

HOUSING COMMITTEE REPORT relative to the feasibility of enacting a right to counsel Ordinance and/or program to ensure that tenants have access to information and the representation they need when faced with alleged landlord harassment, rental agreement and lease issues, and eviction.

Recommendation for Council action, pursuant to Motion (Koretz - Wesson):

INSTRUCT the Los Angeles Housing and Community Investment Department (HCIDLA) to work with the Chief Legislative Analyst (CLA) and the City Attorney to develop, within 120 days, recommendations, including prospective costs and funding sources, for a City of Los Angeles right to council Ordinance and/or program to ensure that tenants have access to the information and representation they need when faced with alleged landlord harassment, rental agreement and lease issues, and eviction for any reason.

Fiscal Impact Statement: Neither the City Administrative Officer nor the CLA has completed a financial analysis of this report.

Community Impact Statement: Yes

For:

Eagle Rock Neighborhood Council
Greater Echo Park Elysian Neighborhood Council
Greater Cypress Park Neighborhood Council
Historic Highland Park Neighborhood Council
Los Feliz Neighborhood Council

Summary:

On August 8, 2018, your Committee considered a Motion (Koretz - Wesson) relative to the feasibility of enacting a right to counsel Ordinance and/or program to ensure that tenants have access to information and the representation they need when faced with alleged landlord harassment, rental agreement and lease issues, and eviction. According to the Motion, in recent research published by Tenants Together, a statewide tenants' advocacy group, court records show an average of 166,337 unlawful detainer eviction cases filed per year over the last three years in California, with an average of 54,239 of them in Los Angeles County. The number for the City of Los Angeles was not broken out, but could be credibly estimated at around 60 percent, or 30,000. This average annualized figure is considerably higher than the number of units subject to Ellis Act evictions reported by the HCIDLA, presumably because it includes other categories of evictions.

With the 2018 Homeless Count showing nearly 10,000 people experiencing homelessness for the first time, it can be reasonably concluded that the combined impacts of evictions and rental housing unaffordability are contributing substantially to the homelessness crisis in Los Angeles. As the aforementioned report notes:

The data represents the tip of the iceberg when it comes to displacement. Most evictions do not go through the court process since landlords give eviction notices prior to the filing

of unlawful detainer eviction lawsuits. Tenants who are served with this first notice to terminate tenancy know that they have limited rights and limited access to legal representation. In many cases, landlords serve a notice and tenants just move out. For every tenant facing a court filed eviction, there are others displaced from their homes who do not show up in court filing data because they moved by the end of the notice period. Currently, there is no statewide data on the number of notices to terminate tenancy served on tenants because California law does not require those notices to be filed with any government agency.

In addition to calling for further tracking of eviction notices, not just court filings, tenant advocates and academic observers are promoting increased statewide protections for tenants (several of which stalled or were defeated in the state legislature during the current term) and a basic "right to counsel" to ensure that legal counsel is available for tenants facing eviction. A right to counsel law was approved by voters in San Francisco in June 2018, and New York City adopted such a law in 2017. Because the rental housing crisis exists throughout California, the state should be encouraged to provide this protection to all tenants who need it, but in the meantime, the City should act to provide the right to counsel as soon as possible for the 60 percent-plus of its residents who are renters. After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the Motion as detailed in the above recommendation. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

HOUSING COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
CEDILLO:	YES
KREKORIAN:	YES
HARRIS-DAWSON:	YES

ARL
8/8/18

-NOT OFFICIAL UNTIL COUNCIL ACTS-