

Equitable Building Performance Standard

Frequently Asked Questions

Ordinance Updates

Q: What does the ordinance do?

A: Building Performance Standards (BPS) are designed to improve the energy performance of existing buildings and reduce emissions through energy efficiency and electrification measures. In addition to helping the City meet its climate goals, the policy helps create healthier and more comfortable homes.

The ordinance applies to existing buildings in West Hollywood that are over 20,000 square feet. These large buildings will be required to do two things:

1. Starting in 2026, building owners will be required to report their energy use every year using a free online tool. They'll share basic info about their building, like its size and type, along with details about how much energy it uses. Owners will need to get an expert to verify their data in the first year of reporting in 2026.
2. Starting in 2028 and every 4 years thereafter, buildings will need to meet energy performance targets that get more stringent over time. By 2035, the goal is to cut building emissions by 80%.

Q: What has changed since the draft policy was released in February 2025?

A: Based on the policy feedback received from stakeholders between February and July 2025 and City Council direction in October 2025, staff revised the ordinance. Updates to the ordinance include:

- Exempting residential condominiums from meeting energy targets. These buildings would still be required to benchmark their energy use annually.
- Add flexibility for historic buildings. Historic buildings have the option to adjust their performance standards based on feasibility, with limitations imposed by the building's historic designation.
- Reducing requirements for third-party verification.

Building Owner Support

Q: How can building owners be supported to meet BPS requirements?

A: Decarbonization that treats corporate landlords and mom-and-pop landlords is not effective. As such, the City is exploring funding to offer direct subsidies and technical assistance to affordable housing providers, Community Land Trusts (CLTs), and small mom-and-pop landlords. Supportive programs could look like a HelpDesk, Retrofit Accelerator, and direct subsidies for energy improvements. Larger landlords and corporations do not require subsidies, as they have the capital to invest in decarbonization, which will increase the value of their assets; capital investments are a standard and expected part of the real estate business.

Below are programs and funding opportunities the City is exploring to support BPS implementation:

- [Southern California Regional Energy Network \(SoCalREN\)](#) offers financial incentives and technical assistance to property owners for upgrades.
- [Clean Power Alliance's Energy Team](#) helps homeowners, renters, multifamily property managers, and small business owners with everything from energy upgrade assessments

- to providing information on how to access available rebates—all at no charge.
- [Clean Power Alliance](#) offers a competitive Innovation Fund for decarbonization projects. The City applied for funds to support building owners with energy audits and retrofits and is working with CPA staff to finalize a funding agreement.
- [TECH Clean California](#) offers residential incentives to offset the purchase of water heat pumps.
- [LA County's Charge4All Program](#) provides Level 2 EV charging hardware and software installed at no cost in multifamily properties for 10 years.
- [California Low-Income Weatherization Program for Multifamily Properties](#) covers approximately 30%–100% of energy efficiency upgrades and 50%–100% of solar installations for properties with deed-restricted affordable housing or a funding commitment from a housing agency.
- [Solar On Multifamily Affordable Housing \(SOMAH\)](#) provides financial incentives for installing solar panel systems that benefit both low-income tenants and property owners throughout California.
- [California Energy Commission's Equitable Building Decarbonization Program](#) will provide decarbonization retrofits to low- and moderate-income households and offer statewide incentives for low-carbon technologies.
- [Better Buildings Financing Navigator](#): Explore funding options for energy efficiency and renewable energy projects
- [California Energy Efficiency Loans for Homes & Businesses | Go Green Financing](#) Explore projects, contractors, and lenders with great rates that upgrade homes and businesses to be more comfortable with energy-wise updates like solar + battery storage and energy-efficient appliances.
- [Incentive Lookup for Customers | The Switch Is On Incentive Finder](#) allows residential customers to search available incentives for decarbonization upgrades (heat pumps, water heaters, etc.).
- [US Green Building Council of California](#) is working with cities like West Hollywood to develop a Building Performance Hub that will offer support for building owners, residents, and contractors.

Q: What if a building can't meet its performance standard?

A: There are options for buildings that can't meet the performance targets, including an alternative compliance pathway and compliance extensions for valid challenges. The ordinance prioritizes flexibility and support over enforcement measures to ensure improvements are achievable without unfair burdens on property owners.

