

## Housing Committee Item #9 - CF 18-0462

Amend recommendation #1 to read as follows: Approve the HACLA Report dated November 16, 2018 (CF 18-0462)

Adopt recommendations #2 and #3

Add recommendations #4-6:

4) I move that the Committee recommend that City Council request the City Attorney to prepare and present a draft ordinance that makes it unlawful for any person offering for rent or lease, renting, leasing or listing any housing accommodation or any authorized agent or employee to do or attempt to do any of the following:

- a) Refuse to rent or continue to rent, a housing accommodation based upon source of income;
- b) Refuse to enter into or renew a rental agreement or housing assistance payment contract or execute any documents required to do so, based on source of income;
- c) Require any clause, condition or restriction upon a tenancy based on source of income;
- d) Refuse access to or use of a common area of facilities associated with a housing accommodation based upon source of income;
- e) Serve a notice of termination of tenancy, seek to terminate or terminate a tenancy based on source of income;
- f) Refuse to make repairs or improvements to a housing accommodation based on source of income;
- g) Deny or withhold a housing accommodation or housing service or amenity based on source of income;
- h) Apply different terms or conditions in connection with the rental of a housing accommodation based on a person's source of income;
- i) Represent the unavailability of a housing accommodation based upon a person's source of income; and
- j) Make, print or publish in any manner, any materials having to do with the rental of a housing accommodation that indicates any preference, limitation or discrimination based a person's source of income.

5) The draft ordinance should also:

- a) Define "Source of Income" to include any rental assistance subsidy or financial aid from any person whether paid directly to the program participant, landlord or representative, including but not limited to the Section 8 voucher program, the Los Angeles Homeless Services Authority's Rapid Re-Housing program or any other housing subsidy program, homeless assistance prevention program or security deposit assistance program;
- b) Provide for remedies for violation including, but not limited to civil liability and equitable relief. Civil damages may be 3 times the amount of actual damages and special damages or 3 times the amount of one month's rent for the housing accommodation at issue, whichever is higher. Attorney fees, court costs and punitive damages may also be awarded; and
- c) Provide that a violation of this ordinance shall constitute an affirmative defense for a tenant against any unlawful detainer action brought under California Code of Civil Procedure Section 1161.

6) AUTHORIZE the City Attorney to make any technical modifications and/or legal corrections to the requested draft ordinance in order to further the objectives as described in this recommendation and in accordance with current case law.

Date: 4/  
Submitted by: HSG Committee  
Council File No: 18-0462  
Item No: 9  
Deputy: Adam R. Lid