



**MEANS AND METHOD PLAN FOR TENANT
PROTECTION DURING CONSTRUCTION
BHMC 9-1-108 Section (L)**

When applying for a permit to alter, repair, or rehabilitate any structure that contains one or more dwelling units, the applicant shall indicate on a form furnished by the Rent Stabilization Ordinance (“RSO”) whether the property is occupied by tenants.

If the property is tenant-occupied and, as determined by the RSO, the construction work could impact the habitability of any unit on the property, prior to obtaining a permit, the applicant shall submit a construction means and method plan to the RSO which contains the information required by this Section. The construction could impact unit habitability if any of the following conditions may exist at the property for a period exceeding one working day:

Inadequate sanitation including, but not limited to, the following:

- Lack of, or improper water closet, lavatory, or bathtub or shower,
- Lack of, or improper kitchen sink,
- Lack of hot and cold running water to plumbing fixtures,
- Lack of adequate heating,
- Lack of, or improper operation of required ventilating equipment,
- Lack of minimum amounts of natural light and ventilation required by the Building Code of the City of Beverly Hills,
- Lack of required electrical lighting,
- Dampness of habitable rooms,
- Lack of connection to required sewage disposal system;

Structural hazards including, but not limited to, the following:

- Deteriorated or inadequate foundations,
- Defective or deteriorated flooring or floor supports,
- Any of the following structural features that are of insufficient size to carry imposed loads with safety: Flooring or floor supports, members of walls, partitions, or other vertical supports, members of ceiling, roofs, ceiling and roof supports, or other horizontal members;

Wiring, plumbing, or electrical equipment that will no longer conform with all applicable laws in effect at the time of installation;

Faulty weather protection, including, but not limited to, the following:

Ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors;



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The building, premises, or portion thereof, device, apparatus, equipment, combustible waste or vegetation is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause;

The building or portion thereof is an unsafe building as defined by the Building Code of the City of Beverly Hills;

The building, premises or portions thereof is not provided with adequate exit facilities as required by the Building Code and Fire Code of the City of Beverly Hills;

The building or portions thereof is not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by the Building Code of the City of Beverly Hills and the Fire Code of the City of Beverly Hills.

No permit shall issue until a satisfactory means and method plan is approved by the RSO, if required.

If a construction means and method plan was not required prior to permit issuance, the ROS shall require a construction means and method plan be submitted after work commences if the RSO determines that the work could impact the habitability of any unit on the property given the manner in which the construction is being undertaken. If the RSO requires a construction means and method plan, the requirements of this Section shall also apply. The City Building Official may stop construction until all applicable requirements of this Chapter have been met.



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**MEANS AND METHOD PLAN FOR TENANT
PROTECTION DURING CONSTRUCTION**

Contents as required by BHMC 9-1-108 Section (M)

Project Address _____

Owner _____ Phone _____

Applicant _____ Phone _____

The construction means and method plan shall provide the following information:

(a) A detailed description of the construction process, organized sequentially;

_____ (if more space is needed, please provide an attachment)

(b) An explanation of the impact that this construction will have on the occupancy of the units by tenants;

_____ (if more space is needed, please provide an attachment)

(c) The owner's plan to address the habitability impacts on the tenants created by the proposed construction project;



_____ (if more space is needed, please provide an attachment)

(d) An assessment of whether any or all of the tenants will need to be temporarily relocated during any phase of the work. A tenant will need to be temporarily relocated if the conditions of the property or the repair or rehabilitation thereof will render the premises unsafe for continued occupancy;

_____ (if more space is needed, please provide an attachment)

(e) A description of the construction mitigation measures that the owner will implement to minimize the impacts of noise, dust, vibrations, utility shut-offs, and other construction impacts on tenants.