Building owners will have the option to submit a Building Performance Action Plan (BPAP) to the City as an alternative compliance pathway. A BPAP must detail how the building will meet the performance targets, including the proposed retrofit measures and when they will be made. BPAPs provide flexibility for rent-stabilized buildings and financially constrained buildings to propose a trajectory and plan to meet or reasonably improve their building by a specified date. BPAPs also allow building owners to plan and time building improvements with the life cycle of existing systems and appliances.

Tenant Protections

Financial

Q: How could RSO tenants be financially impacted?

A: There is currently no allowable pass-through that would capture these upgrades, and none are being proposed with this policy. However, landlords can use the Net Operating Income (NOI) application and hearing process to apply for upward rent adjustments in excess of the Annual

General Adjustment if a calculation demonstrates that they are not making a fair return on their investment at their existing rent levels. Landlords can include these energy upgrades in the expense portion of this application Any increase in the Maximum Allowable Rent (MAR) of tenants is limited strictly by formula, permitting the landlord to apply increases only to a level that would allow their net operating income to grow by sixty percent of the Consumer Price Index over the base year (generally 1983). Finally, for the first twelve (12) months following the final decision, any increase in the MAR is limited to a maximum of twelve (12) percent.

Q: How could non-RSO tenants be financially impacted?

A: Non-RSO tenants who live in units built more than 15 years ago are covered by California's Tenant Protection Act of 2019 (TPA) and cannot receive annual rent increases that exceed 5% + local CPI OR 10%, whichever is lower. Tenants who are not protected by the RSO or the TPA may receive increases reflecting the full cost of the work.

Q: How could energy bills be impacted?

A: Low-income renters have the highest energy burdens, spending an average of 6% of their income on utilities, compared to 2.2% for all households. Narrow decarbonization approaches focusing only on appliance swaps will likely worsen energy burdens. Fortunately, the City's proposed Building Performance Standard is a holistic approach that incorporates energy efficiency, which will both lower energy burdens and cut even more emissions.

Disruptions

Q: How disruptive could Building Performance Standards (BPS) work be?

A: The upgrades that are part of the BPS are entirely up to the building owner and are no different than upgrades that have been done in buildings for decades. Water heaters, space conditioning equipment, appliance replacements, and facade upgrades all routinely happen in buildings regardless of BPS ordinances. The difference is that the BPS ordinance shapes the technology selection and performance outcomes of these retrofit choices – many of which are technologies that are “smarter” than older equipment, work more efficiently than old equipment, and, in most cases, save energy. The duration of the retrofit and disturbance to the tenant depends on the scope of the retrofit, the season in which it happens, the accessibility and location of the equipment, and a range of other factors. In the vast majority of scenarios, the time of the retrofit will be no different than past retrofits for the systems affected. The difference is that these retrofits have the added benefit of working better.

Below is a table estimating the installation time for various energy-efficient measures in a unit, along with the qualitative Non-Energy Benefits:

Measure	Time to Install	Qualitative Non-Energy Benefits
Heat Pump Water Heater	Several hours	Improved indoor air quality and removal of combustion sources. Immediate comfort improvement, lower utility costs, improved water heating efficiency.
Induction Stove	Several hours	Safer cooking environment, improved indoor air quality, faster cooking times.
Heat Pump HVAC	Days to weeks (depending on system)	Added cooling if not present. Enhanced indoor air quality, year-round comfort, potential for better humidity control.
Duct Sealing	Hours to days (depending on system complexity)	Improved energy efficiency, better comfort, reduction in air contaminants.

Energy-Efficient Windows	Days to weeks (depending on the number of windows)	Enhanced comfort, noise reduction, better insulation, improved aesthetic appeal.
LED Lighting	Minutes to Hours	Immediate energy savings, longer lifespan, improved lighting quality.
Smart Thermostat	Minutes to Hours	Convenience, remote control of temperature, energy savings through automation.
Low-Flow Fixtures (showerheads, faucets)	Minutes to hours	Water conservation, lower water bills, improved water pressure control.
Ceiling Insulation	Days	Enhanced comfort, reduced energy loss, better sound insulation.

Q: How will disruption to tenants be minimized during retrofit work?

