

LOS ANGELES COUNTY
DEPARTMENT OF CONSUMER AND BUSINESS AFFAIRS

HOUSING & TENANT PROTECTIONS DIVISION

Office of Immigrants & Immigrants Are LA Coalition Meeting
10/29/2021





Housing & Tenant Protections

Responsible for enforcing the County's Rent Stabilization ordinances for residents in the unincorporated areas of Los Angeles County; the COVID-19 Tenant Protections Resolution, and ensure tenants, mobilehome owners, landlords, and park owners are informed of their rights and responsibilities.

Eviction Protections

Comprehensive initiative to provide L.A. County residents with information about their rights as tenants, free legal representation, short-term rental assistance, and referrals to resources and services to prevent eviction during the ongoing COVID-19 pandemic.



Housing & Tenant Protections Division

Rent Stabilization Program

1 One-on-One Options Counseling

Answer questions from tenants and landlords about their rights and responsibilities.

2 Accept Complaints

Accept and evaluate alleged violations of our rent stabilization ordinances.

3 Connect to Resources

Connect tenants and landlords to local and state programs, access to capital, health orders and more.

Eviction Defense



- Direct Tenant Outreach & Awareness
- *Know Your Rights* Workshops
- Free Legal Services*

*For eligible residents

Unincorporated Los Angeles County has permanent rent stabilization (rent control)

Laws that address:

- ▷ When and how much the rent can go up.
- ▷ The reasons that tenants can be evicted.
- ▷ If the landlord takes away an amenity (Ex. Parking, laundry facilities, a recreation room, pool, etc.)

If you think there is a violation, file a complaint with DCBA



LA County also has Emergency COVID-19 Tenant Protections that apply to unincorporated areas and all incorporated cities within Los Angeles County.

The emergency protections apply to...

- Residential tenants
- Commercial tenants
- Mobilehome space renters

Protections are effective

March 4, 2020, to January 31, 2022



What protections are included for Residential Tenants?

Provides an Affirmative Defense for Evictions Related to:

- COVID-19 related violations for temporarily housing unauthorized occupants or pets.
- Nuisance.
- A No Fault eviction reason, including but not limited to substantial remodels or demolitions.
- Reasonably denying entry to a landlord.

Additional Protections Include:

- Rent freeze on rent stabilized units in unincorporated areas of L.A. County.
- Landlords cannot harass or intimidate tenants who exercise their rights under the Moratorium.



Can a Landlord Evict a Tenant to move into a Property?



- ▷ Yes, as of July 1, 2021, a Landlord can evict a tenant and all members of their household in order to move into a single-family home, mobilehome space, condominium unit, and/or two unit(s) in a duplex, or triplex home under certain conditions:
 - The Landlord purchased the home or unit on or before **June 30, 2021**;
 - The Landlord intends to use the home or unit as their own principal residence, or the residence of a qualifying family member(s), for at least **36 consecutive months**;
 - The tenant(s) occupying the home or unit must be current on rent payments and not financially impacted by the COVID-19 pandemic;
 - The Landlord or Landlord's family member moving into the home or unit must be **similarly situated** to the tenant(s) being displaced;
 - The Landlord must give the tenant(s) at least **60 days notice to move out** of the home or unit, provide notice to DCBA, and allow additional time if any of the parties moving in or out of the home have been diagnosed with COVID-19 within 14 days of the final date of tenancy; and
 - The Landlord must also provide relocation assistance as required by the County's Rent Stabilization Ordinance or the incorporated city's applicable ordinance or regulation.

What protections are included for Commercial Tenants?

Provides an Affirmative Defense for Evictions Related to:

- Nonpayment of rent if the Tenant can show an inability to pay rent and/or related charges due to COVID-19 related financial hardship.

Additionally, Landlords:

- Cannot harass or intimidate tenants who exercise their rights under the Protections.
- Must provide a notice to tenants with 9 or fewer employees of their rights under the Protections within 10 days of issuing a notice of nonpayment.
- Are prohibited from applying a payment to any other rental obligation except the current month's rent, unless the tenant agrees otherwise.
- Are precluded from evicting a tenant on a holdover or month-to-month lease.
- Are precluded from evicting a tenant for failure to pay back rent under the terms of a repayment plan, if the Commercial tenant has 9 or fewer employees.



