

REVISED

File No. 14-0268-S13

HOUSING COMMITTEE REPORT relative to an Ordinance adding Article 5.3 to the Los Angeles Municipal Code (LAMC) to establish an Anti-Harassment of Tenant Ordinance, adding Section 151.33 to incorporate these protections in the Rent Stabilization Ordinance (RSO), and amending Section 151.10(B) relating to penalties.

Recommendations for Council action:

1. REQUEST the City Attorney to prepare and present an Ordinance that incorporates the following amendments into the proposed ordinance to establish an Anti-Harassment of Tenant Ordinance:
 - A. Amend Section 45.33 as follows: “Tenant Harassment shall be defined as a landlord's knowing and willful course of conduct directed at a specific tenant or tenants that causes detriment or harm, and that serves no lawful purpose, including, but not limited to the following actions:”
 - B. Amend Section 45.33(2) as follows: “Failing to perform and timely complete necessary repairs and maintenance required by Federal, State, County, or local housing, health, or safety laws; or failure to follow applicable industry standards to minimize exposure to noise dust, lead paint, asbestos, or other building materials with potentially harmful health impacts.”
 - C. Insert the following as a new subsection after Section 45.33(4): “Attempting to coerce the tenant to vacate with offers(s) of payments.”
 - D. Insert the following as a new subsection after Section 45.33(10): “Disclosing or threatening to disclose information about a tenant to any government entity for engaging in legally protected activities or to influence them to vacate.”
 - E. Insert the following as a new subsection after Section 45.33(13): “Other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of a tenant(s) and that cause, are likely to cause, or are committed with the objective to cause a tenant(s) to surrender or waive any rights in relation to such tenancy.”
 - F. Amend Section 45.35(A) as follows: “An aggrieved tenant under this article, or any person, organization, or entity who will fairly and adequately represent the interests of an aggrieved tenant(s) under this article, may institute civil proceedings as provided by law, against any landlord violating any of the provisions of this article and any person who aids, facilitates, and/or incites

another to violate the provisions of this article, regardless of whether the rental unit remains occupied or has been vacated due to harassment.”

- G. Insert the following as a new subsection after Section 45.35(C): “Any landlord violating any of the provisions of this article, and any person who aids, facilitates, and/or incites another to violate the provisions of this article may be enjoined therefrom by any court of competent jurisdiction.”
 - H. Amend Section 45.35(E) as follows: “**Landlord Notice.** A civil proceeding or small claims case initiated under this article alleging any violation of Sec. 45.33 (2) may be commenced only after the tenant provides written notice to the landlord of the alleged violation, and the landlord fails to remedy the repair or maintenance issue within a reasonable period of time.”
 - I. Insert the following as a new subsection after Section 43.36(B): “It shall be a misdemeanor to attempt to interfere with the peaceful enjoyment, use, possession or occupancy of any premises by the lawful lessee or tenant of such premises either by threat, fraud, intimidation, coercion, duress, or by the maintenance or toleration of a public nuisance, or by cutting off heat, light, water, fuel or free communication by anyone by mail, telephone or otherwise, or by restricting trade or tradesmen from or to any such tenant. This subsection shall not apply to a duly authorized officer pursuant to the authority of legal process.”
 - J. Insert the following as a new section after Section 45.36 entitled RENT ADJUSTMENT PENALTY: Any rental unit subject to the Rent Stabilization Ordinance of the City of Los Angeles which becomes vacant as a result of a violation of any provision of this article shall only be permitted to be rented at the lawful rent in effect at the time of the most recent termination of tenancy.
2. INSTRUCT the Los Angeles Housing and Community Investment Department (HCIDLA) to implement an informational campaign, working with landlord and tenant organizations, to inform tenants about the Ordinance when it becomes effective, including disseminating information in the most commonly used languages used in the City, and in languages predominantly used by tenants.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst (CLA) have completed a financial analyst of this report.

Community Impact Statement: Yes.

For:

Los Feliz Neighborhood Council

Mar Vista Community Council

SUMMARY:

At a regular meeting held on April 14, 2021 the Housing Committee virtually considered a City Attorney report and Ordinance relative to adding Article 5.3 to the LAMC to establish an Anti-Harassment of Tenant Ordinance, adding Section 151.33 to incorporate these protections in the RSO, and amending Section 151.10(B) relating to penalties. Councilmembers of the Committee provided comments in reference to their proposed amendments to the Ordinance, attached to the Council file. Representatives from the City Attorney's office provided comments in relation to the Ordinance and proposed amendments as well. The Chair made a verbal recommendation to request the City Attorney to draft language that incorporates both sets of proposed amendments, attached to the Council file, to the Ordinance. After providing an opportunity for public comment, the Committee approved as amended the City Attorney report and Ordinance, as detailed in this paragraph.

At a regular meeting held on May 26, 2021 the Housing Committee virtually reconsidered City Attorney reports and Ordinance relative to the above mentioned additions to the LAMC. After providing an opportunity for public comment the CLA read verbal amendments from the Chair into the record and Councilmembers of the Committee provided questions and comments in reference to the proposed amendments. Representatives from the City Attorney's office provided additional comments in relation to the Ordinance and proposed amendments. After providing an opportunity for public comment the Committee voted to approve the verbal amendments as read by the CLA. The Chair then personally made an additional verbal recommendation to request the HCIDLA to implement an informational campaign relative to the Ordinance. The Committee then voted on the item again to incorporate the additional verbal recommendation into the amendments. The final action of the Committee was to approve as amended the City Attorney report and Ordinance with instructions for the City Attorney to amend the Ordinance based on the recommendations read into the record by the CLA and to instruct the HCIDLA to implement a campaign as verbally stated by the Chair, as detailed above in the recommendations. This matter is now transmitted to Council for its consideration.

Respectfully submitted,

HOUSING COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
CEDILLO	YES
RAMAN	YES
HARRIS-DAWSON	YES
KREKORIAN	ABSENT
LEE	YES

KK 5-26-21

-NOT OFFICIAL UNTIL COUNCIL ACTS-