

MOTION

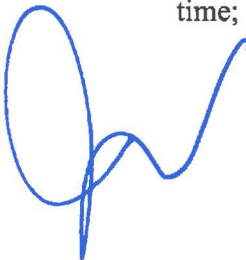
Despite fair housing laws at the federal level and source of income laws at the state and local levels, discrimination against protected groups and voucher holders still presents a major barrier to equitable housing access in Los Angeles. A major reason is the lack of transparency in the rental screening process, as well as a lack of meaningful enforcement when such discrimination occurs.

Cities like Seattle and Philadelphia and the State of Washington have passed laws that increase transparency and accountability, and provide opportunities to remedy errors in the rental application and tenant screening processes. In Philadelphia, for example, a landlord must provide, up front, to all prospective tenants the criteria the landlord uses to evaluate rental applications. Tenants are thus able to see how criteria will be used, know what circumstances might need to be explained, and decide whether it is worth spending their money on an application fee. If rejected, tenants are entitled to an explanation, based on the screening criteria, of the reasons for the rejection of their application. Tenants also have the opportunity to dispute incorrect information, provide exculpatory context, and demonstrate an ability to meet the criteria based on changed circumstances.

Los Angeles should adopt similar policies to increase transparency in the housing application process, reduce obstructions arising from explicit and implicit bias against tenants, and provide accountability when discrimination or incorrect information leads to unjust application denials.

I THEREFORE MOVE that the City Council instruct the City Attorney, in consultation with the LA Housing Department, to prepare and present, within 60 days, a Rental Transparency and Accountability Ordinance applying to all rental housing units in Los Angeles, which would require that landlords, prior to the collection and evaluation of rental applications, disclose in writing to prospective applicants the uniform screening criteria that landlords will use to evaluate and select applicants, consistent with federal and state law, and that such criteria be reasonably related to the tenancy. The Rental Transparency and Accountability Ordinance should:

- **Require all landlords to include, alongside any advertisement of a rental property in printed material or online advertisements:**
 - the uniform screening criteria,
 - the minimum requirements for eligibility that are reasonably related to the tenancy,
 - the monthly rent amount and any “promotional” rent discounts, as well as the duration and expiration date for such a discount,
 - the address of the property, and
 - information regarding tenants’ rights under Civil Code section 1950.6, which requires landlords to return application fees if not used for the authorized purposes and prohibits landlords from charging application fees if they know or should know that no unit is available at that time or will be available within a reasonable period of time;

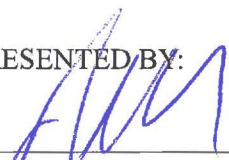



- Require all landlords to present a copy of such screening criteria and minimum requirements at the first interaction with a prospective tenant, including walk-up applicants, and make available translations in predominant languages spoken in the community;
- Require landlords to ask all screening questions in a format that allows applicants to provide narrative answers or explanations (not only “yes” or “no”);
- Maximize accessibility to applicants with disabilities, modeled on Portland City Code Section 30.01.086, including a requirement that for the first two weeks after an application period opens, applicants with mobility disabilities shall be prioritized for Accessible Dwelling Units, and their applications shall be processed and decided upon before other applicants;
- Include a requirement that landlords provide written notice and disclosure of the reasons for any rejection of a prospective tenant within a specified time period of a rejection;
- Include a requirement that landlords provide a form for prospective tenants to request reconsideration as part of a rejection which will allow tenants to provide mitigating information, such as the tenant’s history of on-time rental payments that typically go unreported to credit agencies, new or increased income, recommendations provided by past employers, housing providers, or service providers, and changes in circumstances which make prior lease violations, if any exist, less likely to reoccur;
- Establish a private right of action for prospective renters, or organizations acting on their behalf, with attorneys’ fees, and implement penalties for violations of the ordinance to encourage adherence to the provisions of the Rental Transparency and Accountability Ordinance, discourage discriminatory and/or arbitrary landlord screening practices, and otherwise strengthen the enforceability of the Ordinance.


I FURTHER MOVE that the City Council instruct the LAHD to develop a sample universal form for landlords to use as screening criteria; a universal form to use in their rejection of prospective tenants’ applications, which includes sections for the required information described above; and a sample form for prospective tenants to use to request reconsideration; with each made available in multiple languages (at minimum, Spanish, Korean, Filipino, Armenian, Chinese, and Persian).

I FURTHER MOVE that the City Council instruct the LAHD, in partnership with the Civil and Human Rights Department, to report back on the staffing needs for developing and operating a joint complaint driven system wherein individuals may file grievances should they feel the ordinance is violated.

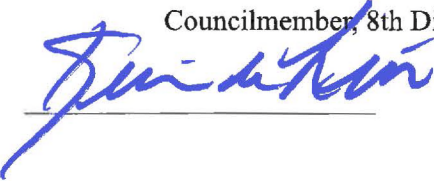
PRESENTED BY:


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ORIGINAL