

Attachment "F"



PARTY HOUSE HANDBOOK

Bel Air–Beverly Crest Neighborhood Council wants to make sure that all residents have the latest and best information about how to secure relief from out-of-control parties. Please read this, try our methods, and email us at homeshare@babanc.org to let us know about your experience.

YOU CAN STOP PARTY HOUSES

Handling any problem location requires a great deal of persistence as well as assistance from City employees but actions taken generally pay off in the long term. If you are committed to taking care of the situation, you have to face this problem as you would any other project – with organization and persistence, and with effective communication with people who can help you. If you aren't prepared to be relentless and thorough in your approach, you should not expect to see results.

You will also need flexibility and resourcefulness. Rules, practices and personnel can and will change. Through your efforts, you will learn who your most effective allies are. You'll need to maintain open lines of communication, and all communication should be cordial and respectful, no matter how frustrated you may get. Don't get stuck on the idea that because laws are openly and flagrantly violated, the solutions should come readily. They won't.

This handbook describes how to get the City to enforce laws related to party houses. You should know that one or two parties at a location over the course of a year may not justify use of scarce City resources and won't be considered a true "party house."

Additionally, there are private solutions you and your neighbors can pursue but these aren't described here. Effective deployment of these solutions will also require the record-keeping described below.

FIRST STEPS

Not all party houses are the same. At some party houses, a long-term resident is causing the problem. It may be the owner, in which case you should speak to them before using the tools discussed below. It may be a long-term renter, in which case you should speak to them as well as to the owner, who may not be aware of the situation.

If the problem is a short-term rental, and especially a short-term rental that is rented out specifically for events, the range of available options for addressing the issue is much larger.

THE PLAYERS

In your quest for peace and quiet, you may enlist the help of many different City employees.

LAPD responds to party calls and can issue citations for party house ordinance violations.

The City Attorney's Community Law Corps is comprised of attorneys and legal professionals with experience in civil and criminal law and creative problem-solving. CLC works with stakeholders to implement preventative and proactive measures to address a variety of issues that affect neighborhood quality of life and establishes partnerships to resolve problems that enforcement alone cannot adequately address. With regard to "party houses," CLC locates and works with property owners to get voluntary compliance, and with community members and law enforcement when that doesn't solve the issue. Additionally, given the cross over between party houses and short term rentals, CLC works closely with Planning's Short-Term Rental Unit in addressing both permitted and unpermitted nuisance short-term rentals.

Los Angeles City Planning staff is in charge of the home sharing registration system, and they refer violations to the **Los Angeles Department of Building and Safety (LADBS)** who then can issue fines for violations of the home sharing ordinance. Short term rental permits can also be suspended or revoked.

Your **City Council Representative's Field Deputy** for your area can assist with tracking problems and following up with City employees on behalf of residents.

Our previous GAME PLAN relied on tools that the “Neighborhood Prosecutors” used. We will assume that the Community Law Corps attorneys will make use of similar tools. Additionally, enforcement of the Home Sharing Ordinance may change this year.

That game plan relied on trying to get LAPD to write party house citations so that there would be evidence that would lead to action by the City. Unfortunately, LAPD staffing levels make party house ordinance citations a rarity, and LAPD's response times to party calls may be long as well.

Still, a combination of careful record-keeping and open lines of communication with your Senior Lead Officer, Community Law Corps attorney and Field Deputy can make the difference.

Bel Air Beverly Crest Neighborhood Council territory is served by two police stations. Each station has slightly different operating procedures. Both have "Senior Lead Officers" who are responsible for ongoing issues in their areas. There may be other officers at your station who have special expertise with party house issues.

LAPD's **Hollywood Station** serves the "North of Sunset" area and Laurel Canyon. Our Senior Lead Officer (SLO) there is Joseph Raviol. You can reach him at 40541@lapd.online.

LAPD's **West Los Angeles Station** serves the remainder of the territory – Coldwater Canyon, Benedict Canyon and Bel-Air. Our SLO is James Allen who you can reach at 39318@lapd.online.

Community Law Corps attorneys can be reached at att.communitylawcorps@lacity.org.