NEW: LA County COVID-19 Tenant Protections Resolution

Important to Note:

- Some key State Protections expired on **September 30, 2021**
- LA County is preempted from adopting any protections for evictions for nonpayment of rent by residential tenants due to COVID-19 financial hardship until March 31, 2022

Adopted on Sept. 28, 2021, by the LA County Board of Supervisors

Extension Includes:

- ▷ **Extension of Moratorium Period**
 - ▷ Extended through January 31, 2022
- ▷ **Renaming of Ordinance**
 - ▷ From “LA County Temporary Eviction Moratorium” to “LA County COVID-19 Tenant Protections”
- ▷ **Applicability**
 - ▷ Residential and commercial tenants in the entire County, including incorporated cities, unless exempt

NEW: LA County COVID-19 Tenant Protections Resolution

Extension Also:

- ▷ Clarifies protections that are not preempted by state law.
- ▷ Expands Owner & Family Member move-ins to include duplexes and triplexes.
 - Allow an Owner or their Family Member to occupy **two** units if the owner owns **100 %** of the duplex or triplex;
 - Owner must first seek to occupy a **vacant unit** on the property (triplex), and if no such unit is available, displace the most recently occupied unit.



State Eviction Protections



AB3088: Effective September 1, 2020 – January 31, 2021

- Protects most residential tenants from being evicted for nonpayment of rent if related to COVID-19 financial hardship
- Requires landlords to provide written notice of unpaid rent, copy of tenant rights under state bill, and a sample declaration of hardship
- Requires tenants to pay 25% of unpaid rental balance and submit a signed declaration to their landlord for each month tenant is unable to pay rent due to COVID-19 related financial hardship

SB91: Effective February 1, 2021 – June 30, 2021

- Extends protections, noticing requirements, and certification requirements for landlords and residential tenants, as well as local preemptions under AB3088
- Includes state rental assistance component

AB 832: Effective July 1, 2021 – September 30, 2021

- Extends protections, notification requirements, and certification requirements for landlords and residential tenants, as well as preemptions under AB 3088, SB 91, and AB 81
- Extends state rental assistance available for landlords and residential tenants

Repayment of Unpaid Rent: Residential Tenants

March 4, 2020 – September 30, 2020

- Tenants are protected from eviction if they submit a declaration to their landlord, verbally or in writing
- Tenants have until **September 30, 2021**, to repay unpaid balance accrued during this time

October 1, 2020 – September 30, 2021

- Tenants are protected from eviction if they send a written declaration to their landlord **and** pay at least 25% of unpaid balance by September 30, 2021
- Tenants must start paying full rent on **October 1, 2021**



Repayment of Unpaid Rent: Commercial Tenants

March 4, 2020 – January 31, 2022:

- Will have twelve (12) months following the end of the Protections if the tenant has nine (9) or fewer employees.
- Will have six (6) months following the end of the Protections if the tenant has between 9 and 100 employees.



What Should Landlords & Tenants Know After September 30?



These emergency tenant protections are **not** a cancellation of rent.

- Landlords can begin requesting unpaid rent on **October 1, 2021**
 - Beginning **November 1, 2021**, Landlords may file in Small Claims Court to recover COVID-19 Rental Debt
- After October 1, 2021, tenants can file for rent relief within 15 days of receiving a notice of nonpayment and use it as an affirmative defense if facing an eviction action
- Landlords must first apply for rent relief before they proceed with an Unlawful Detainer

Stay Housed L.A. County

Stay Housed L.A. is a partnership between the County of Los Angeles, the City of Los Angeles, and local community organizations and legal services providers. Together, we provide information and resources to keep tenants in their homes.

