

Recommended Guidelines for Renting to College Students

Recommendations for landlords:

- Suggest to the students that they introduce themselves to the neighbors.
- Stay on top of things by stopping by and driving by often.
- Give neighbors your telephone number. Enlist the support of your neighbors. They will let you know what's going on.
- Make sure that the name of every student is listed in the lease. Anyone else who stays there for more than a week or is a frequent overnight guest is considered a tenant. You have the right to raise the rent or to evict for breaking terms of lease.
- Get parents' phone numbers. Let them know that you will be contacting them if there are any problems.
- Consider having a month-to-month rental instead of a lease. If you need to evict, you will avoid a lot of legal hassles.
- Require a large damage deposit.
- Add an addendum page to your lease agreement which covers items which may not be included in your lease form. Have each tenant sign and date the addendum sheet. This will protect you legally.
- Realize that your tenants are young people and on their own for the first time.
- Ask for cosigners and conduct a credit check.
- Limit the number of guests in the lease to avoid major party tenants.
- Don't be afraid to call the students' cosigners if there are issues.
- Consider a cleaning service program.
- Create a clear, tight lease or rental agreement with a code of conduct, outlining consequences.
- Interview each of the students before you decide if that is the group you want.
- If you are an absentee owner, consider a property manager.
- Join a professional owners association I.e. AGLA, AIA and take advantage of their resources.
- Determine which student is the most responsible and appoint them as a team leader.

Suggestions for language you may want to include in your lease:

- There are to be no more than eight people in the house at the same time. If you have small parties, keep noise levels to a minimum. No large parties allowed.
- Keep all noise levels to a minimum. No loud music or yelling, particularly when you are in the backyard. No yelling back and forth when talking to someone who is in front of your house.
- Complaints of noise from neighbors may result in eviction. First complaint receives written warning, second complaint receives eviction.
- Tenant may not duplicate keys and give them to friends. Anyone who holds a key will be considered a tenant.

- Only the people whose names are written on the lease are allowed to living in the residence.
- If LAPD issues a citation, the property owner reserves the right to evict.
- No more than triple the number of people on the lease permitted inside the property at any given time.
- Visitor's policy. Regular overnight guests become tenants. This will result in either a rent increase or eviction.
- Garbage cans must be brought back in the house on the same day that the trash truck comes. If you are unable to bring them in on the same day, arrange for neighbors to do it.
- House must be maintained free of debris in yard or street.
- Tenant agrees to respect the peace and quiet and the residential nature of the neighborhood with respect to parking, noise, property maintenance, animals, odors, disposal of refuse, and general appearance of the premises. Tenant will not commit any waste upon the premises, or any nuisance or act which may disturb the quiet enjoyment of any other tenant or neighbors.
- Any disruptive behavior to the surrounding neighborhood will result in eviction. Examples include drunkenness, public urination, any lewd or inappropriate behavior, noise, etc.
- Appearance. Tenants shall maintain the premises in a neat and clean condition, shall not store boxes, furniture, auto parts, appliances, or personal belongings on the exterior of the house or garage (including porches) visible from a public right-of-way and shall comply at all times with the Property Maintenance Standards of the City Municipal Code. Tenants and guests shall not walk upon or place any items on any roof, shed, top, garage, carport, etc.

Laws pertaining to Noise

41.57 LAMC: Loud and Raucous Noise

- Every person who allows, causes, or permits;
- Loud noises from any sound making or amplifying device;
- On any private property, public street, of any other public place;
- In such a manner as to interfere with the peace and quiet of any person within or upon any of such places.

Note: Need to consider hour, place, nature of noise, and any other circumstances.

112.01 LAMC: Radios, Television Sets, and Similar Devices

- Operating any radio, television, phonograph, musical instrument, or other sound producing device;
- Audible to the human ear at a distance in excess of 150 feet from the property line of the noise source;
- In a residential zone or within 500 feet thereof;
- In such a manner as to disturb the peace, quiet, and comfort of neighboring residents or any reasonable person of normal sensitiveness residing in the area

115.02 LAMC: Amplified Sound

- Engaging in the installation, use, or operation of any loudspeaker or sound amplifying equipment in a fixed or movable position;
- For the purposes of giving instruction, directions, talks, addresses, lectures, or transmitting music to any persons in or on any public street, sidewalk, park, or other public place;
- For commercial purposes in a residential area or within 500 feet thereof at any time H 15.02 [a] L.A.M.C.);

