

Your Community Impact Statement has been successfully submitted to City Council and Committees.

If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at NCsupport@lacity.org.

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Contact Information

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The Board approved this CIS by a vote of: Yea(24) Nay(1) Abstain(1) Ineligible(0) Recusal(0)

Date of NC Board Action: 03/14/2023

Type of NC Board Action: For if Amended

Impact Information

Date: 03/19/2023

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 18-0610-S3

Agenda Date:

Item Number:

Summary: We urge City Council to adopt Council File 18-0610-S3 with an amendment expanding the right to counsel to cases in which the lease contains a provision awarding attorneys' fees.



March 14, 2023

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2021 -2023**

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Council File 18-0610-S3 (Support)

We write in support of [Council File 18-0610-S3](#), a proposed income-limited right to counsel in eviction proceedings. Many tenants with valid defenses end up losing their eviction cases, and therefore their homes, simply because they do not have the resources to engage an attorney to present their defense. This outcome unnecessarily adds to the unhoused population, needlessly exacerbating an already difficult problem.

We also urge City Council to expand the right to counsel to include all cases in which the lease includes a prevailing-party attorneys' fee provision. This additional qualification would be extremely easy to administer, because the presence or absence of a fee provision will be apparent on the face of the lease. This expansion would remove a significant source of unfairness. When a represented landlord sues an unrepresented tenant under a lease with the fee provision, the provision becomes effectively one-sided. That is because parties who represent themselves are ineligible for a fee award because they have not incurred any attorney fees. As a result, tenants who cannot afford attorneys are subjected to an unfair one-sided risk.

We also believe that expanding the right to counsel in this way will likely pay for itself in at least two ways. First, fee awards won on behalf of successful tenants will find their way directly into the City's coffers. Second, because, as noted above, providing counsel will likely reduce the number of evictions, this action will help hold down the population of unhoused individuals, thereby reducing the resources necessary to address their needs.

We therefore urge City Council to adopt Council File 18-0610-S3 with an amendment expanding the right to counsel to cases in which the lease contains a provision awarding attorneys' fees.



Valerie Washburn
Don Whitehead



Sincerely,

Lynda La Rose
HRRRs Committee Chair
Mid City West Neighborhood Council

