

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: January 29, 2020

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso 
Chief Legislative Analyst

Assignment No: 19-11-1025

SUBJECT: Proposed Housing Legislation for Inclusion in the City's State and Federal Program for Fiscal Year 2019-2020

CLA RECOMMENDATION:

That the City Council, subject to concurrence of the Mayor, adopt the attached resolutions to include the following in the 2019-2020 State and Federal Legislative Programs:

1. SUPPORT for the protection and continuation of the new rule for implementing the Affirmatively Furthering Fair Housing (AFFH) obligation for local jurisdictions under the Fair Housing Act of 1968, with improved technical and implementation resources (Attachment A);
2. SUPPORT for the Fair Housing Improvement Act of 2019, which would amend the Fair Housing Act to prohibit discrimination based on source of income, veteran status, or military status (Attachment B);
3. SUPPORT for the Affordable Housing Credit Improvement Act, which would expand the Low Income Housing Tax Credit by 50 percent over five years and make reforms to enable deeper targeting in the Tax Credit Program (Attachment C);
4. SUPPORT for the Affordable Housing and Economic Mobility Act, which would increase funding for the National Housing Trust Fund for affordable housing development; provide homeowners with down payment assistance and mortgage aid; invest \$10 billion into a new competitive grant that communities can use to build infrastructure, parks, roads, or schools; invest \$2 billion to support borrowers with negative equity on their mortgages in certain communities, and strengthen anti-discrimination laws (Attachment D);
5. SUPPORT for the Fair and Equal Housing Act of 2019, which would extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity (Attachment E);
6. SUPPORT for legislation that allows the City to impose additional regulations or provisions on the Ellis Act, such as a statute or ordinance requiring an owner to wait up to ten years to relist a property that has been "Ellised," limits the ability of speculators and

- new property owners to immediately “Ellis” a building, and /or provides greater notification and relocation assistance for tenants facing eviction (Attachment F);
7. SUPPORT for legislation that enhances and/or protects the Cap & Trade program and OPPOSITION to any legislation that reduces or diverts funding for the AHSC Program from Cap & Trade auction proceeds (Attachment G);
 8. SUPPORT for legislation that establishes redevelopment or similar community development programs with a tax increment component that include a requirement that a minimum 30 percent of all tax revenue to be dedicated for affordable housing, protections for existing RSO housing stock, and required relocation assistance for tenants in non-RSO units (Attachment H);

9. SUPPORT for legislation that mandates superior courts to share annual eviction data with city or county housing departments, particularly in cities or counties with Rent Stabilization Ordinances, Right to Council/Eviction Defense programs and/or other similar initiatives to prevent widespread displacement, with a requirement that data contain information on all sealed and unsealed unlawful detainers and include plaintiff names, addresses of premises, the cause stated in the notice in the case that there are stipulations, and the outcome of the case (Attachment I).

SUMMARY:

The Housing and Community Investment Department (HCID) has submitted recommendations of legislative proposals for inclusion in the City’s 2019-2020 State and Federal Legislative programs. Upon review, the CLA recommends that the City Council support these proposals and adopt the necessary resolutions to pursue legislation on these matters. The subjects of HCID’s proposals are rent relief for low-income households, affirmatively furthering fair housing, grant funding for housing and related services for homeless individuals, and funding for housing development.

BACKGROUND:

The City of Los Angeles is experiencing a severe housing affordability crisis. Approximately 721,000 Angelenos are severely rent-burdened, spending more than 50 percent of their income on housing, and the median rent in Los Angeles County has increased 32 percent while the median renter’s income has fallen 3 percent. The crisis can be largely attributed to a declining housing stock and real estate values increasing at a pace faster than job and wage growth. According to the Los Angeles Homeless Services Authority’s presentation on their 2019 Homeless Count, which was last updated in August of 2019; insufficient affordable housing supply, stagnant wages, and increasing housing costs all contributed to a 16 percent increase in homelessness in the City of Los Angeles over the course of the past year.