City Planning runs the short term rental program. Their 24-hour complaint line (213) 267-7788. Press 2 to properly log your complaint. If you press 1, you will simply be transferred to LAPD. You can communicate with them by email at planning.home-sharing@lacity.org.

If you live within the Bel Air Beverly Crest Neighborhood Council boundaries and you live in Council District 4, your Field Deputy is Sidney Liss (sidney.liss@lacity.org). If you live in Council District 5, your Field Deputy is Haley Martinez (haley.martinez@lacity.org).

If there is a neighborhood association or HOA in your area, it may have specific suggestions about how to involve it in enforcement, so it's worthwhile to reach out to it in addition to reading this document.

Others who you may call on as you try to solve the problem:

The Fire Department (LAFD) may be summoned if the party is causing a fire hazard. They can be reached through 911 or the police non-emergency number (877-ASK-LAPD).

Parking enforcement can clear illegally-parked cars. You can reach dispatch at (818) 374-4823 or (213) 485-4184. They may wait for police response to take action if there is an unruly crowd on the street.

THE LAWS

In order to effectively deal with party houses, it's important to understand the laws that are on the books. Several different laws can be applied to party house problems – the party house ordinance, the home sharing ordinance and the noise ordinance.

According to the **party house ordinance**, an unlawful party is a loud or unruly gathering. The conduct that defines such a party can be any of the following: loud noise (audible 150 feet from the property line), obstruction of a street or public right-of-way, including a sidewalk, public intoxication or drinking in public, the service of alcoholic beverages to minors, possession and/or consumption of alcohol by minors, assault, battery, fights, domestic violence or other disturbances of the peace, the sale or service of alcoholic beverages without a required license, vandalism or destruction of property, litter, urinating or defecating in public or trespassing. In order to issue a party house citation a responding officer would need to observe one of these happening and then choose to issue a citation. The party house ordinance is in effect at all hours of day and night.

The noise ordinance regulates noise only. If there is loud noise but no evidence of an actual party, responding officers may be able to cite for a violation of the noise ordinance. The noise ordinance is in effect at all times. This is a misdemeanor charge which may or may not help solve your problem.

The **home sharing ordinance** regulates short term rentals. Short term rentals (rentals of shorter duration than 30 days) require a permit. Permits for short-term rentals can be suspended after two citations or revoked after three, though these are currently very rare events. These citations would include citations for parties, citations for failure to put away garbage cans, or any code violations. If a party house is a short term rental with no permit, that's another story altogether.

The home sharing ordinance prohibits use of sound amplifying equipment after 10:00 and evening outdoor congregations of more than 8 people (excluding children) but there is no enforcement mechanism.

Party House Ordinance:

http://clkrep.lacity.org/onlinedocs/2012/12-1824-S1_ORD_185451_04-15-2018.pdf

Home Sharing Ordinance:

<https://planning.lacity.org/ordinances/docs/homesharing/adopted/Final%20Ordinance.pdf>

Noise Ordinance:

https://codelibrary.amlegal.com/codes/los_angeles/latest/lamc/0-0-0-193774

WHAT TO DO

Here are steps you can and should take if there is a party house in your area. Start this process as soon as the issue becomes apparent, especially if the problem is occurring at a short-term rental.

As Soon as You've Identified a Problem Location:

You will need to establish a good record of issues occurring at the location. This means calling LAPD whenever there is an issue, and enlisting neighbors to do the same. Calling LAPD is critical for establishing this record, and if only one person calls LAPD about the problem, then the police may assume that only one person is bothered.

Designate a "lead neighbor" who will be responsible for maintenance of records and communication with public officials. The lead neighbor should create a Dropbox or Google Drive (or similar) folder for storing and sharing evidence related to the location and should keep this folder well-organized.

The lead neighbor should also keep a running log with information about all incidents either on your computer or on paper. This is helpful for demonstrating to responding officers and to your SLO that your problem is serious and ongoing.

Download a decibel meter app for your phone so that you can record how loud it is in your home or out on the street.