OR

- For non-commercial purposes in a residential zone or within 500 feet thereof (except school and church purposes), between 4:30 p.m. and 9:00 a. m. (115.02 [b] L. A. M. C.);

OR

- For commercial purposes in a nonresidential zone between 9:00 p.m. and 8:00 a.m. (115.02 [c] L.A.M.C.);

OR

- For non-commercial purposes more than 500 feet from residential zones between 10:00 p.m. and 7:00 a.m. (115.02 [d] L.A.M.C.);

OR

- Emitting sounds other than human speech and/or music (115.02 [e] L.A.M.C.);

OR

- Emitting sounds audible at a distance in excess of 200 feet, or sounds which are loud, raucous, or disturbing to reasonable persons of normal sensitiveness within the area of audibility (115.02 [f] L.A.M.C.);

OR

- Within 200 feet of any hospital grounds or any school or church building while in use (115.02 [g] L.A.M.C.).

116.01 LAMC: General Noise

- Willfully making or causing to be made or continued;
- Any loud, unnecessary, and unusual noise;
- Which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

Note: In determining whether or not a noise violates this section, officers should consider the following factors:

- Level of the noise;
- Nature of the noise (usual or unusual);
- Origin of the noise (natural or unnatural);
- Level and intensity of any background noise;
- Proximity of the noise to sleeping facilities;
- Nature and zoning of the area; ▪ Density of inhabitation in the area;
- Time of day or night the noise occurs;
- Duration of the noise;
- Whether the noise is recurrent, intermittent, or constant;
- Whether the noise is produced by commercial or non-commercial activity.

Laws pertaining to Nuisances

California Civil Code Section 3479

Anything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin, or any public park, square, street, or highway, is a nuisance.

California Civil Code Section 3480

A public nuisance is one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal

Penal Code Section 370

Anything which is injurious to health, or is indecent, or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property by an entire community or neighborhood, or by any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin, or any public park, square, street, or highway, is a public nuisance.

Penal Code Section 371

An act which affects an entire community or neighborhood, or any considerable number of persons, as specified in the last section, is not less a nuisance because the extent of the annoyance or damage inflicted upon individuals is unequal.

Penal Code section 372

Every person who maintains or commits any public nuisance, the punishment for which is not otherwise prescribed, or who willfully omits to perform any legal duty relating to the removal of a public nuisance, is guilty of a misdemeanor.

Penal Code Section 373a

Every person who maintains, permits, or allows a public nuisance to exist upon his or her property or premises, and every person occupying or leasing the property or premises of another who maintains, permits or allows a public nuisance to exist thereon, after reasonable notice in writing from a health officer or district attorney or city attorney or prosecuting attorney to remove, discontinue or abate the same has been served upon such person, is guilty of a misdemeanor, and shall be punished accordingly; and the existence of such nuisance for each and every day after the service of such notice shall be deemed a separate and distinct offense, and it is hereby made the duty of the district attorney, or the city attorney of any city the charter of which imposes the duty upon the city attorney to prosecute state misdemeanors, to prosecute all persons guilty of violating this section by continuous prosecutions until the nuisance is abated and removed.

LMU Community Relations Policy

I. Introduction

Loyola Marymount University expects its Students to conduct themselves as mature, responsible and law-abiding members of their local and University communities. As such, LMU Students shall abide by and uphold all federal, state and city laws and ordinances including, without limitation, all laws and ordinances relating to noise, traffic, parking and consumption of alcohol. As responsible members of the University community, LMU Students are expected, by their conduct and actions, to foster an atmosphere which nurtures positive community relations between LMU, their local municipality and the community surrounding LMU.

II. Policy

Loyola Marymount University may hold Students accountable for Student Conduct Code violations committed off campus which adversely affects LMU, its community standing and/or the pursuit of the mission, goals and objectives of the University. Loyola Marymount University may also hold Student Organizations (including, but not limited to, Service Organizations, fraternities, sororities and sport club teams) as well as student athletic teams and affiliated groups accountable for Student Conduct Code violations committed off-campus which adversely reflect upon or affect LMU, its community standing and/or the pursuit of the mission, goals and objectives of the University.