In response to the Council President and Mayor’s Office request for legislative proposals to seek and sponsor State and Federal legislation, HCID submitted proposals for consideration in a memorandum dated November 1, 2019 that identifies five Federal legislative priorities and four State legislative priorities for the FY 2019-2020 State and Federal Legislative Program:

- A. Repealing the Housing and Urban Development Department’s (HUD) Suspension of the New Affirmatively Further Fair Housing Rule
- B. Expanding Fair Housing Protections to Prohibit Discrimination on the Basis of Income, Veteran Status, or Military Status

- C. The Affordable Housing Credit Improvement Act
- D. The American Housing and Economic Mobility Act
- E. Expanding Fair Housing Protections to Prohibit Discrimination on the Basis of Sexual Orientation or Gender
- F. The Ellis Act Proposals Package
- G. The Cap & Trade Program
- H. Redevelopment
- I. Eviction Data

Federal Proposals

A. Repealing the Housing and Urban Development Department's (HUD) Suspension of the New Affirmatively Further Fair Housing Rule

The U.S. Department of Housing and Urban Development's (HUD) new rule for implementing the Affirmatively Furthering Fair Housing (AFFH) obligation for local jurisdictions under the Fair Housing Act of 1968 establishes the use of an Assessment Tool for jurisdictions to develop and complete their Assessment of Fair Housing (AFH) Plans for submission to HUD. The City of Los Angeles successfully completed its Assessment of Fair Housing in November of 2017 using the Local Government Assessment Tool. However, after rejecting 35 percent of the AFH Plans submitted by 49 cities and counties, HUD decided to delay the implementation of the AFH Rule by suspending any acceptance, deemed acceptance, and non-acceptance responses for AFH submissions on the basis that localities need more technical assistance to comply with the rule. While the AFFH Rule could be improved, it is more engaged and data-driven and provides more guidance than the previous rule, the Analysis of Impediments to Fair Housing Choice (AI) requirement. HCID maintains that rather than reverting backward to the use of the AI Rule, HUD should provide more comprehensive resources such as technical assistance and implementation guidance for cities and counties to implement the AFFH rule. Attachment A is a resolution to include in the City's 2019-2020 Federal Legislative Program SUPPORT for the protection and continuation of the final Affirmatively Furthering Fair Housing Rule, with improved technical and implementation resources.

B. Expanding Fair Housing Protections to Prohibit Discrimination on the Basis of Income, Veteran Status, or Military Status

There is data-driven evidence of widespread rejection for rental applicants who receive Section 8 vouchers in Los Angeles. That source of income has the potential to be used as a proxy for race or familial status, and is thus a pretext for demographic discrimination. Additionally, according to the annual homeless count conducted in January of 2019, there are 3,878 veterans who lack a "fixed, regular or adequate place to sleep" on any given night in Los Angeles County, which indicates that the number of homeless veterans remained stagnant in the year 2018. However, source of income, veteran status, and military status are not currently included in the protected classes of the Fair Housing Act, which include race, color, national origin, religion, sex, disability, or familial status. The Fair Housing Improvement Act of 2019 (Peters) proposes to add source of income, veteran status, and military status to the Fair Housing Act's protected classes. The legislation is parallel to California State laws, such as SB 329 and SB 322, in addition to Los Angeles City's adopted Section 8 source of income protection ordinance. Attachment B is a resolution to include in the City's 2019-20 Federal Legislative Program SUPPORT for the Fair Housing Improvement Act of 2019.

C. The Affordable Housing Credit Improvement Act

The primary source of financing for the construction and preservation of affordable housing in the City of Los Angeles is the Low Income Housing Tax Credit (LIHTC), which is administered through state

housing agencies and provides federal tax credits to support construction or rehabilitation of 100,000 affordable housing units per year. However, the LIHTC program currently falls short of meeting its potential to support fair access to housing for people of color, which is a goal that State agencies must advance as part of their legal obligation under the federal Fair Housing Act to affirmatively further fair housing. The Affordable Housing Credit Improvement Act (AHCIA) would both expand the Housing Credit by 50 percent over five years for developments that set aside at least 20 percent of units for households with extremely low incomes or that are living in poverty. It would also set a permanent four percent credit rate floor for acquisition and bond-financed projects. Also, introducing income averaging would provide developers with a greater level of subsidy and assurance for their projects. Therefore, AHCIA would help to support those populations in the City of Los Angeles most vulnerable to housing instability and aid in the City's efforts to reduce and prevent further homelessness. Attachment C is a resolution to include in the City's 2019-20 Federal Legislative Program SUPPORT for the Affordable Housing Credit Improvement Act (AHCIA).