Before a Party:

*If you see set-up for a party happening at a problem location, please contact your **Senior Lead Officer providing information** what you have seen. Email, text or phone them even if it's not during normal business hours.*

During a Party:

- If the party is not at a known location, you will have to **figure out where it** is in order to communicate with LAPD.
- **Call the police and do so early.** You don't have to wait until late at night to call. Unruly gatherings and noise are prohibited at all hours. This may prove to be effective in addressing the immediate situation, particularly if roads are being blocked and people are out on the street. Even when it is not, which will be most of the time, calling creates a record of the problem that will help build a case. For a problem location, always call. Normally you should call 877-ASK-LAPD but if there are blocked roads, fire, fireworks, violence, teenage drinking or any other crime happening, you can call or text 911. If you text please be certain to include the address of the problem. Hold times when calling will be long but hang on. You don't have to wait until late at night to call.

- **Ask for the responding officer to call you when they arrive.** This is especially important if the noise you are hearing in your home cannot be heard from the street. It's also important if you want to share the history of problems at that house. Getting a call is not guaranteed.
- **Ask the dispatcher for the incident number.** Record the incident number and date. Normally they will just give you the last four digits. This will ensure that you have a record of the call that you can share with others.
- **Meet up with responding officers.** If LAPD responds to the call while the party is still happening, and you are able to meet up with them, get business cards from the responding officers. Ask for a citation to be written. Officers have discretion as to what action is taken but you may be able to exert some influence by sharing the history of the problem. If officers are responding to the location regularly and not citing the violators, you can ask for supervisor response.
- **Call Parking Enforcement.** Do this if there are illegally-parked cars. Response time is unpredictable. Ask for an incident number here too. Please be certain to note if driveways are blocked. This will escalate the problem. If driveways are blocked you should let LAPD know as well. You may want to try to meet up with parking enforcement. You will need to do this if a car needs to be towed. Parking enforcement will not act without LAPD present if the situation is dangerous.
- **Call the Home Sharing Complaint line.** Do this if the house is a short term rental. There will be no immediate result from the call but it serves as another record of the problem. Choose option 2 when calling.
- **Collect video, audio and/or photographic evidence.** This will give the Neighborhood Prosecutor tools to us in making a case against the owner, if that becomes necessary.

In the Morning

- **Check for a notice of violation posted on the home.**
 - **If it's there**, you'll see it. The notice of violation is yellow. Take a picture for your records. Make sure it stays posted for 30 days. If it's torn down or covered up, notify your SLO. It needs to be re-posted. There are additional penalties for taking down the citation.
 - **If there is no notice** and the party was especially bad or the problem is chronic, reach out to your Senior Lead Officer. It may be possible to have a citation written based on footage from the body cameras of the responding officers although there often is a reluctance to do this.
- **If trash is an issue**, document the situation and then file a 311 service request. You can do this using the MyLA311 app, by calling 311 or by using the web interface found at <https://lacity.gov/myla311>. This can lead to a citation which, if there is home sharing involved, can cause the permit to be suspended or revoked. Also document any after-party garbage issues.
- **Update your log** with any additional information from the party - the dates and times of calls, incident numbers, results - and any documentation you might have collected.
- **If your HOA or neighborhood association collects party house information**, alert it about the event.

Now What?

If a problem has occurred several times at a single location, then it's time to reach out to your Senior Lead Officer and the Community Law Corps. It's best to do so by email. The subject line should be Party House: address of your particular house. In your email you should reference the incidents and any citations that were issued. You should copy your Council District Office Field Deputy.

If you have had three or more incidents at the location, and there is no discussion of long-term solutions, the lead neighbor should arrange a call or meeting with the SLO and Community Law Corps attorney to discuss solutions.

If you have trouble getting a meeting, reach out to your Field Deputy.

It's probably good to get a number of affected neighbors on the call. Ask in advance for the SLO to look up the number of calls for service at the location. This is where all your hard work calling LAPD will pay off.

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Bonus Points

Your case can be helped by learning about parties ahead of time from social media and by keeping a file of social media postings from the party.

SHORT TERM RENTAL ENFORCEMENT

Not every party house is a short-term rental but many are. If your is, you should try to find listings, which may be on Airbnb or local sites (google LA mansion rentals to find them). If one of the local rental websites is participating in the party activity, please email homeshare@babnc.org.

