



Item Number 14E

STAFF REPORT

Date: October 7, 2025

To: Honorable Mayor/City Council/Agency Members

From: Juan Arauz/Richard Iglesias Interim City Managers

Subject: **Adoption of Ordinance No. 763 Amending Subsection 1 of Section 5.14.040 (For Cause Termination of Tenancy) and Adding Subsection 2 of Section 5.14.040 (For Cause Termination of Tenancy) of Chapter 5.14 (Just Cause Tenant Protections) of Title 5 (Business Licenses and Regulations) of the Cudahy Municipal Code**

RECOMMENDATION

The City Council is requested to adopt Ordinance No. 763 (Attachment "A"), amending the For Cause Termination of Tenancy section of Section 5.14.040.

BACKGROUND/ANALYSIS

On June 6, 2023, the City of Cudahy ("City") adopted Ordinance No. 737, establishing among other things, the "Just Cause Tenant Protections" for residents. Over the last two years the City has seen firsthand the positive impacts of Chapter 5.14 and the protections it provides for residents.

The City seeks to expand the protections provided under Chapter 5.14 (Just Cause Tenant Protections) by establishing a minimum threshold for eviction in cases where a tenant has missed rent. Under the proposed ordinance, a landlord may only initiate an eviction if the amount of rent missed exceeds one month of the fair market rent for the Los Angeles metro area, as determined annually by the U.S. Department of Housing and Urban Development. The ordinance also clarifies the definition of what constitutes a violation of a material term of the rental agreement between landlords and tenants.

CONCLUSION

If adopted, the attached ordinance would establish a minimum threshold for an eviction by landlord of a tenant for unpaid rent and clarifies the definition of a material violation of a rental agreement.

FINANCIAL IMPACT

There is no financial impact related to adoption of the proposed ordinance.

ATTACHMENTS

A. Draft Ordinance No. 763

ORDINANCE NO. 763

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA, AMENDING SUBSECTION 1 OF SECTION 5.14.040 (FOR CAUSE TERMINATION OF TENANCY) AND ADDING SUBSECTION 2 OF SECTION 5.14.040 (FOR CAUSE TERMINATION OF TENANCY) OF CHAPTER 5.14 (JUST CAUSE TENANT PROTECTIONS) OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE CUDAHY MUNICIPAL CODE

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

WHEREAS, on June 6, 2023, the City adopted Ordinance No. 737, establishing the "Just Cause Tenant Protections" for residents; and

WHEREAS, over the last two years the City has seen firsthand the positive impacts of Chapter 5.14; and

WHEREAS, the City desires to further expand the protections available under Chapter 5.14 (Just Cause Tenant Protections).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUDAHY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct and incorporated into the body of this Ordinance by this reference.

SECTION 2. Subsections 1(a) and 1(b) of Section 5.14.50 (For Cause Termination of Tenancy) of Chapter 5.14 (Just Cause Tenant Protections) of Title 5 (Business Licenses and Regulations) of the Cudahy Municipal Code is hereby amended in its entirety to read as follows:

"5.14.050 For Cause Termination of Tenancy

(1) For Cause Termination of Tenancy. A landlord may bring an action to recover possession of a rental unit only upon one of the following grounds:

- a. *Failure to Pay Rent.* The tenant has failed to pay rent to which the landlord is entitled, including amounts due under Section 5.13.100(2)(b); provided, however, that the landlord's right to evict a tenant lawfully in possession of residential housing under this subdivision is limited to defaults in payment where the amount due exceeds one month of fair market rent for the Los Angeles metro area set annually by the U.S. Department of Housing and Urban Development for an equivalent sized rental unit as that occupied by the tenant. The written notice to the tenant required under this section shall state the number of bedrooms in the tenant's rental unit.

- b. *Violation of Material Term of Rental Agreement.* The tenant has violated a lawful obligation or covenant of the tenancy and has failed to cure the violation after having received written notice from the landlord, other than a violation based on:
- i. The obligation to surrender possession upon proper notice; or
 - ii. The obligation to limit occupancy, provided that the additional tenant who joins the occupants of the unit thereby exceeding the limits on occupancy set forth in the rental agreement is either the first or second dependent child to join the existing tenancy of a tenant of record or the sole additional adult tenant. For purposes of this section, multiple births shall be considered as one child. The landlord, however, has the right to approve or disapprove the prospective additional tenant, who is not a minor dependent child, provided that the approval is not unreasonably withheld; or
 - iii. A change in the terms of the tenancy that is not the result of an express written agreement signed by both of the parties. For purposes of this section, a landlord may not unilaterally change the terms of the tenancy under Civil Code Section 827 and then evict the tenant for the violation of the added covenant unless the tenant has agreed in writing to the additional covenant. The tenant must knowingly consent, without threat or coercion, to each change in the terms of the tenancy. A landlord is not required to obtain a tenant's written consent to a change in the terms of the tenancy if the change in the terms of the tenancy is authorized by Cudahy Municipal Code Section 5.13.050, or if the landlord is required to change the terms of the tenancy pursuant to federal, state, or local law."

SECTION 3. Section 5.14.050 (For Cause Termination of Tenancy) of Chapter 5.14 (Just Cause Tenant Protections) of Title 5 (Business Licenses and Regulations) of the Cudahy Municipal Code is hereby amended to include Subsection 2 which shall read as follows:

"5.14.050 For Cause Termination of Tenancy

- (2) Nothing in this section shall exempt a landlord from providing legally required notice of a change in the terms of the tenancy."

SECTION 4. CEQA. This Ordinance is not subject to CEQA under the general rule set forth in Section 15061 (b)(3) of the CEQA Guidelines that CEQA only applies to projects which have the potential for causing a significant effect on the environment.

SECTION 5. Inconsistent Provisions. Any provision of the Cudahy Municipal Code, or appendices thereto, that conflicts with the provisions of this Ordinance, to the extent of

such conflict and no further, is hereby repealed or modified to the extent necessary to affect the provisions of this Ordinance.

SECTION 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

SECTION 7. Construction. This Ordinance is intended to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent. To the extent the provisions of the Cudahy Municipal Code, as amended by this Ordinance, are substantially the same as the provisions of that Code as it read prior to the adoption of this Ordinance, those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 8. Publication and Effective Date. The Mayor shall sign, and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within fifteen (15) days after its adoption. This Ordinance shall become effective thirty (30) days after adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at a regular meeting on this ____ day of _____ 2025.

Elizabeth Alcantar Loza
Mayor

ATTEST:

Richard Iglesias
City Clerk

CERTIFICATION

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

I, Richard Iglesias, City Clerk of the City of Cudahy, hereby certify that the foregoing Ordinance No. XXX was introduced for a first reading on the ____th day of _____ 2025 and approved for a second reading and adopted by said Council at its regular meeting held on the ____ day of _____ 2025 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Richard Iglesias
City Clerk