D. The American Housing and Economic Mobility Act

The National Housing Trust Fund (NHTF), which was enacted as part of the Housing and Economic Recovery Act of 2008, is the first new housing resource since 1974 targeted to building, rehabilitating, preserving, and operating rental housing for extremely low-income households. The American Housing and Economic Mobility Act increases the investment in the NHTF to \$445 million in order to address the affordable housing shortage, resulting in 2.1 million homes for low income families, in addition to investing \$4 billion in a new Middle-Class Housing Emergency Fund. The bill provides down payment assistance to communities historically denied mortgages by the government, including first-time homebuyers living in formerly redlined or officially segregated areas, as well as investing \$2 billion to support borrowers with negative equity on their mortgages in certain communities. Additionally, the American Housing and Economic Mobility Act invests \$10 billion into a new competitive grant that communities can use to build infrastructure, parks, roads, or schools and prohibits housing discrimination based on sexual orientation, gender identity, marital status, veteran status, and source of income. The legislation aligns with a number of State legislative bills recently signed by Governor Newsom that provide housing stability for vulnerable populations, in addition to addressing several affordability challenges for Los Angeles. Attachment D is a resolution to include in the City's 2019-20 Federal Legislative Program SUPPORT for the Affordable Housing and Economic Mobility Act.

E. Expanding Fair Housing Protections to Prohibit Discrimination on the Basis of Sexual Orientation or Gender

On any given night, at least 8,900 LGBTQ individuals age 24 and under experience homelessness in Los Angeles County. Therefore, it is important that the LGBTQ community be recognized as a segment of the population in need of protection from housing discrimination, at all levels of government, to reduce and prevent further homelessness. The Fair and Equal Housing Act of 2019 (Schneider) proposes to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity. The proposed change aligns with the City's adopted 2017 Assessment of Fair Housing Plan, which identifies fair housing issues and develops strategies to reduce existing barriers throughout the City. Attachment E is a resolution to include in the City's 2019-2020 Federal Legislative Program SUPPORT for the Fair and Equal Housing Act of 2019.

State Proposals

F. The Ellis Act Proposals Package

Under the "Ellis Act" (Government Code Section 7060), a large developer can acquire rent control housing and evict tenants in order to replace the units with high-rent luxury housing. From 2001 to 2018, 24,021 units in the City of Los Angeles have been removed from the rental market through the Ellis Act, and landlords and developers have filed Ellis Act declarations to evict tenants from over 25,000 units within the City of Los Angeles since 2001, with 1,718 of such declarations having been filed in the 2018 calendar year alone. The prospect of increased profitability in today's housing market is creating pressure to remove units from the RSO using Ellis, and the City therefore must ensure that all tenants and landlord rights and responsibilities are adhered to and that possible loopholes in the Ellis Act are closed to protect tenants, the older housing stock, and neighborhood stability. Unsuccessful legislative proposals from previous years would have allowed public entities to pass a statute or ordinance requiring an owner to wait up to 10 years to relist a property that has been "Ellised," prohibited property owners who have owned their rental units less than 5 years from converting or removing housing accommodations from the rental market, and extended the notice requirement for all tenants. Attachment F is a resolution to include in the City's 2019-20 State Legislative Program SUPPORT for legislation that allows the City to impose additional regulations or provisions on Ellis Act properties, such as a statute or ordinance requiring an owner to wait up to ten years to relist a property that has been Ellised, limits the ability of speculators and new property owners to immediately "Ellis" a building, and /or provides greater notification and relocation assistance for tenants facing eviction.

