



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R24-0188
Apr. 19, 2024

REPORT RE:

**DRAFT ORDINANCE ADDING ARTICLE 6 TO CHAPTER XVI OF
THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH A
CITY FUNDED COUNSEL FOR TENANTS PROGRAM**

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

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration, approved as to form and legality, the enclosed draft ordinance. The draft ordinance, if adopted, would codify a City Funded Counsel for Tenants Program to be administered by the Los Angeles Housing Department. The draft ordinance would add Article 6 to Chapter XVI of the Los Angeles Municipal Code. Pursuant to the City Council's instructions, this Office consulted with the Los Angeles Housing Department to prepare the draft ordinance.

We note for your attention that under the current draft ordinance, legal representation provided by the City Funded Counsel for Tenants Program would cover the following types of proceedings: (1) an unlawful detainer case; and (2) an administrative hearing that may result in the termination of a rental housing subsidy such as a tenant's Section 8 voucher. Under the current draft, therefore, the following proceedings would not be covered: (1) an appeal of an unlawful detainer case, and (2) a writ of mandate proceeding in Superior Court challenging an administrative action that resulted in the termination of a tenant's housing subsidy. The current draft reflects the understanding of this Office, based on the transmittal report, that the intention is for the City Funded Counsel for Tenants Program to cover frontline proceedings (unlawful

detainers and administrative hearings) rather than subsequent appellate and writ proceedings. We also note that appellate and writ proceedings, if covered, presumably could draw limited Program resources from frontline eviction defense or tenant representation in administrative housing subsidy hearings. If this understanding of the proceedings to be covered is not correct, please advise accordingly so that this Office can revise the draft ordinance as necessary.

CEQA Findings

This Office recommends that the City Council find that the adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) through Section 15061(b)(3) of the State CEQA Guidelines and Article II, Section 1 of the City CEQA Guidelines. If you concur, you should adopt this finding prior to or concurrent with taking action on this ordinance.

Council Rule 38 Referral

Pursuant to Council Rule 38, concurrently with this transmittal, a copy of the 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