duly adopted. The above are subject to the provisions in California Codes Government Code Sections 54950 through 54962 and Articles 1 and 2 of Chapter 15 of the Los Angeles Municipal Code (LAMC). Should a situation arise that is not covered by the following rules or the documents referenced above, Robert's Rules of Order shall apply.

#### I. CREATION OF THE RAC

The RAC is created by LAMC 151.03A.

#### II. RESPONSIBILITIES AND AUTHORITIES OF THE RAC

- A. LAMC 151.03, 151.06, 151.06.1B, 151.07, 151.08, 151.09G and 151.14D list the responsibilities and authorities of the RAC.
- B. The RAC makes recommendations and comments to the City Council's Housing Committee and/or City Council on changes to the Rent Stabilization Ordinance (RSO).
- C. The RAC acts as an advisory body to the Los Angeles Housing Department (LAHD) in the preparation of policies and procedures necessary to carry out the provisions of the RSO.
- D. The RAC may review those decisions of LAHD, dealing with matters under the RAC's responsibility to determine correct interpretation of its guidelines and regulations.
- E. The RAC shall periodically review the effectiveness of RAC regulations and guidelines in carrying out the purposes of the RSO.

#### III. MEMBERSHIP OF THE RAC

- A. Appointment: LAMC 151.03A explains the appointment procedures and requirements used to select members.
- B. Membership terms: LAMC 151.03A lists the membership terms for members.
- C. Removal
  - 1. If at any time a member becomes a landlord or a tenant of residential rental property, the office of the member shall become vacant and a new appointment shall be made (LAMC 151.03A).

A member who becomes a landlord or a tenant of residential rental property must immediately notify the Mayor, Commission Chairperson, and Rent Stabilization Division (RSD) Director.

2. In addition, refer to Section XI C below.
- D. Resignation: A member resigning before his or her term expires must present an official written resignation to the Mayor and the President of the City Council. The resignation should be presented at least 60 calendar days prior to the effective date, if possible.
- E. Vacancies: A member appointed to fill a vacancy is appointed for the duration of the term of the resigning member.

#### IV. ORGANIZATION OF THE RAC

##### A. Committees

1. The Chairperson or a majority of the RAC members present may establish standing committees and ad hoc committees.
2. The Chairperson shall appoint members to each committee established.
3. No less than three Commissioners may serve as members of a committee. A majority of Committee members shall constitute quorum (e.g, two of three members, or three of four members). One Commissioner may take public comment during a meeting.
4. The Committee should not have alternate Commissioners as members.

##### B. Task Forces

1. A majority of the RAC present may establish a task force, which may be subject to laws applicable to local government entities such as the Brown Act, the Public Records Act, and various conflict of interest laws.
2. A majority of the RAC present shall annually appoint members to each task force.
3. The task force shall report regularly to the RAC, which has the discretion to determine the length of service of the task force.

- C. Staff support to the Commission: The LAHD General Manager shall designate Department employees to furnish staff support to the Commission (LAMC 151.03C).

## V. OFFICERS OF THE RAC

### A. Elections

1. During the first meeting in June of each year, the Commission shall elect from among its members, a Chairperson and a Vice-Chairperson (LAMC 151.03A).
2. A RAC member may decline nomination and his or her name will be immediately withdrawn from consideration.
3. If a RAC member is nominated and elected in absentia, that member must have agreed to the nomination at a public meeting held before the election or must agree to accept the position at the next meeting of the RAC after the election at which the newly elected candidate is present.

### B. Terms of Office

1. The terms of the Chairperson or Vice-Chairperson shall be for one year or until their successors are elected, unless their membership on the RAC expires sooner or they resign (LAMC 151.03A).
2. When a vacancy in the offices of Chairperson or Vice-Chairperson occurs, the RAC shall fill the unexpired term of the vacant office.

### C. Duties of the Officers

The Chairperson shall serve as presiding officer at all meetings, but shall have the same right as any other member to vote on all matters.

- a. The Chairperson will call the meeting to order and announce the convening time.
- b. The Chairperson will determine and announce the business of the RAC in the order in which it is to be acted upon.
- c. The Chairperson will recognize members entitled to the floor and/or other speakers addressing the RAC.
- d. The Chairperson will state and put to vote all questions which are regularly moved or necessarily arise in the course of the proceeding, and announce the result of the vote.
- e. The Chairperson will preserve order and decorum and may decide all questions of order, subject to appeal. In cases where an appeal is made, the decision of the Chairperson will prevail unless reversed by a majority vote of the RAC present.