G. The Cap & Trade Program

The Affordable Housing and Sustainable Communities (AHSC) Program is a program developed and implemented by HCID that provides affordable housing loans and capital grants for the creation of affordable housing in conjunction with transportation improvements. SB 862, which was enacted into law in 2014, created the AHSC Program and instituted a 20 percent allocation for Cap & trade proceeds to AHSC, which resulted in the release of over \$400 million for affordable housing projects in the first two years following the program's implementation. The City of Los Angeles has secured \$118.8 million in AHSC funding for 17 projects, creating 1,425 units of affordable housing and making critical improvements to its transportation network to reduce vehicle miles traveled. The City of Los Angeles has demonstrated success in competing for AHSC funds and intends to compete for AHSC funding annually. Therefore, it is imperative for the City to continue to closely track any potential Cap & Trade related legislation that would seek to divert or eliminate funding from Cap & Trade proceeds. Attachment G is a resolution to include in the City's 2019-20 State Legislative Program SUPPORT for legislation that enhances and/or protects the Cap & Trade program and OPPOSITION to any legislation that reduces or diverts funding for the AHSC Program from Cap & Trade auction proceeds.

H. Redevelopment

California's redevelopment program was the largest funder of affordable homes in the State after the Federal Government, and the City of Los Angeles's only locally generated source of affordable housing finance, until Governor Brown dissolved all redevelopment agencies in 2011. Since the program's dissolution, more than \$15 billion that could have been used by redevelopment agencies for affordable housing development has been diverted, with only \$6 billion going back to local governments. Los Angeles has lost approximately \$50 million per year that would have been provided by the redevelopment program's tax increment funding for affordable housing. Assemblyman David Chiu introduced AB 11 in December of 2018 to create a new version of the redevelopment program

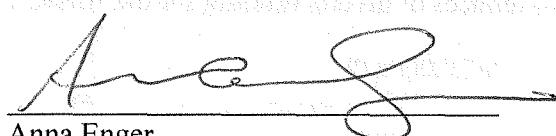
that would focus on affordable housing and infrastructure, rather than economic development projects, in order to promote sustainability and prevent incidences of waste and abuse similar to those which emerged under the program prior to its dissolution. Governor Newsom did not sign AB 11 with the justification that his Office's preference is to improve how local governments plan for new housing before committing to an ongoing source of new money. A severe lack of funding for affordable housing strains the City of Los Angeles's capacity to properly plan for the unprecedented development goal, and thus it is critical that the State government commit to an ongoing source of new funding without further delay. Attachment H is a resolution to include in the City's 2019-20 State Legislative Program SUPPORT for legislation that establishes redevelopment or similar community development programs with a tax increment component that includes a requirement that a minimum 30 percent of all tax revenue to be dedicated for affordable housing, protections for existing RSO housing stock, and required relocation assistance for tenants in non-RSO units.

I. *Eviction Data*

Existing legal and bureaucratic barriers in the State of California prevent the City of Los Angeles from accessing data on the number and locations of evictions occurring in the City. Moreover, stakeholders that help to inform policies; such as advocacy organizations, fair housing groups, legal service providers, and academic researchers; are also unable to access this data. The City cannot design, implement, or measure the impact of a targeted and informed eviction-defense program without accurate eviction data. Therefore, as the City Council considers a Right to Council ordinance and other strategies for limiting displacement, it is vital that local agencies such as the Housing and Community Investment Department (HCID) gain access to data on the frequency, locations, and causes of evictions throughout the City. Attachment I is a resolution to include in the City's 2019-20 State Legislative Program SUPPORT legislation that mandates superior courts to share annual eviction data with city or county housing departments, particularly in cities or counties with Rent Stabilization Ordinances, Right to Council/Eviction Defense programs, and/or other similar initiatives to prevent widespread displacement, with a requirement that data contain information on all sealed and unsealed unlawful detainers and include plaintiff names, addresses of premises, the cause stated in the notice in the case that there are stipulations, and the outcome of the case.

