

Revised Draft Tenant Anti-Harassment Ordinance – revisions in bold.

Tenant Harassment shall be defined as a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose (Code of Civil Procedure 527.6(b)(3), including but not limited to:

1. **Reducing or** eliminating housing services required by a lease, contract **or law**, including the elimination of parking services if provided in the tenant's **lease or** contract.
2. Failing to perform and timely complete necessary repairs and maintenance required by State, County or local housing, health, or safety laws or failure to follow appropriate industry standards to minimize exposure to noise, dust, lead paint, asbestos or other building materials with potentially harmful health impacts.
3. Abuse of the right of access into a rental housing unit as established and limited by California Civil Code Section 1954, **including entering or photographing portions of a rental housing unit that are beyond the scope of a lawful entry or inspection.**
4. Threatening a tenant, by word or gesture, with physical harm.
5. Misrepresenting to a tenant that the tenant is required to vacate a rental housing unit or enticing a tenant to vacate a rental housing unit through an intentional misrepresentation(s) or the concealment of a material fact.
6. **Threatening or taking action to terminate any tenancy including service of any notice to quit or other eviction notice or bringing action to recover possession of a rental housing unit based on facts which the landlord has no reasonable cause to believe to be true or upon a legal theory which is untenable under the facts known to the landlord. No landlord shall be liable under this subsection for bringing an action to recover possession unless and until the tenant has obtained a favorable termination of that action.**
7. Threatening to or engaging in any act or omission which interferes with the tenant's right to use and enjoy the rental unit or whereby the premises are rendered unfit for human habitation and occupancy.
8. Refusing to acknowledge or accept receipt of lawful rent payments as set forth in the lease agreement or as established by the usual practice of the parties.
9. Inquiring as to the immigration or citizenship status of a tenant, prospective additional tenant, occupant or prospective additional occupant of a rental unit, or requiring any of these to make any statement, representation or certification concerning his or her immigration or citizenship status.
10. Disclosing or threatening to disclose to any person or entity information regarding the immigration or citizenship status of a tenant.
11. Threatening to report tenants to immigration authorities, whether in retaliation for engaging in legally protected activities or to influence them to vacate.
12. Engaging in an activity prohibited by federal, state or local housing discrimination laws.
13. **Retaliating, threatening or interfering with tenant organizing activities, including forming or participating in tenant associations and unions.**
14. **Interfering with a tenant's right to privacy or requesting information that violates a tenant's right to privacy including, but not limited to, residence or citizenship status or social security number, except as required by law or, in the case of social security number, for the purpose of obtaining information for the qualifications for a potential tenancy.**
15. **Offering payments to a tenant to vacate without providing written notice to the tenant of his or her rights under LAMC 151.31 (Tenant Buyout Notification Program), using the form prescribed by the Housing + Community Investment Department. However, this shall not prohibit offers made in pending unlawful detainer actions.**

Date: 5/8/19
Submitted in HSE Committee
Council File No: 19-0268-SB
Item No.: 6
Deputy: Adam R. Lid

HOUSING

MOTION

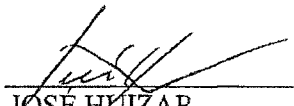
In today's growing real estate market, housing advocates are reporting an increase in harassment by landlords in order to encourage tenants to "voluntarily" move-out. The cities of San Francisco, Santa Monica, and West Hollywood have passed ordinances prohibiting various forms of harassment by landlords and their agents against tenants. Specifically, the City of Santa Monica ordinance prohibits the following acts if they are done with the intent to harass:

- Taking away services provided in the lease (such as parking, laundry, or utilities)
- Entering the apartment without proper notice
- Using lies or intimidation intended to make a tenant move out
- Giving a "three-day notice" or other eviction notice that's based on false charges, where the landlord does not intend to take the case to court
- Using fighting words or threatening bodily harm
- Refusing to do repairs that are required by law
- Intentionally disturbing a tenant's peace and quiet
- Interfering with a tenant's right to privacy
- Refusing to acknowledge receipt of a lawful rent payment


The Housing and Community Investment Department should review the tenant harassment ordinances of San Francisco, Santa Monica, West Hollywood, and any other California city and report on the feasibility of adopting a similar ordinance in Los Angeles.

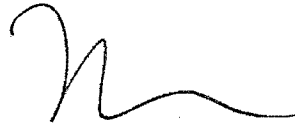
I THEREFORE MOVE that the Council direct the Housing and Community Investment Department to review the tenant harassment ordinances of San Francisco, Santa Monica, West Hollywood, and any other California city and report on the feasibility of adopting a similar ordinance in Los Angeles.

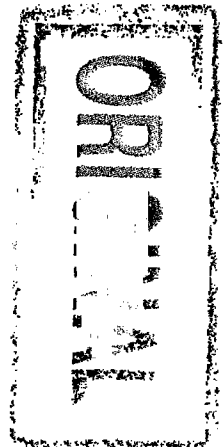
PRESENTED BY: _____


JOSÉ HUIZAR
Councilmember, 14th District

SECONDED BY: _____







FEB 27 2017

crn