

## Communication from Public

**Name:** Montzerrat

**Date Submitted:** 03/21/2023 11:27 AM

**Council File No:** 18-0610-S3

**Comments for Public Posting:** Hi, my name is Montzerrat, I am a tenant and I live in District 1. I want to strongly urge you to support a Right to Counsel ordinance. Fewer than 10% of tenants have legal representation in eviction cases, this is EGREGIOUS. A Right to Counsel would create a more level playing field for tenants and landlords in court. It also saves taxpayers money, because it will reduce and prevent illegal and unjust evictions and homelessness. More than all of this, this keeps people in their homes! If you all would like to do anything about the housing crisis and the homelessness crisis you all talk about so much this is a great way to actually ensure more housing protections for your constituents that got YOU into office. This is a terrifying time to be a renter with housing prices, food and gas prices going up. I know people that have full-time jobs and still remain houseless because of greedy landlords who's goal is to make it as expensive as possible for tenants to have a roof over their head. Actually do something that helps your constituents that you claim to care about so much.

## Communication from Public

**Name:** andi

**Date Submitted:** 03/21/2023 12:52 PM

**Council File No:** 18-0610-S3

**Comments for Public Posting:** Hi, my name is Andi, I am a tenant and I live in the LA area. I want to thank Councilmembers Raman and Blumenfield for introducing the motion to establish Right to Counsel. As a renter, I want to strongly urge you to support a Right to Counsel ordinance. Eviction court will never be equitable as long as landlords are almost always represented by an attorney but fewer than 10% of tenants have legal representation. A Right to Counsel would create a more level playing field for tenants and landlords in court. It also saves taxpayers money, because it will reduce and prevent illegal and unjust evictions and homelessness. The pandemic has significantly affected my living situation and I am facing eviction because I could not pay my rent due to experiencing COVID-19 related job loss. My negligent landlord threatened to evict me and constantly harasses me. No one should EVER be evicted without legal representation or go to court alone. We ask that you move a Right to Counsel Ordinance forward in order to keep as many Angelenos as possible from falling into homelessness. Thank you.

Hi, my name is Andi, I am a tenant and I live in the LA area. I want to thank Councilmembers Raman and Blumenfield for introducing the motion to establish Right to Counsel. As a renter, I want to strongly urge you to support a Right to Counsel ordinance.

Eviction court will never be equitable as long as landlords are almost always represented by an attorney but fewer than 10% of tenants have legal representation. A Right to Counsel would create a more level playing field for tenants and landlords in court. It also saves taxpayers money, because it will reduce and prevent illegal and unjust evictions and homelessness.

The pandemic has significantly affected my living situation and I am facing eviction because I could not pay my rent due to experiencing COVID-19 related job loss. My negligent landlord threatened to evict me and constantly harasses me.

No one should EVER be evicted without legal representation or go to court alone. We ask that you move a Right to Counsel Ordinance forward in order to keep as many Angelenos as possible from falling into homelessness. Thank you.