DEPARTMENTS CONTACTED:

Housing and Community Investment Department



Anna Enger
Analyst

Attachments A-I: Resolutions

ATTACHMENT A

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) published its Affirmatively Furthering Fair Housing (AFFH) final rule for implementing the Fair Housing Act of 1968's obligation for jurisdictions receiving federal funds for housing and urban development to affirmatively further fair housing in July of 2015, which encourages a more engaged and data-driven approach to assess fair housing and planning by establishing the use of an Assessment Tool for local jurisdictions to develop and complete their Assessment of Fair Housing (AFH) Plans for submission to HUD; and

WHEREAS, the Housing and Community Investment Department (HCID) and the Housing Authority of the City of Los Angeles (HACLA) successfully completed the City of Los Angeles's Assessment of Fair Housing in November of 2017, which included a robust set of goals and strategies approved by both the City Council and the Mayor; and

WHEREAS, after rejecting 35 percent of the AFH Plans submitted by 49 cities and counties, HUD decided to delay implementation of the AFH Rule by suspending any acceptance, deemed acceptance, and non-acceptance responses for AFH submissions on the basis that localities need more technical assistance to comply with the rule; and

WHEREAS, the City of Los Angeles and other proponents of the AFFH Rule consider the AFH to be a viable tool for addressing socioeconomic inequality, local policy issues, systemic deficiencies, and programmatic malfunctions that impact those who are members of a protected class; and

WHEREAS, the creation of goals and strategies as part of the AFH Plan are meant to serve as a policy guide for the City of Los Angeles, and guided development of the 2018-2023 Consolidated Plan; and

WHEREAS, while the new AFFH Rule may have room for improvement, the rule and the Assessment Tool provided more guidance to local jurisdictions than any of the resources provided under the previous rule, the Analysis of Impediments to Fair Housing Choice (AI) requirement; and

WHEREAS, adequate technical assistance and robust data tracking and reporting are essential to designing effective social housing policy, and the new AFFH Rule provides motivation for local jurisdictions to seek out technical assistance and development; and

WHEREAS, rather than reverting to the use of the previous rule, HUD should provide more comprehensive resources such as technical assistance and implementation guidance for cities and counties;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 Federal Legislative Program SUPPORT for the protection and continuation of the final Affirmatively Furthering Fair Housing Rule, with improved technical and implementation resources.

ATTACHMENT B

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Fair Housing Act of 1968 requires that jurisdictions take actions to undo historic patterns of segregation and other types of discrimination, as well as to take actions to promote fair housing choice and to foster inclusive communities; and

WHEREAS, the protected classes of the Fair Housing Act are race, color, national origin, religion, sex, disability, or familial status, but the Fair Housing Improvement Act of 2019 (S. 1986, Kaine) proposes to amend the Fair Housing Act to prohibit discrimination based on source of income, veteran status, or military status; and

WHEREAS, the Fair Housing Improvement Act is parallel to recently signed California state laws, such as SB 329, which makes it unlawful for any housing owner to discriminate based on one's source of income, and SB 322, which adds "military and veteran status" to the list of characteristics protected against housing discrimination in the Fair Employment and Housing Act (FEHA) and defines the Veterans Affairs Supportive Housing (VASH) voucher as a source of income, and is also parallel to Los Angeles City's adopted Section 8 source of income protection ordinance; and

WHEREAS, according to the annual homeless count conducted in January of 2019, there are 3,878 veterans who lack a "fixed, regular or adequate place to sleep" on any given night in Los Angeles County, which indicates that the number of homeless veterans remained stagnant in the year 2018; and

WHEREAS, source of income has the potential to be used as a proxy for race or familial status, and could be thus a pretext for demographic discrimination; and

WHEREAS, a study published in 2018 indicates that 76 percent of Los Angeles County landlords with units affordable to Section 8 tenants still refuse to accept vouchers, which serves as evidence that source of income discrimination is a serious obstruction to the effectiveness of housing rental vouchers in fulfilling their intended purpose; and

WHEREAS, the Fair and Equal Housing Act of 2019 would make the protections provided for vulnerable populations by existing State and City measures stronger and potentially more effective by extending to the protections to all three levels of government;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 Federal Legislative Program SUPPORT for the Fair Housing Improvement Act of 2019, which would amend the Fair Housing Act to prohibit discrimination based on source of income, veteran status, or military status.

