



Office of the Los Angeles City Attorney  
Hydee Feldstein Soto

REPORT NO. R25-0277  
MAY 30 2025

**REPORT RE:**

**REVISED VERSIONS OF DRAFT ORDINANCE ADDING ARTICLE 6 TO  
CHAPTER XVI OF THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH A  
RIGHT TO COUNSEL PROGRAM**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 18-0610-S3

Honorable Members:

On May 12, 2025, this Office transmitted a revised draft ordinance that defined “Tenant” as “A tenant, subtenant, lessee, sublessee or any other person entitled to use or occupancy of a Rental Unit provided that squatters, trespassers and other persons who occupy or occupied the Rental Unit without the owner’s permission are not tenants” for your consideration. (Report No. R25-0240.) This Office now transmits two alternative revised draft ordinances that are identical in all respects to the draft ordinance transmitted on May 12, 2025, except as follows: (a) the first version of the draft ordinance transmitted herewith (Version A) employs the definition of “Tenant” found in the Rent Stabilization Ordinance (RSO) and Just Cause for Eviction Ordinance (JCO) (The RSO and the JCO define “Tenant” as “A tenant, subtenant, lessee, sublessee or any other person entitled to use or occupancy of a rental unit”); and (b) the second version of the draft ordinance transmitted herewith (Version B) defines “Tenant” as “A tenant, subtenant, lessee, sublessee or any other person entitled to use or occupancy of a Rental Unit provided that squatters and trespassers who occupy or occupied the Rental Unit are not tenants.”

The only difference between Version A and Version B is that the definition of "Tenant" in Version B clearly specifies that those occupying a rental unit without the legal right to occupancy are not tenants and are therefore not entitled to a legal right to counsel under the Right to Counsel Program. The sole difference between Version B and the May 12, 2025 version of the draft ordinance is that Version B's definition of "Tenant" does not include a reference to "owner's permission" to occupy the rental unit. Accordingly, this Office recommends adoption of Version B of the revised draft ordinance.

### CEQA Findings

This Office recommends that the City Council determine, based on the whole of the administrative record, that the adoption of this revised draft ordinance is exempt from the California Environmental Quality Act (CEQA) through Section 15061(b)(3) (common sense exemption) of the State CEQA Guidelines and Article II, Section 1 of the City's CEQA Guidelines, and that none of the exceptions under CEQA Guidelines Section 15300.2 apply. If the City Council concurs with the CEQA analysis, it should adopt these CEQA determinations prior to or concurrent with its action on the ordinance. This Office also recommends that the City Council direct the Los Angeles Housing Department to file Notices of Exemption with the County Recorder's Office following the adoption of the revised draft ordinance.

### Council Rule 38 Referral

Pursuant to Council Rule 38, concurrently with this transmittal, a copy of the revised draft ordinance will be sent to the Los Angeles Housing Department, with a request that any comments be transmitted directly to Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Peter Walford at (213) 922-8374. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By   
JOHN W. HEATH  
Chief Assistant City Attorney

JWH:PW  
Transmittal

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