III. Student Conduct Code & Policies Applicable to Off-Campus Activities

Section III – Jurisdiction of the University

Jurisdiction extends to conduct which occurs on University premises, in Study Abroad programs or at University events, programs or activities, on and off campus, as well as to other off-campus misconduct that adversely affects the University, Students, the University's reputation or good will and/or the pursuit of the University's mission, goals and objectives.

Section III – Inherent Authority

The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the University and University community. The University also reserves the right to take necessary and appropriate action as a result of Student incidents off campus that may adversely affect the well-being, reputation or good will of the University, University community, University community members and/or the pursuit of the University's mission, goals or objectives.

Section III – Violation of Law and this Community Relations Policy

Students may be accountable criminally, civilly and/or to the University for acts that constitute violations of federal, state or local law and of this Code. Because of the need to efficiently, effectively and promptly protect the academic environment, University life and operations, Student Conduct Code proceedings will normally proceed without regard to or for the pendency of criminal or civil proceedings, and Student Conduct Code proceedings are not

subject to challenge on the grounds that criminal or civil charges involving the same incident/conduct are being investigated, prosecuted or have been reduced or dismissed. Students subject to actual or potential criminal charges relating to conduct alleged in pending Student Conduct Code proceedings may assert their Fifth Amendment privilege against self-incrimination during Student Conduct Code proceedings. While no inference of responsibility for Student Conduct Code violations will be drawn because of the assertion of the Fifth Amendment privilege, the Judicial Officer(s) will nonetheless evaluate all the other evidence in making their determination.

Section IV – Guest Policy

Students are responsible for the conduct of their Guests (including, without limitation, in their residence) and may be held accountable under applicable policies and the Student Conduct Code for the conduct of their Guests whether or not the Student is present when the actionable conduct occurs. The University reserves the right to summarily exclude and deny campus access and presence to any non-LMU student from or attendance at any University event or sponsored activity.

IV. Community Relations Responsibilities

Loyola Marymount University is located within an urban environment. The campus is surrounded by and adjacent to several municipalities and various residential neighborhoods. Responsibilities for off-campus conduct have been established in order to uphold standards of behavior that should be demonstrated by Loyola Marymount University Students when off campus.

The following responsibilities are consistent with the educational role of the University, the rights and needs of all residents, city ordinances, standards of common courtesy and are directed toward encouraging and maintaining positive neighbor relationships. The Community Relations Responsibilities address the following areas:

A. Dual Membership:

Students, Student Organizations and affiliated groups are members of both the University and local communities. Accordingly, Students are responsible to all the communities of which they are a part. Students should uphold their joint responsibilities in a mature, lawful and appropriate manner. All off-campus Students are responsible for verifying their off campus address with the University (Off-Campus Living Orientation and Address Policy).

B. Upkeep and Beautification:

Students, Student Organizations and affiliated groups are expected to maintain a safe and clean environment for the health and well-being of themselves, their members, Guests and neighbors. Specifically, Students should:

1. Maintain their residences and property in accordance with all fire, health, zoning and building and safety codes.
2. Maintain lawn and landscaping on a regular basis in accordance with lease or occupancy agreement.

3. Dispose of litter, trash and garbage on a regular basis and in an appropriate manner.

C. Traffic Safety:

Students, Student Organizations and affiliated groups should:

1. Comply with the laws and regulations of their municipality and the State of California and require their invited Guests and all who are consensually present at their residence or on their property to the same standards of conduct.
2. Advise household members, Guests and visitors to arrive and depart quietly and to avoid disrupting neighbors and encourage safe driving.
3. Obey traffic signs as well as practice safe responsible driving.

D. Relevant Municipal Codes:

At a minimum, Students, Student Organizations and affiliated groups should be aware of the Los Angeles Municipal Codes which govern individual, group and residential property within the City of Los Angeles. In this policy we have highlighted a few of the most frequently referenced and relevant codes. Students living outside the City of Los Angeles are responsible for familiarizing themselves with the local laws and ordinances governing their place of residence.

E. Parking:

Please visit <http://ladot.lacity.org/WhatWeDo/Parking/CanIParkThere> for a full list of traffic and parking violations. The primary purpose for parking regulations is to proactively manage the City's scarce supply of on-street parking, promote the economic vitality of the city, to ease traffic congestion and to enhance the quality of life of City Residents.

