

Vernon Housing Commission
Procedures Regarding Temporary Relocation of Leasees and Authorized Occupants
Adopted December 10, 2014

Pursuant to Ordinance 1183, as amended, and the Vernon Rental Housing Policy (“VRHP”), the Vernon Housing Commission (“VHC”) hereby adopts the following procedures to address any lease/authorized occupant’s need to be re-located temporarily.

Recitals

- A. The VHC is committed to managing its housing stock according to “best practices” for private, residential housing. The VRHP requires that all procedures be “neutral, fair, and reasonable.”
- B. Every lease/authorized occupant is entitled to a habitable rental unit.
- C. If, through no fault of a Leasee, Authorized Occupant, and/or Guest, a rental unit becomes temporarily uninhabitable, as determined by the City, the Leasee and any Authorized Occupants shall be entitled, at the Leasee’s option, to be re-located to housing accommodations comparable to the rental unit in good condition for so long as the rental unit is uninhabitable.
- D. The VHC desires to adopt procedures with respect to the temporary relocation of Leasees and Authorized Occupants that are “neutral, fair, and reasonable.” The VHC recognizes that unless it uniformly applies a temporary relocation procedure to all leasees, it will not be treating all leasees neutrally and fairly.

Procedures

- 1. When Temporary Relocation is Authorized. Temporary relocation shall be authorized, at City expense, only if a rental unit is uninhabitable or if it is determined that in light of required repairs to a rental unit, temporary relocation will facilitate more expedient and cost effective repairs, even when the cost of temporary relocation is taken into account. Whether relocation should be authorized shall be determined on an objective basis in light of best practices for a private landlord, and shall be determined by disinterested City staff and/or consultants who have expertise with respect to the subject repair(s).
 - a. Required Relocation. If the City determines that a rental unit is uninhabitable, relocation shall be required until such time as the rental unit is returned to a habitable condition. Habitability shall be determined in light of the rental unit’s current condition and in light of the effect any needed repairs may have on the habitability of the rental unit during the course of repairs.
 - b. Optional Relocation. If a rental unit is otherwise habitable, a Leasee shall have an option either to accept relocation or to decline relocation, at the Leasee’s sole discretion, even if the total cost to repair to the rental unit shall be higher in light of the non-relocation.

2. Types of Alternative Housing. Generally, the type of alternative housing to which a Leasee and an Authorized Occupant is entitled shall be determined by the expected length of time alternative housing is required. As a general rule, if a temporary relocation is expected to last no more than 30 days, the relocation shall be presumed to be “short-term.” As a general rule, if a temporary relocation is expected to last for more than 30 days, the relocation shall be presumed to be “long-term.” Any presumption created by this procedure may be overcome if, as determined by the City, and based on the facts and circumstances of any particular case, an alternative categorization is appropriate.

a. Short-term Relocation. As a general rule, if short-term relocation is authorized, the alternative housing shall be in the form of a qualifying hotel or other short-term housing option, as provided for in the City’s Expense Reimbursement Policy (“ERP”), discussed below.

b. Long-term Relocation. As a general rule, if long-term relocation is authorized, the alternative housing shall be in the form of a comparably furnished apartment with a comparable number of bedrooms and bathrooms as the subject rental unit.

3. Reimbursable Relocation Expenses. If temporary relocation is authorized, the City shall bear all reasonable costs associated with the relocation, including the cost of alternative housing, the reasonable cost, if any, of moving personal possessions from and to the rental unit to the temporary housing, and any reasonable increase in food costs, if any, necessitated by the relocation. To the extent the City’s Expense Reimbursement Policy (“ERP”) then in effect covers a subject expense, the ERP shall govern the type of expense that may be covered and the amount of coverage. To the extent the ERP does not cover a subject expense, an expense may be covered only if it is actually incurred, is reasonable as determined by the City, and only for the actual amount of the expense.

4. Rent Abatement as an Alternative. If a Leasee who is otherwise entitled to relocation instead chooses to re-locate on his or her own, the Leasee shall be entitled to rent abatement for the length of time relocation would have otherwise been authorized.

5. Approval Required by City Attorney or Outside Counsel. If the amount of expected reimbursable relocation expenses is in excess of \$2,500, prior approval of the expenditure from the City Attorney or outside counsel to the VHC shall be required.