ATTACHMENT C

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, Los Angeles faces a severe wage deficit, which poses a challenge for workers to afford rental rates within the city, and the Low Income Housing Tax Credit (LIHTC) program can potentially expand low-income families' access to rental housing, in addition to contributing to the revitalization of low-income neighborhoods; and

WHEREAS, research conducted by the National Low Income Housing Coalition (NLIHC) indicates that for every 100 extremely low-income households, there are just 35 available affordable housing units, and one of the largest barriers to increasing the supply of affordable housing for extremely low-income households is an urgent need for additional deep subsidies to remain financially sustainable; and

WHEREAS, the LIHTC, which is administered through state housing agencies and provides federal tax credits to support construction or rehabilitation of 100,000 affordable housing units per year, is the primary source of financing for the construction and preservation of affordable housing in the City of Los Angeles; and

WHEREAS, the LIHTC program falls short in its current state of meeting its potential to support fair access to housing for people of color, which is a goal that State agencies must advance as part of their legal obligation under the federal Fair Housing Act to affirmatively further fair housing; and

WHEREAS, the Affordable Housing Credit Improvement Act (AHCIA) would both expand the Housing Credit by 50 percent over five years for developments that set aside at least 20 percent of units for households with extremely low incomes or that are living in poverty, thereby increasing the investment of housing credits and helping housing developments remain financially sustainable while serving families with limited means; and

WHEREAS, the AHCIA would also set a permanent four percent credit rate floor for acquisition and bond-financed projects and introduce income averaging to provide developers with a greater level of subsidy and assurance for their projects, thereby reducing volatility and increasing security and help the program to reach a wider range of families in the City of Los Angeles; and

WHEREAS, the 50 percent credit expansion would also potentially increase investments in the City's "Difficult to Develop" Areas and provide additional geographic opportunities for affordable housing developments;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 Federal Legislative Program SUPPORT for the Affordable Housing Credit Improvement Act (AHCIA), which would expand the Low Income Housing Tax Credit (LIHTC) by 50 percent over five years and make reforms to enable deeper targeting in the LIHTC Program.

ATTACHMENT D

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the National Housing Trust Fund (NHTF) is the first new housing resource since 1974 targeted to building, rehabilitating, preserving, and operating rental housing for extremely low-income households; and

WHEREAS, the American Housing and Economic Mobility Act (S. 787, Warren) increases the investment in the NHTF to \$445 million in order to address the affordable housing shortage, which could result in 2.1 million homes for low income families, in addition to investing \$4 billion in a new Middle-Class Housing Emergency Fund, which would support housing construction for middle-class buyers and renters in places where there is a supply shortage and housing costs are rising faster than incomes; and

WHEREAS, the bill provides down payment assistance to communities historically denied mortgages by the government, including first-time homebuyers living in formerly redlined or officially segregated areas, and would invest \$2 billion to support borrowers with negative equity on their mortgages in certain communities; and

WHEREAS, the bill also creates needed incentives for local governments to eliminate unnecessary land use restrictions by investing \$10 billion into a new competitive grant that communities can use to build infrastructure, parks, roads, or schools; and

WHEREAS, the legislation also prohibits housing discrimination based on sexual orientation, gender identity, marital status, veteran status and source of income, thereby strengthening anti-discrimination laws and improving the housing voucher program; and

WHEREAS, Los Angeles is experiencing a dire housing need and homelessness crisis, and the provisions of the bill offer a wider entrance into housing options that are not currently available to many households; and

WHEREAS, California has lost lower-income residents to other states over a recent 11-year period while gaining wealthier households, and has a compounded annual growth rate in median home price of nearly 10 percent since 2012; and

WHEREAS, the bill aligns with a number of State legislative bills recently signed by Governor Newsom that provide housing stability for vulnerable populations;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 Federal Legislative Program SUPPORT for the Affordable Housing and Economic Mobility Act (S. 787, Warren), which would increase funding for the National Housing Trust Fund for affordable housing development; provide homeowners with down payment assistance and mortgage aid; invest \$10 billion into a new competitive grant that communities can use to build infrastructure, parks, roads, or schools; invest \$2 billion to support borrowers with negative equity on their mortgages in certain communities; and strengthen anti-discrimination laws.