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www.stayhousedla.org

1-888-694-0040

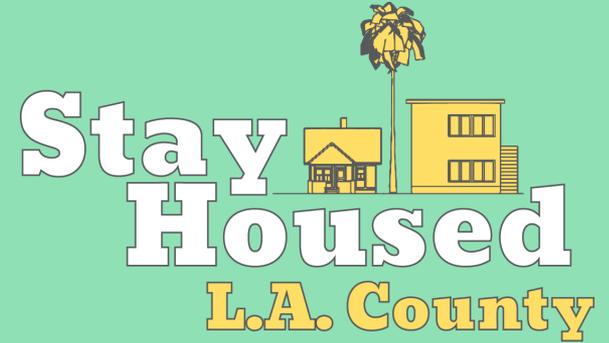


Legal Service Providers Throughout LA County

- Asian Americans Advancing Justice
- BASTA Universal
- Bet Tzedek
- Community Legal Aid of Southern California
- Eviction Defense Network
- Housing Rights Center
- Inner City Law Center
- Legal Aid Foundation of Los Angeles
- Neighborhood Legal Services of Los Angeles
- Public Counsel

Strategic Partners

- Liberty Hill Foundation
- LA County Department of Consumer and Business Affairs



**Stay Housed L.A. offers outreach,
education, and legal services for tenants in
need.**

We serve all low-income tenants.

We serve tenants regardless
of immigration status.



Tenant Outreach & Education

August 2020 - March 2021



Connected with **208,525** tenants via phone calls and text messages

Hosted **262** *Know Your Rights* workshops, attended by over **4,000** renters

Legal Services

August 2020 - March 2021



Provided **9,366 tenants** with limited **legal counsel and advice**

Represented **736 tenants in court** to help prevent eviction

You should talk to a lawyer if...

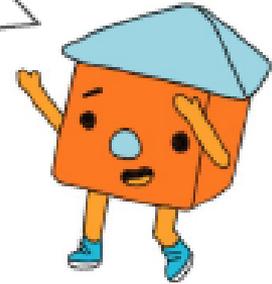
If your landlord:

- Gave you a written notice to pay rent or quit or notice to quit based on nuisance or breach of lease agreement
- Harasses you to the point it's impossible to live

If you:

- Have an eviction lawsuit and received a summons and complaint
- Have a Section 8 or public housing and it is being terminated

Seek legal assistance with a Legal Service Provider!



Limit the interactions you have with your landlord to documents and written exchanges



You can request a legal referral at

www.stayhousedla.org

- Click on “Get Legal Help” and fill out the form.
- A legal service provider from Stay Housed LA will get back to you as soon as they can. They will attempt to contact you three times by either phone, text, or email.
- Attorneys prioritize cases by urgency. People with notices or summons will be contacted first.
- You have not secured an attorney until you have signed a written *retainer*.





Stay Housed

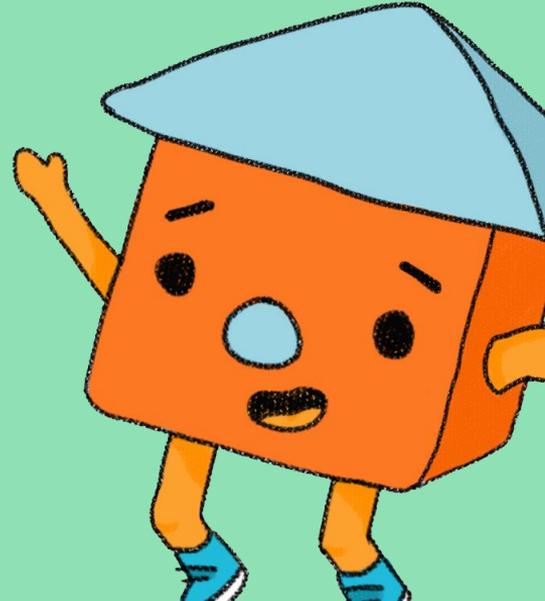
L.A. County

Phone: (888) 694-0040

Website: StayHousedLA.org

Illegal Lock Out Emergencies

(213) 340-4714



Questions? Contact Us.

Contact the Department of Consumer and Business Affairs Rent Stabilization Program



rent.lacounty.gov



800.593.8222



rent@dcba.lacounty.gov



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