A: The City currently has the following in place to minimize disruption to tenants:

Construction Hours: For all construction projects, deliveries, loading and unloading of materials or equipment, shall not occur before to 8:00 AM or after 7:00 PM without first obtaining an extended hours construction permit. Unless approved temporarily, no construction activities on Sundays, holidays, or other days.

Mandate a right to return: Tenants who cannot safely stay in their homes during construction and are forced to relocate have the right to return to their unit at the same rental rate once the project is completed.

Establish temporary relocation fees: Property owners who must relocate tenants due to construction must provide them with comparable temporary housing within a two-mile radius, as well as a per-diem for meals, laundry, and pet accommodations where comparable facilities (ie a kitchen, washer/dryer, or allowance of pets) are not available in the unit to which they are relocated and these same services were provided in their prior unit.

Displacement

Q: What is the risk of displacement for rent-stabilized and non-rent-stabilized tenants?

A: The proposed policy may require landlords operating both rent-stabilized and non-rent stabilized properties to obtain permits for construction, which will likely trigger the creation of Tenant Habitability Plans (THPs). THPs are required when a landlord seeks permits for work that will cause uninhabitable conditions and qualifies as a remodel (defined as any improvement to more than one dwelling unit or common area within a twelve-month period that would materially increase rental value in a normal market). Additionally, landlords who have engaged in harassment of tenants within a prior twelve-month period must submit a THP in order to get permits for work of any kind.

Relocation/Eviction

Q: Are landlords required to temporarily relocate tenants during required construction work? Who pays for the relocation?

A: Yes. When a landlord is required to temporarily recover possession of a rental unit in order to comply with housing, health, building, or safety laws of the State of California or the City of West Hollywood, they must provide the tenant with relocation benefits as outlined in the Temporary Relocation Expense Schedule, which is updated annually on July 1st. Relocation benefits include hotel/motel accommodations, meal allowance, laundry allowance, and pet

accommodations. Note, the tenant remains responsible for paying the rent that is due to the landlord during the period of displacement.

The landlord is required to complete the work in the unit within three months of the start of the tenant's displacement unless the landlord can demonstrate a reasonable basis for an extension. Once displaced for more than thirty (30) days, a tenant may request rental housing comparable to their rental unit rather than a hotel. If the work lasts longer than three months, then the landlord is obligated to continue relocating the tenant at the landlord's expense for the duration of the work unless they pursue a No-Fault Eviction under the Correction of Violations provision of the code.

Q: How protected are tenants from the risk of evictions?

A: All tenants in West Hollywood are covered by eviction protections established in the City's RSO, regardless of whether their property is rent-stabilized. Under these protections, landlords may not evict tenants for renovation work unless it falls under the Correction of Violations provision in the RSO; that is, if an authorized government agency has determined that the work a) is necessary to correct a code violation, b) will last for more than three months and c) may not be performed while the unit is inhabited. Relocation benefits include hotel/motel accommodations, meal allowance, laundry allowance, and pet accommodations.

In such cases, landlords may legally terminate a tenancy but must provide relocation fees and evicted tenants the first right of refusal to return to the unit at the same maximum allowable rent (MAR) when the work is completed. Even if a tenant chooses not to return to their unit, the landlord remains subject to the same MAR under a new tenancy.

If the work lasts longer than 3 months and the landlord does not decide to pursue an eviction under the Correction of Violations provision, then the landlord is obligated to continue relocating the tenant at the landlord's expense for the duration of the work.

Q: Are landlords required to pay relocation fees for a no-fault eviction?

A: Yes. Landlords are required to pay relocation fees to tenants displaced through a no-fault eviction. These fees are intended to assist with the expected costs tenants incur from moving, including the first and last month's rent, security deposit, moving/packing expenses, displacement, and other housing costs.

If a tenant is being evicted for no fault of their own, the City refers them to counseling and listing services through a private contractor at no cost to the displaced tenant. In addition to the fee paid to tenants, property owners also pay a fee to the City to cover the costs of relocation services provided to the tenant through an outside agency.

The landlord would be required to offer the evicted tenant(s) a right of first refusal to their unit once it becomes habitable again at the same rent with allowable adjustments and relocation fees. Only if the tenant refuses the offer can the landlord then rent the unit to someone else at the same MAR as the prior tenancy.

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