ATTACHMENT E

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Fair Housing Act of 1968 requires that jurisdictions take actions to undo historic patterns of segregation and other types of discrimination, as well as to take actions to promote fair housing choice and to foster inclusive communities; and

WHEREAS, the protected classes of the Fair Housing Act are race, color, national origin, religion, sex, disability, or familial status, but the Fair and Equal Housing Act of 2019 (H.R. 2402, Schneider) proposes to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity; and

WHEREAS, the proposed change aligns with the City's adopted 2017 Assessment of Fair Housing Plan, which identifies fair housing issues and develops strategies to reduce existing barriers throughout the City; and

WHEREAS, an estimated 1 in 5 transgender individuals have experienced homelessness at some point in their lives; and

WHEREAS, research indicates that LGBTQ young adults in the United States have a 120 percent higher risk of reporting homelessness compared to those who identify as heterosexual and cisgender; and

WHEREAS, according to a Point-in-Time homeless count released in June of 2019, at least 8,900 LGBTQ individuals age 24 and under experience homelessness in Los Angeles County on any given night, and thus it is important that the LGBTQ community be recognized as a segment of the population in need of protection from housing discrimination to reduce and prevent further homelessness;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 Federal Legislative Program SUPPORT for the Fair and Equal Housing Act of 2019 (H.R. 2402, Schneider), which would extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity.

ATTACHMENT F

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, under the "Ellis Act" (Government Code Section 7060), a large developer can acquire rent control housing and subsequently evict tenants in order to replace the units with high-rent luxury housing; and

WHEREAS, from 2001 to 2018, 24,021 units in the City of Los Angeles have been removed from the rental market through the Ellis Act, and the trend of Ellis removals increased by 300 percent from 2013 to 2014 and 30 percent from 2015 to 2016; and

WHEREAS, landlords and developers have filed Ellis Act declarations to evict tenants from over 25,000 units within the City of Los Angeles since 2001, with 1,718 of such declarations having been filed in the 2018 calendar year alone; and

WHEREAS, in recent years, 60 percent of "Ellised" properties in Los Angeles are vacant, which may indicate that some owners are circumventing Ellis requirements intended to protect tenants and thus points to a need to protect the Rent Stabilized housing stock, as well as affected tenants; and

WHEREAS, the prospect of increased profitability in today's housing market is creating pressure to remove units from the RSO using Ellis, and the City therefore must ensure that all tenants and landlord rights and responsibilities are adhered to and that possible loopholes in the Ellis Act are closed to protect tenants, the older housing stock and neighborhood stability; and

WHEREAS, in order to close possible loopholes in the Ellis Act, it should be amended to provide additional local control, impose additional requirements on new owners, and provide additional protections and notification requirements for tenants; and

WHEREAS, unsuccessful legislative proposals from previous years would have allowed public entities to pass a statute or ordinance requiring an owner to wait up to 10 years to relist a property that has been "Ellised," prohibited property owners who have owned their rental units less than 5 years from converting or removing housing accommodations from the rental market, and extended the notice requirement for all tenants;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 State Legislative Program SUPPORT for legislation that allows the City to impose additional regulations or provisions on the Ellis Act, such as a statute or ordinance requiring an owner to wait up to ten years to relist a property that has been Ellised, limits the ability of speculators and new property owners to immediately "Ellis" a building, and /or provides greater notification and relocation assistance for tenants facing eviction.