_____ (if more space is needed, please provide an attachment)

RELOCATION PLAN

Contents as required by BHMC 9-1-108 Section (N)

If the construction means and method plan demonstrates, as determined by the RSO, that the work being performed on the property may require that tenants be **temporarily relocated**, the applicant shall also prepare and submit a **relocation plan** for City approval prior to issuance of a permit which shall contain facts sufficient to show that:

(a) Fair and reasonable relocation benefits will be provided to all displaced tenants as required; Please describe;



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_____ (if more space is needed, please provide an attachment)

(b) Notice of the relocation assistance and benefits to be provided and the timing of the displacement will be provided to all tenants who will be displaced. Please describe;

_____ (if more space is needed, please provide an attachment)

(See Relocation Notice Sample Letter)

TENANT NOTICING PLAN

Contents as required by BHMC 9-1-108 Section (O)

Before permit can be issued for the alteration/repair/rehabilitation of a building which required an applicant to prepare a construction means and method plan, the applicant must certify that all tenants of the property will receive the information, in a form approved by the City, **within ten days** following the issuance of the permit and that no work will commence under the permit until ten days after all tenants are notified. This notice shall either be hand delivered to each tenant of the property or sent by certified mail, return receipt requested.

The notice required shall contain the following information:

(See Tenant Notice Sample Letter)

(1) A detailed description of the nature and type of construction activity that will be undertaken; Please describe;

_____ (if more space is needed, please provide an attachment)



(2) Information regarding the scheduling of construction and the periods in which services such as laundry, parking, elevators, water and power, will be unavailable; Please provide;

_____ (if more space is needed, please provide an attachment)

(3) A statement that the construction being undertaken at the property will not terminate the tenant's tenancy; Please provide;

_____ (if more space is needed, please provide an attachment)

(4) A statement informing the tenants of their right to seek mitigation from the property owner for nuisance conditions at the property, including, but not limited to, noise, dust, vibrations, utility shut-offs and other construction impacts. Mitigation measures may include, but are not limited to, temporary rent reductions, quiet office space for tenants working at home and temporary accommodations; Please provide;

_____ (if more space is needed, please provide an attachment)

(5) A statement informing tenants of their right to review and receive free copies of the owner's construction means and method plan; Please provide;

_____ (if more space is needed, please provide an attachment)



(6) A statement informing tenants of their right to review and receive free copies of the owner's relocation plan, if such plan was required; Please provide;

_____ (if more space is needed, please provide an attachment)

(7) Information explaining how to contact the project applicant, including the designation of a project manager responsible for responding to tenant inquiries, complaints, and requests for mitigation of nuisance conditions;
Please provide;

_____ (if more space is needed, please provide an attachment)

(8) A statement informing tenants that they should immediately contact the City's Building and Safety Division regarding any conditions at the property which they consider to be unsafe, in violation of the City's Technical Codes, or in violation of the applicant's construction means and method plan; Please provide;

_____ (if more space is needed, please provide an attachment)

(9) For construction projects that exceed thirty days in duration as measured from the date that construction commences, the applicant shall also inform the tenants that the applicant will provide twice monthly notices to the tenants regarding the progress of construction and will schedule monthly meetings to address the construction progress and obtain tenant input and feedback regarding the construction; Please provide statement;



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_____ (if more space is needed, please provide an attachment)

(10) Any other information that the City Building Official determines is necessary due to the unique circumstances of the construction work.

_____ (if more space is needed, please provide an attachment)

In addition to the information required above, the tenant notification shall provide the following information if the project will require the temporary relocation of tenants:

A statement that the construction activity may require displacement, but that to the greatest extent practicable, no tenant lawfully occupying the property will be required to move without at least thirty days written notice from the owner.

Security.
Contents as required by BHMC 9-1-108 Section (P)

Before receiving a permit for a project which requires an applicant to prepare a construction means and method plan, the applicant shall furnish security to the City sufficient to ensure the timely and faithful performance of all work included within the scope of the permit and the payment of all relocation assistance necessitated by the temporary displacement of the tenants, if any. The City Building Official may exempt a project from the security requirements if the City Building Official determines such security is unnecessary based on an analysis of the following factors: size of project, duration of project, potential for impact on tenant safety, and invasiveness of project. If required, a Cash Bonds are acceptable forms of security.



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**Compliance with required means and method plan.
Contents as required by BHMC 9-1-108 Section (Q)**

- (a) General. No person shall erect, construct, enlarge, alter, repair, move, improve, remove, sandblast or convert the use of any building, structure or building service equipment regulated by this code without complying with all conditions of any required construction means and methods plan.
- (b) Owner's Responsibility. The property owner shall remain responsible for any violation of the construction means and method plan regardless of the responsibility of any other person for the violation or any contract or agreement the owner entered into with a third party concerning the owner' s property or the construction that necessitated the preparation of the means and method plan.