

HOUSING COMMITTEE REPORT relative to the City's eviction moratorium, Emergency Rental Assistance Program (ERAP), tenant protections, and related matters.

SUBMITS WITHOUT RECOMMENDATION the following recommendations of the Los Angeles Housing Department (LAHD), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. REQUEST the City Attorney, with the assistance of the LAHD, to draft an Ordinance to amend Section 49.99, et seq. of the Los Angeles Municipal Code (LAMC) to:
  - a. Sunset LAMC Sections 49.99.2.A (non-payment of rent) effective December 31, 2022, except that:
    - i. Effective November 1, 2022 through December 31, 2022, tenants who are unable to pay rent, due to COVID-19 financial impact, will have continued eviction protection only if they provide their landlord a self-attestation notice under penalty of perjury in the format prescribed by the LAHD, within 7 days after rent is due.
  - b. Sunset LAMC Sections 49.99.2.B (no-fault evictions), 49.99.2.C (unauthorized pets and additional tenants), and 49.99.4 (demolition, permanent removal - Ellis) effective December 31, 2022, except that:
    - i. Evictions undertaken in order to comply with a Government Agency Order that requires the rental unit to be vacated, shall be allowed immediately upon the effective date of the Ordinance amendment, in accordance with the procedures in LAMC Section 151.09.
    - ii. Provide that noncompliance and related inspection fees imposed between March 4, 2020 and December 31, 2022, due to a landlord's inability to comply with a Government Order to Vacate as a result of the City's COVID-19 eviction moratorium shall be waived by both the LAHD and Los Angeles Department of Building and Safety (LADBS).
    - iii. Evictions in order to install a resident manager shall be allowed only when an on-site manager is required by law or in order to comply with the terms of an affordable housing covenant agreement.
    - iv. Provide that evictions in order to demolish or permanently remove Rent Stabilization Ordinance (RSO) rental units from the rental market cannot be enforced until 60 days after the expiration of the eviction moratorium (60 days after December 31, 2022).
  - c. Provide that tenants must repay "COVID-19 rental debt" as defined in California Code of Civil Procedure 1179.02(c) (rental arrears accrued from March 1, 2020 through September 30, 2021), by August 1, 2023, in accordance with State law, California Code of Civil Procedure 1179.05(a)(2)(B) and (C).
  - d. Provide that tenants must repay rental arrears accumulated for rent due from October 1, 2021 through December 31, 2022, due to COVID-19 financial impact by December 31, 2023.
2. REQUEST the City Attorney, with the assistance of the LAHD, to draft an Ordinance to regulate evictions (Just Cause) in rental units formerly regulated under the COVID-19 Tenant Protections Ordinances as follows:
  - a. Regulate evictions on all non-RSO multi-family rental units; as well as rentals in corporate-owned single-family homes and condominiums subject to California Civil Code Section 1946.2, to restrict evictions to those reasons allowed under LAMC Section 151.09.

- b. Require payment for relocation services and monetary relocation assistance or all “No-Fault” eviction and the filing of Landlord Declarations of Intent to Evict for “no-Fault” reasons in the manner and amounts required under LAMC Section 151.09.
      - i. Provide that a landlord may offset the tenant’s accumulated rental debt against the relocation assistance payment due under this Section. This exception to relocation shall not apply to evictions for unpermitted units as they are not registered with the LAHD and cannot legally collect rent.
    - c. Require written notification by landlords to inform tenants of their rights at the onset of a tenancy and the posting of a Tenant Protections Notification in a common area of the rental property in the format prescribed by the LAHD.
    - d. Allow evictions in order to install a resident manager only when an on-site manager is required by law or in order to comply with the terms of an affordable housing covenant agreement.
    - e. Require the filing of notices to terminate tenancies from both RSO and non-RSO multi-family rental units and corporate-owned single-family homes and condominiums with the LAHD.
    - f. Amend Chapter XV of the LAMC (the RSO) to make the provisions listed in the above Recommendation Nos. 2.b.i, 2.c, 2.d, and 2.e applicable to units subject to the RSO.
3. INSTRUCT the LAHD, in collaboration with the City Attorney, to report back in 30 days on the feasibility of the following:
  - a. Setting a reasonable financial and/or timeliness threshold for rental arrearages as the basis of evictions due to non-payment of rent.
  - b. Requiring the payment of relocation assistance to tenants economically displaced when a landlord increases the rent by more than 10 percent in a 12-month period.
4. AUTHORIZE the General Manager, LAHD, or designee, to negotiate and execute a sole-source contract with BAE Urban Economics for a period of one year, commencing on September 30, 2022 through September 30, 2023, in an amount not to exceed \$160,000, to conduct an expedited updated study and analysis of staffing resources needed and cost recovery for enforcement of expanded eviction protections and tenant anti-harassment programs, enhanced relocation assistance, and implementation of an eviction filing system.
5. AUTHORIZE the Controller to establish Appropriation Account 43WC35 – Study on Eviction/Relocation under Fund No. 440/43 – Rent Trust Fund, and Fund 41M/43 – Systematic Code Enforcement Trust Fund, and appropriate from the available cash balance, \$80,000 for each fund to cover the cost of the BAE Urban Economics study on eviction, anti-harassment and relocation amounting to \$160,000; and, expend funds upon written demand of the General Manager, LAHD, or designee.
6. INSTRUCT the Chief Legislative Analyst, together with the LAHD, LADBS, Los Angeles Department of Water and Power (LADWP), and other City departments as needed, to conduct a review of mandated City fees (including RSO, Systematic Code Enforcement Program, Bureau of Sanitation, RecycLA, LADWP) impacting operating expenses in rental properties; and, instruct the LAHD to incorporate the findings on the study on the RSO annual allowable increase described in the above Recommendation No. 5.
7. INSTRUCT the LAHD to provide information on the LAHD website and conduct a comprehensive outreach campaign to inform tenants, landlords, and other interested parties about the City and County of Los Angeles COVID-19 Tenant Protections applicable to City of Los Angeles residents, with particular efforts targeted to tenants in areas identified as having high vulnerability, as discussed in the LAHD report, dated August 25, 2022, attached to the Council file.

8. REQUEST the Rent Adjustment Commission, with the support of the LAHD, to adopt rules and regulations as necessary to implement the provisions in said LAHD report.

Fiscal Impact Statement: The LAHD reports that there is no impact to the General through the recommended actions contained in said LAHD report.

Community Impact Statement: Yes

Against: Echo Park Neighborhood Council

Summary:

At a regular meeting held on September 14, 2022, the Housing Committee considered a report from the LAHD dated August 25, 2022 relative to proposed LAMC amendments pertaining to the City’s eviction moratorium, data relative to the ERAP, tenant protections, stakeholder outreach, phased-in timeline, and related matters. The Committee also considered and voted on proposed amendments to the recommendations contained in said LAHD report submitted by Councilmembers Cedillo, Lee, and Raman. After providing an opportunity for public comment, the Committee moved to adopt the recommendations contained in said LAHD report, as amended; however, the motion failed due to the lack of a majority vote. This matter is now submitted to the Ad Hoc Committee on COVID-19 Recovery and Neighborhood Investment for further consideration.

Respectfully Submitted,

HOUSING COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
CEDILLO:	YES
RAMAN:	NO
HARRIS-DAWSON:	NO
LEE:	YES
KREKORIAN	ABSENT

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