

## Permanent Relocation Assistance

### **What is permanent relocation assistance?**

Santa Monica law requires that landlords pay a fee to tenants who are forced to permanently move out of their homes, in some situations.

### **When is a tenant entitled to the relocation fee?**

There are three situations that trigger permanent relocation benefits:

- (1) The landlord takes the building off the rental market (Ellis Act);
- (2) The landlord or a relative will move into the apartment (owner-occupancy); or
- (3) The landlord seeks to demolish or otherwise remove the unit from rental use.
- (4) The tenant decides to move after receiving a notice increase for a unit that has been exempted from the Rent Control Law due to the owner occupying one of the units on the property, and the notice of rent increase is for more than the owner could have charged if the unit had remained subject to the Rent Control Law.
- (5) The tenant decides to move after receiving a notice of rent increase that is for more than amount allowed for units subject to the state Tenant Protection Act of 2019 (CPI+5% or 10%, whichever is lower). As of August 2025, this amount is 8%.
- (6) The tenant decides to move after being temporarily relocated for at least 6 months.
- (7) The Code Enforcement Manager orders the landlord to pay based on a determination the tenant was compelled to move out due to harassment or illegal disruption of services.
- (8) The Building Officer orders the landlord to pay based on a determination that the unit is not habitable and cannot be made habitable, or based on a tenant's choice to move from a unit that is not permitted for residential use and cannot or will not be permitted.

The permanent relocation fee does not apply in cases of earthquake or other natural disaster, or where relocation is necessary to comply with the City's retrofitting requirements.

### **For Ellis Act evictions, does the tenant have to be low-income to get the fee?**

No. All tenants forced to move out under Ellis qualify, regardless of income.

**What type of notice is required when a landlord wants to evict a tenant under the Ellis Act, owner occupancy, or to demolish or remove the unit from rental use?**

The landlord must give the tenant a written notice to terminate the tenancy. The landlord must also give the tenant written notice of their rights under the Tenant Relocation Assistance Ordinance. The notice of rights must be on a City-provided form and state:

- the tenant's rights and obligations under the law
- that the relocation fee has been placed in an escrow account (or other account approved by the City), including the name of the escrow company, the amount in escrow, and the date the account was opened.

**What type of notice is required when the landlord gives a notice of rent increase that give the tenant the right to decide to move for a relocation fee?**

The landlord must give the tenant a written statement of the rights and obligations of tenant's and landlords under the law, on a City-provided form.

If the tenant provides notice to move out within 120 days after the notice of rent increase, within two days later, the landlord must then give the tenant notice on a City-provided form that the relocation fee has been placed in an escrow account (or other account approved by the City), including the name of the escrow company, the amount in escrow, and the date the account was opened.

**How much is the relocation fee?**

Effective July 1, 2025, the relocation fee is as follows:

Single	\$19,950
1 bedroom	\$27,500
2+ bedroom	\$38,250

- The fee is increased if any of the displaced tenants is age 62 or over, disabled, or has a child under 18.
- The fee is adjusted each July 1 according to the cost of living.
- For the latest figures, go to: [Santa Monica Housing Office - Tenant Relocation Fee](#)

**If there is more than one tenant in an apartment, who gets the fee?**

The total relocation fee is paid in one check. The tenants must divide it among themselves.

**What if tenants disagree about how the fee should be divided?**

They should try to work out the distribution themselves. If they can't, they may seek help from the [Los Angeles County Department of Consumer and Business Affairs](#), which provides mediation services.

**When does the relocation fee have to be paid?**

Within five days after tenants move out.

**Can a tenant use the money before moving out?**

Yes. If a tenant needs the money to help pay for moving, he or she can request in writing that the landlord pay a third party. The landlord then must instruct the escrow holder to pay the third party all or a part of the relocation fee. The third party must receive payment within five days of the tenant's written request.

**How does a tenant receive the fee?**

The tenant receives the fee from an escrow account opened by the landlord.

In the case of an eviction under the Ellis Act, for owner-occupancy, or to demolish or remove the unit from rental use, before the landlord gives the tenant a notice terminating the tenancy, the landlord must place the relocation fee in an escrow account or other account approved by the City.

In the case of a tenant who chooses to move after receiving a qualifying rent increase, the landlord must deposit the relocation fee in an escrow account or other account approved by the City within two working days after the tenant gives notice.

In the case of a landlord who is ordered to pay a permanent relocation fee by the Code Enforcement Manager or Building Officer, the landlord must deposit the relocation fee in escrow within two working days after the order.

In all cases, within two days after the tenant moves out, the landlord must instruct the escrow holder to give the remaining relocation fees in the escrow to the tenant.

**If a tenant fights an eviction based on the Ellis act, owner move-in, or demolishing or removing a unit from rental use, does he or she lose the relocation fee?**

No. A tenant does not give up any rights by contesting an eviction. If the tenant wins in court, there may be no eviction and no need for the relocation fee. If the tenant loses, the fee may be reduced by the amount of any court judgment.

**Can a tenant stop paying rent after receiving an eviction notice or after giving notice to move out after a qualifying rent increase, or apply the fee toward rent?**

No. If a tenant withholds rent, or offsets rent against the relocation fees, the tenant might be sued for non-payment of rent, including for eviction. The tenant's duty to pay rent is separate from the landlord's duty to pay relocation fees; the two do not offset each other.

**Can a landlord choose to not pay the relocation fee to a tenant?**

Only if the landlord chooses to relocate the tenant into a comparable apartment. The landlord is still responsible for paying the tenant's moving costs. The new unit must be comparable to the old one in size, price, location, amenities, proximity to medical and recreational facilities as well as parks, community centers, shops, transportation, schools, churches and synagogues.

**Are single family homes and condominiums subject to relocation assistance requirements?**

Yes, in some situations. Contact the City Attorney's Office for more information.

**What if a tenant agrees to give up relocation benefits?**

A tenant can't give up these rights. Any agreement between a landlord and tenant which gives up a tenant's right to relocation benefits is void and can't be enforced.

**What should I do if my landlord refuses to pay me the fee?**

You can call the City Attorney's Office at 310-458-8336. Also, you can sue the landlord in court. The court can award you the fee plus a \$500 penalty, attorneys' fees, and other possible damages.

**How can I get more information?**

Call the City Attorney's Office at 310-458-8336.