- f. The Chairperson may name the Vice-Chairperson or other member to perform the duties of Chairperson, but such substitution shall not extend beyond an adjournment.
2. The Chairperson will authenticate, by signature, when necessary, all acts, orders, and proceedings of the RAC.
3. In the absence of the Chairperson, the Vice-Chairperson shall serve as Chairperson and exercise all other powers of the Chairperson.

In the absence of both the Chairperson and Vice-Chairperson, the RAC shall elect a Chairperson pro tempore to have all the duties and powers of the Chairperson during the absence.

If present at a meeting, the Chairperson (or Vice-Chairperson acting in lieu of the Chairperson) may delegate any of their duties to another Commissioner.

4. The Chairperson may call special meetings, deemed necessary to carry out the purposes of the RSO. Refer to Section VI C below.

## VI. MEETINGS

### A. All Meetings

1. The Commission may meet as often as necessary to perform its duties, but may normally meet at least twice monthly.
2. All meetings of the RAC shall be open and public and all persons shall be permitted to attend any meeting of the RAC, except as specified in Sections VI A6 and VI A7 below.
3. A register of members of the public attending any meetings of the RAC may be kept, but no member of the public shall be required, as a condition of attendance at a meeting of the RAC, to register his or her name or other information, to complete a questionnaire, or otherwise fulfill any condition precedent to his or her attendance.
4. While RAC meetings are conducted according to the general procedure of Robert's Rules of Order, parliamentary formality and detail will be minimized.
5. The RAC may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular meeting, the clerk or staff person of the RAC may declare the meeting adjourned to a stated time and place and he or she shall cause a written notice of the adjournment to be given in the same manner as provided in Section 54956 of the Brown Act [see attachment] for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment.

When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

6. In accordance with the Brown Act, a closed session of the RAC may be held to meet and confer with the City Attorney's Office for the purpose of receiving legal advice and discussing matters in litigation, matters involving potential litigation, or the status of pending litigation directly affecting the RAC; to hear personnel matters; or for other reasons if appropriate under the Ralph M. Brown Act.
7. In the event that any meeting is willfully interrupted by any individual or group of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Chairperson may, at his or her discretion, recess until order can be restored or adjourn. The Chairperson or a majority of the RAC members present may readmit an individual or group of persons who demonstrate orderly conduct. Only matters appearing on the agenda may be considered in such sessions.

#### B. Regular Meetings

1. Regular meetings shall be scheduled for the first and third Thursday of each month, at 12 noon. The RAC may change the day and/or start and ending times of its regularly scheduled meetings or of any particular meeting where a majority of the RAC members present agree to do so.
2. In the event that a regular meeting day is a legal holiday, it is considered cancelled unless the Chairperson or a majority of the RAC present elects to reschedule a special meeting for another day in that week.
3. The regular meeting location shall be published on each agenda.
4. Meetings can be held in other locations in the City of Los Angeles when the RAC determines that such location is in the best interest of the City. Meetings at a different location shall be agendized as a special meeting.
5. The Commission may hold public hearings, special meetings, and appeal hearings separate from its regularly scheduled meetings.

## C. Special Meetings

1. A special meeting may be called at any time by the Chairperson, a majority of the RAC present, the LAHD General Manager, or the Rent Stabilization Director with the approval of the Chairperson or a majority of the RAC, by delivering, personally, by mail, by electronic mail, or by facsimile, written notice to each member. News media representatives filing a written request for such notice must also be notified.
2. The Commission staff shall prepare the special meeting notice which shall specify the date, time, and location of the special meeting and the business to be transacted, in conformance with the Brown Act.
3. As required by the Brown Act, there shall be no action or discussion of any item not on the special meeting notice.
4. The special meeting notice should be mailed, sent by facsimile, or sent by electronic mail not less than 6 calendar days prior to the meeting, but may, when necessary, be called as quickly as the minimum legal notice requirement of 24 hours can be met. The special meeting notice must be received by each RAC member at least 24 hours before the meeting is scheduled to commence. Such written notice may be dispensed with for any member who, at or prior to the time the special meeting convenes, files with the Commission staff, a written waiver of notice.
5. In addition to the RAC members, the special meeting notice shall be distributed to the following parties prior to the meeting date. However, failure to do so will not invalidate any action taken at the special meeting:
  - a. LAHD executive staff and other designated LAHD staff;
  - b. City Attorney's Office representative.
6. The Commission staff shall post the special meeting notice at least 24 hours before the meeting is scheduled to commence in a location open and accessible to the public.
7. The special meeting notice shall be posted at the locations listed in Section VII F2 below.
8. If there is sufficient advance notice, the special meeting notice shall be submitted to the following parties prior to the meeting date:
  - a. Mayor and City Council representatives;
  - b. Any interested party filing a written request for such notice