F. Noise:

Please visit <http://www.lacity.org/city-government/city-charter-rules-and-codes> for a full list of noise ordinances and violations. The Los Angeles Police Department is responsible for the enforcement of noise ordinance violations involving people-generated or controlled noises—which are considered disturbances of the peace

G. Neighborhood Relations:

Students, Student Organizations and affiliated groups are required to follow good neighbor policies and relations, including, but not limited to:

1. Fostering and maintaining good community relations and cooperation with neighbors and authorities. Students are encouraged to introduce themselves to their neighbors;
2. Being responsible for their conduct and that of their attendees by actively encouraging attendees to adhere to the same standard (reference: Guest Policy);
3. Being respectful of and to local community members. Prohibited behavior includes, but is not limited to, littering, loitering, public urination, public nudity, using rude or abusive language, causing excessive noise and illegal parking;
4. Respecting the rights of others and following all existing laws and ordinances. All Student Organization members are to be knowledgeable about the Los Angeles Noise Ordinance;
5. Taking active steps to prevent damage to others' property;

6. Being responsible for damage to others' properties;
7. Being responsible for making reasonable efforts to resolve neighborhood problems;
8. Using amplified sound in accordance with the law including, without limitation, the Los Angeles Noise Ordinance;
9. If Students witness or learn of dangerous or unlawful activities around their homes, they should promptly report it to the authorities. Dial 911 for an Emergency. The Los Angeles Police Department non-emergency dispatch can be reached at 877-275-5273. LAPD has enforcement authority to issue tickets and citations if municipal ordinances are being violated;
10. Knowing students' rights and responsibilities under California's Landlord Tenant Laws. This and other information for Students living off campus is available through the California Department of Consumer Affairs (1-800-952-5210 or <http://www.dca.ca.gov>).

H. Good Samaritan & Self-Reporting Policy: Students living off campus should make themselves familiar with the Good Samaritan & Self-Reporting Policy.

Frequently Asked Questions

Q: Does LMU advertise off-campus properties to students?

A: The University does not maintain a repository of rental listings for students. Students frequently utilize collegerentallistings.com, trulia.com, hotpads.com, zumper.com and craigslist.org to find accommodations.

Q: Can LMU assist me when my student tenants don't pay rent, break the lease, etc.?

A: While the University can help address behavioral problems that create disturbances in the neighborhood, it does not have the authority to intervene with lease agreement violations.

Q: Is it possible to obtain copies of LMU Public Safety incident reports as evidence of lease violations?

A: Due to FERPA laws (Family Educational Rights and Privacy Act), the University is unable to release that information to landlords or neighbors. For this reason, it is advisable for neighbors and property owners to file reports with LAPD.

Q: Can LMU have off-campus students register their parties with the university?

A: LMU has researched numerous different models of student/neighborhood relations, and has carefully considered requiring off-campus parties to be registered, as is done at some universities. We have determined, however, that that pre-registration is not necessary as LMU's Department of Public Safety (DPS) is able to conduct appropriate follow up without pre-registration of parties. DPS can and routinely does shut down off-campus parties when complaints are received.

Q: What are examples of sanctions that off-campus students receive for parties and general misconduct?

A: LMU's Department of Off-Campus Student Life (OCSL) follows up directly with every student identified in a complaint. In addition, LMU's Community Relations Department also follows up with the person filing the complaint (if contact information is provided). Complaints are either handled by OCSL or escalated to LMU's Office of Judicial Affairs for further action.

OCSL has a range of follow up actions including:

- An informational letter sent or phone call made to a student explaining LMU's expectations for conduct in the community
- A house visit and warning letter sent letting students know that a complaint was received and that the next complaint may warrant referral to Judicial Affairs
- Meeting with OCSL within 3 business days
- Mediation services for students and neighbors (this can be offered at any time in the response process)
- Additional university follow-up (i.e. Greek Judicial Hearing Board)

Depending on the nature and severity of the complaint, student conduct issues may be escalated to the Office of Judicial Affairs for further action. Possible sanctions may include, but are not limited to:

- Mandatory attendance at an LAPD noise seminar
- Requiring a letter of apology sent from the student offenders to their neighbors
- A letter sent from LMU to the offending student's parents
- Creative sanctioning including doing a ride-along with LAPD or attending a choice theory class
- Community service performed in Westchester through a list of approved community partners
- A monetary fine which can range from \$1,000 to 1500 per resident
- Disciplinary warning
- Probation
- Suspension

Q: Who do we call to deal with LMU students who party on our street?