ATTACHMENT G

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Affordable Housing and Sustainable Communities (AHSC) Program was developed by the State of California to provide loans and capital grants for the creation of affordable housing in conjunction with transportation improvements; and

WHEREAS, SB 862, which was enacted into law in 2014, created the AHSC Program and instituted a 20 percent allocation for Cap and Trade proceeds to AHSC, which resulted in the release of over \$400 million for application projects in the first two years following the program's implementation; and

WHEREAS, the City of Los Angeles has secured \$118.8 million in AHSC funding for 17 projects, creating 1,425 units of affordable housing and making critical improvements to its transportation network to reduce vehicle miles traveled; and

WHEREAS, the AHSC Program has become a much needed source of State funding for the development of affordable housing along transit corridors to achieve reductions in vehicle miles traveled and greenhouse gas emissions; and

WHEREAS, the City of Los Angeles has demonstrated success in competing for AHSC funds and intends to compete for AHSC funding annually; and

WHEREAS, it is imperative for the City to continue to ensure that any potential Cap and Trade related legislation maintain or increase funding from Cap and Trade proceeds for affordable housing development;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 State Legislative Program SUPPORT for legislation that maintains or increases the Cap and Trade program for affordable housing and OPPOSITION to any legislation that reduces or diverts funding for the AHSC Program from Cap and Trade.

ATTACHMENT H

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, California's redevelopment program was the largest funder of affordable homes in the state, after the Federal Government, and the City of Los Angeles's only locally generated source of affordable housing finance, until Governor Brown dissolved all redevelopment agencies in 2011; and

WHEREAS, since the program's dissolution, more than \$15 billion that could have been used by redevelopment agencies across California for affordable housing development has been diverted, with only \$6 billion going back to local governments, and Los Angeles has lost approximately \$50 million per year provided by the redevelopment program's tax increment funding for affordable housing; and

WHEREAS, there have been several proposals for a "Redevelopment 2.0" since 2012, nearly all of which included specific requirements for affordable housing; and

WHEREAS, the California Housing and Community Investment Department (HCD) determined in October of 2019 that Southern California must plan for 1,341,827 new housing units over the next eight years, and Los Angeles has been assigned a tentative allocation of more 250,000 units to be developed for Moderate Income, Low Income, and Very Low Income households; and

WHEREAS, a severe lack of funding for affordable housing strains the City of Los Angeles's capacity to properly plan for the unprecedented development goal, and thus it is critical that the State government commit to an ongoing source of new funding without further delay; and

WHEREAS, the City should support the creation of a future redevelopment program that provides a dedicated source of funds for affordable housing while providing protections for rent stabilized housing stock and relocation assistance for tenants in non-RSO units;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 State Legislative Program SUPPORT for legislation that establishes redevelopment or similar community development programs with a tax increment component that includes a requirement that a minimum 30 percent of all tax increment revenue be dedicated for affordable housing, protections for existing rental affordable housing stock, and require relocation assistance for tenants in non-RSO units.

ATTACHMENT I

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, legal and bureaucratic barriers in the State of California prevent cities like Los Angeles, in addition to advocacy organizations, fair housing groups, legal services, and academic researchers, from accessing the number and locations of evictions in their jurisdictions; and

WHEREAS, eviction is a significant cause of homelessness in California, compounding the crisis on our streets and destroying the lives of our most vulnerable residents; and

WHEREAS, without accurate eviction data, the City cannot effectively design or implement a targeted and informed eviction-defense program, such as a Right to Council ordinance and other strategies for limiting displacement; and

WHEREAS, new eviction data can also contribute insight on the cost of residents' financial instability on city budgets, thereby encouraging more effective investments in local efforts to keep families and communities stable and prevent homelessness; and

WHEREAS, a required Memorandum of Understanding (MOU) between the Superior Court and a jurisdiction's responsible implementation agency for the sharing of annual eviction data can ensure that such data is handled carefully and protects the privacy of both tenants and landlords; and

WHEREAS, various studies show that people of color, and in particular Black women, are more likely to be evicted, which emphasizes the need for access to data in order to design policies and programs that would affirmatively further fair housing;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 State Legislative Program SUPPORT for legislation that mandates superior courts to share annual eviction data with city or county housing departments, particularly in cities or counties with Rent Stabilization Ordinances, Right to Council/Eviction Defense programs, and/or other similar initiatives to prevent widespread displacement, with a requirement that data contain information on all sealed and unsealed unlawful detainers and include plaintiff names, addresses of premises, the cause stated in the notice in the case that there are stipulations, and the outcome of the case.