#### D. Meeting Cancellations

1. The Commission staff shall prepare and post the cancellation notice at least 24 hours before the meeting was scheduled to commence in a location open and accessible to the public.
2. The cancellation notice shall be posted at the locations listed in Section VII F2 below.
3. The cancellation notice shall be submitted to the parties listed in Section VII G1 below.

#### VII. REGULAR MEETING AGENDAS

- A. Commissioners and LAHD executive staff members who wish to place an item on the agenda for a regular meeting shall contact the Commission staff.
- B. The Commission staff shall prepare a draft agenda for regular meetings which shall include the following information:
  1. Type of meeting;
  2. Date and time of the meeting;
  3. Location of the meeting;
  4. Items to be considered by the RAC, with a brief general description of the business to be transacted;
  5. Opportunity for public comment.
- C. The draft agenda for a regular meeting shall be reviewed and approved by the Chairperson and/or Vice-Chairperson and the RSD Director.
- D. A majority of the RAC present may add any matter to a future agenda when agendized in accordance with the Brown Act. The Chairperson may also add any matter to a future agenda. The Chairperson or a majority of the RAC present may also continue any matter to a future agenda.
- E. There shall be no action on any item not on the posted agenda. However, the RAC may take action on items of business not appearing on the posted agenda under the following conditions:
  1. Upon a determination by a majority vote of the RAC that an emergency situation exists, as defined in Government Code Section 54956.5;
  2. Upon a determination by a two-thirds vote of the RAC members present at the meeting, or, if less than two-thirds of the members are present, by a unanimous vote of those members present, that the need to take action arose subsequent to the agenda being posted;



3. The item was posted for a prior meeting occurring not more than 5 calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

F. Posting of the Agenda

1. The Commission staff shall post the agenda for a regular meeting at least 72 hours prior to the scheduled meeting in a location open and accessible to the public.
2. The agenda shall be conspicuously posted at the following locations:
  - a. LAHD headquarters or LAHD website;
  - b. Los Angeles City Hall East, 200 North Main Street, Los Angeles, CA 90012;
  - c. On or near the door of the meeting location.

G. Agenda Distribution

1. The agenda shall be mailed, sent by facsimile, or sent by electronic mail to the following parties at least 72 hours prior to the meeting date:
  - a. RAC members (any available supporting documents shall also be mailed, sent by facsimile, or sent by electronic mail);
  - b. LAHD executive staff and other designated LAHD staff (any available supporting documents shall also be mailed, sent by facsimile, or sent by electronic mail);
  - c. City Attorney's Office representative (only upon request);
  - d. Mayor and City Council representatives (only upon request);
  - e. Any interested party filing a written request for such notice (any RAC staff report involving regulation changes or adoption shall also be mailed, sent by facsimile, or sent by electronic mail);
  - f. News media representatives filing a written request for such notice.
2. The Commission staff shall maintain an agenda distribution list, which will be updated as needed, but at least annually.

## VIII. COMMENTS FROM THE PUBLIC

- A. With respect to any item listed on the agenda for a particular meeting, any individual or representative of any group may address the RAC prior to any action being taken by the RAC on that specific agenda item.

Comments will be limited to three minutes per speaker. There shall be a cumulative total of up to 12 minutes allowed per agenda item. An additional two minutes shall be added to the time limit for each individual speaker using a translator, as well as to the cumulative time.

- B. With respect to any matter not listed on the agenda but with the subject matter jurisdiction of the RAC, any individual or representative of any group may address the RAC during the public comment period.

The public comment period will be the last item of business at a meeting.

Comments will be limited to three minutes per speaker. There shall be a cumulative total of up to 12 minutes allowed during the public comment period. An additional two minutes shall be added to the time limit for each individual speaker using a translator, as well as to the cumulative time.

- C. If the Chairperson wishes, he or she may defer a matter, not listed on the agenda, but addressed by an individual or representative of any group, to RSD staff for analysis and may direct the Commission staff to place the matter on the next agenda for discussion and possible action.

- D. Any of the time limits specified in Sections VIII A and VIII B above may be waived by the Commission Chairperson or upon majority vote of the RAC. An additional two minutes shall be added to the time limit for each individual speaker using a translator, as well as to the cumulative time.