According to the home sharing ordinance, suspensions of the permit begin after two citations and revocations begin after three. These are rare events, not yet seen in BABCNC territory, but that doesn't mean that you shouldn't try to make it happen if you have a nuisance location with a valid home sharing permit. These citations can be party house citations, code violations or other citations.

To find out whether your problem location has a home sharing permit, you can go to bit.ly/homesharingportal. If it doesn't have a permit, and you know of listings for the rental, you should report it immediately to planning.home-sharing@lacity.org.

If you are dealing with a registered short-term rental, and a party house citation is issued after a party, you may want email planning.home-sharing@lacity.org to make sure they know about the citation.

Communication between departments is meant to be ongoing but follow-up will help you understand whether that communication is happening.

One other short-term rental nuisance that can be helpful in generating citations is failure to deal properly with trash. If cans are left out when they are not supposed to be, you can report through 311. If you report through the app or on the website, you will get an email notifying you of the resolution of your complaint. The first time you report, a “notice of violation” will be issued. After the second time, a citation may be issued. Sometimes a complaint after a citation will result not in another citation but in confiscation of garbage cans so you will have start the whole process again in order to get a second citation. After every citation, email planning.home-sharing@lacity.org to make sure that Planning staff is aware that the citation has been issued.

Building code violations also count towards suspension or revocation.

We will update this handbook when new enforcement procedures are put in place. With any luck this will be in the near future.

Working With the Platform:

AirBnB has the most robust public-facing policy, not allowing gatherings of more than 16 people at homes listed on their site. This would apply both to short-term rentals and to longer-term rentals. They also have a reporting process. You can find details on all of that at www.airbnb.com/help/article/2704/party-and-events-policy.

Other platforms don't have any particular policies that we know about but it can be worthwhile to attempt to reach out to the platform to let them know about the nuisance situation.

FOR HOSTS

Please be considerate to your neighbors!

Give contact information to nearby neighbors so that they can communicate with you if problems arise.

Many homeowners policies will not cover short-term rental activities because this is considered commercial activity, and as a result, can actually void your homeowners policy in full, even if an incident for which you would expect coverage happens on a day you're not renting the property. Be adequately insured!

Read and get to know all applicable ordinances to fully understand your responsibilities and liabilities as a homeshare/short term rental (STR) Host. Some of them are:

- Every Host must provide and maintain fire extinguishers, smoke detectors and carbon monoxide detectors and information related to emergency exit routes on the property and must be in compliance with LA fire, life and safety codes.
- Every Host that lists in a Very High Fire Hazard Severity Zone as designated by the LAFD shall include and post notices that smoking is not permitted in any exterior of the property.

- There can be no use of sound amplifying equipment after 10:00pm and no evening outdoor congregations of more than 8 people (excluding children)..

Hosts may be responsible for any nuisance violations. Take the time to read through the ordinances below to ensure compliance with the law.

Be aware that if a minor gets into a car accident after being served alcohol at your short-term rental, the host and/or property owner may be liable.

And lastly, again, be considerate of your neighbors!

IMPORTANT CONTACTS

LAPD:

LAPD Non-Emergency#: (877)ASK-LAPD

Emergencies: 911 (call or text; if text include address)

SLO Joseph Raviol (Hollywood Station): 40541@lapd.online, (213) 972-2971

SLO James Allen (West LA Station): 39318@lapd.online, (213) 952-8396

COMMUNITY LAW CORPS:

Community Law Corps: att.communitylawcorps@lacity.org, (213) 978-7878

PARKING ENFORCEMENT:

Parking Enforcement Dispatch: (818) 374-4823 or (213) 485-4184.

COUNCIL OFFICE FIELD:

CCouncil District 4: sidney.liss@lacity.org

Council District 5: haley.martinez@lacity.org

HOME SHARING:

Email: Planning.home-sharing@lacity.org

24/7 Complaint Line: (213) 267-7788 OPTION 2

SAMPLE INCIDENT FORM

Address:

Date:

Description of event:

Phoned LAPD?

Time of call(s):

Incident #(s):

Police response time:

Police response personnel:

Notes on response, including time noise abated (if known):

Noise level recorded:

Where recorded:

Approximate distance from source:

Video evidence?

Photographic evidence?

Audio recording?

Evidence storage location: