



SENT VIA EMAIL

September 24, 2019

Councilmember Mitch O'Farrell
13th District
City Hall- Room 480
200 N. Spring St.
Los Angeles, CA 90012

Eric Villanueva
City Clerk's Office
City Hall- Room 395
200 N. Spring St.
Los Angeles, CA 90012

RE: Communication regarding Council File 19-0914- Seeking HHAPP Funding for Robust Citywide Right to Counsel

The Renters' Right to Counsel Coalition ("RTCC" or "Coalition") writes to affirm our request made during public comments at the Los Angeles City Council's Homelessness and Poverty Committee meeting on Wednesday, September 4, 2019 that the City allocate a portion of the Homeless Housing, Assistance and Prevention Program (HHAPP) funding for the first year of the proposed Right to Counsel Program within the City of Los Angeles. We understand that the City is expected to receive about \$124 million dollars of HHAPP funding from the State of California. **Of this anticipated HHAPP funding, we ask that the City allocate \$7 million dollars to implement a robust Right to Counsel program.**

The Coalition consists of community-based organizations, legal services providers, and sliding scale fee-for-service legal providers.¹ Our organizations are united in seeking a Right to Counsel throughout Los Angeles County as a means to stop displacement of families, the destabilization of our community, and rising homelessness.

In support of our request, we again offer the following comments:

¹ Alliance of Californians for Community Empowerment (ACCE), Anti-Eviction Mapping Project, Basta, Inc., Bet Tzedek, Coalition for Economic Survival (CES), East LA Community Corporation, Eviction Defense Network (EDN), HEART LA, Housing Rights Center, Inquilinos Unidos (IU), Inner City Law Center, Los Angeles Community Action Network (LA CAN), Los Angeles Tenants Union (LATU), Legal Aid Foundation of Los Angeles (LAFLA), Los Angeles Center for Community Law and Action (LACCLA), Neighborhood Legal Services (NLS), OneLA, Public Counsel, People Organized for Westside Renewal (POWER), SEIU Local 721, and Strategic Actions for a Just Economy (SAJE). Many more organizations endorse the Coalition's efforts.

I. Right to Counsel in Los Angeles Needs to Implement Four Main Components.

- a. Public Education/Know Your Rights Campaign: This will better inform landlords and tenants about their rights and responsibilities.
- b. Eviction Prevention Services: These are services provided to tenants before a formal unlawful detainer eviction case is filed and are aimed at resolving landlord-tenant issues thereby eliminating the need for court interventions.
- c. Rental Assistance: Provides tenants short-term help with the rent when there is a sudden interruption in income, like an unforeseen medical expense or loss of work.
- d. Free Attorney Representation for Low-Income Households: Low-income households are individuals and families whose income is at or below 80% of the area-median income. Low-income households would receive free attorney representation if an unlawful detainer case is filed against them. Higher income households would be referred to fee-for-service providers. Only low-income households would receive subsidized services.

II. Right to Counsel Needs to be a Codified Right----No other City in the Country is doing anything other than a Right.

The Coalition supports establishment of a codified right to counsel for low-income renters in the form of free legal representation in eviction actions. If this is not a codified right, access to legal representation will be subject to political ebbs and flows. A permanent, codified right is more likely to be understood by tenants who would benefit from the right than a program. The data is clear- without representation, tenant protections that do exist will go unenforced and unprotected. A *right* to counsel will ensure that tenants' rights are upheld and exercised.

III. Evictions are a Root Cause of Homelessness.

Homelessness in the City continues to increase. Data from numerous cities shows that among families entering shelters, the most frequently cited reason for homelessness is an eviction. Almost two in every three Angelenos experiencing homelessness are experiencing homelessness for the first time.

According to the Los Angeles Homeless Service Authority, since 2000, rents in the City have increased 32% while renter incomes have fallen 3%. One-third of renters are paying over 50% of their income on housing. In Los Angeles County as a whole, Black, Latinx, and Native American tenants experience higher rates of rent burdens than White tenants. Female tenants are 22% more likely to live in a severely rent burdened household than male tenants. Evictions negatively impact the emotional, mental, and financial wellbeing of the individual, family, and community level. Keeping tenants in their existing homes, especially those subject to rent control, is a key step in shutting down the pipeline to homelessness.

IV. Right to Counsel is a Proven Intervention.

Right to Counsel prevents evictions. It is a proven mechanism policymakers across the county are introducing to stop displacement, preserve affordable housing, and keep people housed. In 2017 the New York City Council passed the first tenant right to counsel law. After one-full year of operating in twenty zip codes in New York City, 84% of tenants who had a lawyer, remained in their homes. Also, evictions filing have declined by 14% citywide, while zip codes with the Right to Counsel have accounted for 64% of the overall citywide decline in evictions.

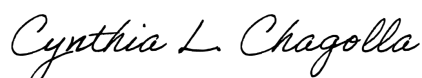
San Francisco and Newark have also implemented Right to Counsel and the number of jurisdictions with such programs continues to increase. Right to Counsel is a national movement growing throughout the country and Los Angeles must be next.

V. HHAPP Funding Request for \$7 Million Dollars.

While the City has committed \$3 million to start Right to Counsel, an initial phase needs to be funded at \$ 10 million in order to make significant impact in reducing eviction filings and stabilizing existing housing that are being realized elsewhere like in New York City. Funding at too low a level would prevent the City from seeing the potential impacts of the program. Specifically, HHAPP funding should be used to make up the difference between the current projected funding level (\$3 million) and the \$10 million needed. If no additional funding is allocated from other sources, \$7 million dollars of HHAPP funding would be needed.

Thank you for this opportunity to provide stakeholder input on how the City should prioritize and expend HHAPP funding.

Sincerely,



Cynthia L. Chagolla

Bet Tzedek Legal Services

On behalf of the Right to Counsel Coalition

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