- E. Speakers wishing to address the RAC should complete a Request to Speak Form and submit it to a Commission staff person at the meeting.

- F. Any individual or representative of any group not in attendance at a meeting, who wishes the RAC to consider an item within the subject matter jurisdiction of the RAC, should address his or her concerns in writing to the RAC and request that the item be placed on the agenda for consideration by the RAC.

## IX. QUORUM

- A. Four members of the RAC shall constitute a quorum for the transaction of business, except when acting as an appeals body pursuant to LAMC section 151.07(B)(4)(c) or other authorizing LAMC section.

- B. Meetings shall start at the designated time or as soon thereafter as a quorum is present. If a quorum is not present at the designated time to commence the meeting, the RAC members present may decide the following:
  - 1. That the meeting be canceled due to a lack of quorum after 30 minutes have elapsed. The RAC members present may, at their discretion, extend the 30-minute time limit for such time period until a quorum is present or it can be determined that a quorum will not be present for the meeting.
  - 2. That the RAC members present may discuss issues and/or hear public comment. Issues discussed during a committee meeting may not be officially voted upon until a quorum is present.
- C. For quorum purposes, a member will be considered in attendance if he or she is physically present in the meeting room.

## X. VOTING

- A. A member must seek the advice of the City Attorney before participating in a decision on an issue for which he or she is concerned about a potential conflict of interest, where there may be the appearance of impropriety, or if there is any question regarding any applicable City or State conflict of interest and governmental ethics laws.
- B. No member shall vote on or participate in any transaction or decision in which he or she has a conflict of interest, as defined by federal, state and local law.
- C. Each member of the RAC must vote or abstain on all questions put to the RAC in his or her presence by stating his or her name and his or her vote.
- D. In the event that a member fails to affirmatively vote either "yes" or "no," that member will be deemed to have voted "yes," and the member's vote will be reflected as such in the record. If a member abstains on a vote, but is physically present, that member's vote shall be recorded as a "yes" vote.
- E. If a member does not wish to vote on a matter, the member may be excused from the meeting and must leave the room during the vote.
- F. The decision of the RAC is determined by a majority vote of the members present in the room to vote provided that the quorum requirements contained in Section IX are met (LAMC 151.03A).

## XI. ATTENDANCE AT MEETINGS

- A. A member who will be absent, arriving late, or departing early from any meeting, unless the absence is due to sickness or unforeseen circumstances, must, as early as possible, request an excused leave of absence from the Chairperson.

- B. A member who will be absent, arriving late, or departing early from any meeting because of sickness or unforeseen circumstances, should attempt to notify the Commission staff as early as possible before the meeting is convened.
- C. Where a member has accrued five or more unexcused absences in one fiscal year period, two thirds of the members of the RAC members present may vote to petition the Mayor or President of the City Council for the removal of the member.
- D. A representative of the City Attorney's Office, the RSD Director, Commission staff, and such other members of the LAHD executive staff and staff as the RSD Director may designate, shall be requested to attend meetings of the RAC and provide necessary information, assistance, and advice.

## XII. MINUTES

- A. Meetings of the RAC shall be electronically recorded and made available on the LAHD website. Copies of the recording may be made upon request, in accordance with RSD procedures, as approved by the RAC.

## XIII. QUARTERLY REPORTS

- A. A report to the City Council shall be prepared on a quarterly basis by the Commission staff, and should contain the following information:
  - 1. A summary of the major events, achievements and concerns of the RAC from the preceding quarter;
  - 2. A summary of the major events, achievements and concerns of committees or task forces reporting to the RAC;
  - 3. An attendance record of RAC members;
  - 4. A summary of Appeals Board decisions;
  - 5. Future activities;
  - 6. Any recommendations.
- B. Commission support staff shall prepare the quarterly report shall be prepared for submission to the RAC within 30 days after the end of the quarter. The report will be approved by a majority of the RAC members present.
- C. The RAC will endeavor to submit the quarterly report to the City Clerk within 60 days after the end of the quarter.

## XIV. SUSPENSION OF AND AMENDMENTS TO THE WORKING RULES

- A. Any one or more of these working rules may be suspended by a majority vote of the RAC for the period of the meeting at which the suspension is adopted.
- B. Any one or more of these working rules may be amended by a majority vote of the RAC present, provided that notice of the proposed amendment is given at the meeting prior to the meeting at which the amendment will be considered by the RAC.