A: We encourage residents to call both the Los Angeles Police Department and LMU's Department of Public Safety (DPS). LAPD has enforcement authority and can issue citations and/or make arrests if laws are being broken. However, it is just as important to call DPS so the university has a record of what happened and can conduct necessary follow up and take appropriate action with the students.

LAPD Non-Emergency Dispatch: 877-275-5273

LMU DPS: 310-338-2893

Q: Is LMU buying houses in the area for students?

A: No, the university does not purchase homes in the area for student use, but does maintain two student residences outside the Loyola Boulevard entrance. Currently there are two houses that are owned by the University that are used for student living. They are located at 8000 Loyola Boulevard (a home for international students), and 8001 Loyola Boulevard (the Center for Service in Action). These homes have been owned by LMU and used for student housing for several decades.

Q: How are property owners being held accountable when student renters hold parties that cause disruption to the neighborhood?

A: The University is only able to hold students accountable for their behavior. If there is an issue with a landlord or unresponsive homeowner we encourage neighbors to work collaboratively with LAPD and the City Attorney's office to follow up with the property owner.

Q: What can be done to address the issue of litter and property damage caused by students having a party?

A: Neighbors should call LMU's Department of Public Safety (DPS) at 310-338-2893 to report any inappropriate behavior by students living off-campus. This includes excessive noise and/or any inappropriate conduct including property damage. Students are guided by a code of

conduct, which applies both on and off-campus and includes being respectful of neighbors and being diligent in maintaining a safe and clean environment. Once a report is filed with DPS regarding off-campus student behavior, the Department of Off-Campus Student Life (OCSL) and the Department of Community Relations will follow up with students and neighbors to address issues.

Q: I've noticed a lot of litter, particularly around homes rented to LMU students. Can the students be asked to keep things picked up?

A: LMU encourages students to keep their homes and yards free of litter. LMU has provided information for landlords who can require reasonable upkeep of homes and yards as a provision in their leases.

Q: Does anything happen to students if they retaliate against us for submitting a complaint?

A: Retaliation by our students toward any member of the LMU campus community or the broader community, including neighboring residents, is not tolerated. Students engaged in retaliation are referred to Judicial Affairs for action.

Q: How do you know that the judicial process is working?

A: LMU routinely reviews our effectiveness by assessing our sanctions, tracking recidivism, and evaluating judicial history. LMU is proud of our low recidivism rate. It is also important to note that the vast majority of students who live off campus are in compliance with LMU's Student Conduct Code. With over 1,700 registered off-campus addresses, LMU receives complaints about less than two percent of the homes.

Q: Does the university provide any kind of guidelines or education to off-campus students regarding what it means to be a good neighbor?

A: Yes. LMU provides continuous education for students about community relations guidelines and policies and what it means to be a good neighbor, beginning from the moment they arrive on campus. We provide ongoing education including:

- Freshman orientation, including how to live LMU's values and reviewing community relations policies
- Online orientation for all students including five videos with quizzes on community relations policies
- Letters sent to all students outlining expectations and guidelines and numerous follow up communications if there is an incident of misconduct to remind them about LMU's community relations policies
- Hosting noise seminars for students
- Hosting LAPD open forums for students
- Working with Greek life, and specifically Greek life presidents, about off-campus misconduct
- Distributing crime notifications from LMU's Department of Public Safety
- Communicating with students before major breaks about behavioral expectations and safety concerns in neighborhood.

Important Contact Information

LAPD Dispatch

(877) 275-5273

<http://www.lapdonline.org>

LMU Public Safety

310-338-2893

www.lmu.edu/publicsafety

Report an incident online at www.lmu.edu/reportaconcern

LMU Community Relations

310-338-2759

community@lmu.edu

www.lmu.edu/community

LADOT Parking Enforcement

213-485-4184

<http://ladot.lacity.org>

Neighborhood Prosecutor

310-202-3824

claudia.martin@lacity.org

Neighborhood Council of Westchester/Playa

www.ncwpdr.org