## Communication from Public

**Name:** Jodie Francisco

**Date Submitted:** 03/21/2023 04:13 PM

**Council File No:** 18-0610-S3

**Comments for Public Posting:** I am in full support of the Apartment Association of Greater Los Angeles reasoning for postponing this council file and action. GROSSLY PREMATURE HIGHER PRIORITY PROGRAMS SPECIFIED UNDER ULA Page 1 of 2 RIGHT TO COUNSEL ORDINANCE IS PREMATURE AND NOT A TOP PRIORITY UNDER ULA • The establishment of the House LA Citizens Oversight Committee is supposed to be appointed by February 28, 2023 [Section 22.618.6]. This still has not happened (Motion 23-0038\_misc\_1-11). • The Oversight Committee shall “Develop guidelines for prioritizing use of the House LA Funds (“Program Guidelines”).” [Section 22.618.6 (c)(1)] This Committee has not held a single meeting, much less developed program guidelines. 70% of the funds from Measure ULA are designated for the Affordable Housing Program (more than TWICE as much as any other programs) • 22.5% (with option to increase up to 25%) is for Multifamily Affordable Housing of 40 units or greater [Section 22.618.3 (d)(1)(ii)a] • 22.5% (with option to increase up to 25%) is for Alternative Models for Permanent Affordable Housing of 40 units or greater [Section 22.618.3(d)(1)(ii)b] • 10% is for Acquisition & Rehabilitation of Affordable Housing for existing housing [Section 22.618.3(d)(1)(ii)c] • 10% is for Homeownership Opportunities, Capacity Building & Operating Assistance for single family and cooperative housing [Section 22.618.3 (d)(1)(ii)d] • 5% is for Program Stabilization Fund [Section 22.6183.3 (d)(1)(ii)e] 30% of the funds from Measure ULA are designated for the Homelessness Prevention Program • 10% is for Income Support for Rent-Burdened At-Risk Seniors and Persons with Disabilities [Section 22.618.3 (d)(2)(i)b] • 10% is for Eviction Defense/Prevention [Section 22.618.3(d)(2)(ii)a] • 5% is for Short-Term Emergency Assistance [Section 22.618.3 (d)(2)(i)a] • 3% is for Protections from Tenant Harassment [Section 22.618.3 (d)(2)(ii)c] • 2% is for Tenant Outreach and Education [Section 22.618.3(d)(2)(ii)b] 2 L.A. CITY COUNCIL CAN REALLOCATE FUNDS FUNDING IS NOT AVAILABLE & AMOUNTS ARE UNKNOWN CONCLUSION Page 2 of 2 • On December 21, 2022, lawyers for the Howard Jarvis Taxpayers Association and Apartment Association of Greater Los Angeles filed a lawsuit against Measure ULA ? There is no timetable established for when Measure ULA funds will be

available. • There are no estimates by the City as to how much funding will be available for programs within the first year or any subsequent years of ULA. Right to Counsel is the most divisive provision under ULA and promotes class warfare. The Right to Counsel motion should be held until all other ULA programs have been properly addressed, the Oversight Committee has submitted its program guidelines for consideration and monies are available to fund all programs. The City Council may reallocate funding from one category to another other than as the Oversight Committee recommends [Section 22.618.5]

# RIGHT TO COUNSEL ORDINANCE IS **PREMATURE** AND **NOT** A TOP PRIORITY UNDER ULA



## GROSSLY PREMATURE

- The establishment of the House LA Citizens Oversight Committee is supposed to be appointed by February 28, 2023 [Section 22.618.6]. This still has not happened (Motion 23-0038\_misc\_1-11).
- The Oversight Committee shall “Develop guidelines for prioritizing use of the House LA Funds (“Program Guidelines”).” [Section 22.618.6 (c)(1)] This Committee has not held a single meeting, much less developed program guidelines.

## HIGHER PRIORITY PROGRAMS SPECIFIED UNDER ULA

**70% of the funds from Measure ULA are designated for the Affordable Housing Program** (more than **TWICE** as much as any other programs)

- **22.5% (with option to increase up to 25%) is for Multifamily Affordable Housing** of 40 units or greater [Section 22.618.3 (d)(1)(ii)a]
- **22.5% (with option to increase up to 25%) is for Alternative Models for Permanent Affordable Housing** of 40 units or greater [Section 22.618.3(d)(1)(ii)b]
- **10% is for Acquisition & Rehabilitation of Affordable Housing** for existing housing [Section 22.618.3(d)(1)(ii)c]
- **10% is for Homeownership Opportunities, Capacity Building & Operating Assistance** for single family and cooperative housing [Section 22.618.3 (d)(1)(ii)d]
- **5% is for Program Stabilization Fund** [Section 22.618.3 (d)(1)(ii)e]

**30% of the funds from Measure ULA are designated for the Homelessness Prevention Program**

- **10% is for Income Support for Rent-Burdened At-Risk Seniors and Persons with Disabilities** [Section 22.618.3 (d)(2)(i)b]
- 10% is for Eviction Defense/Prevention [Section 22.618.3(d)(2)(ii)a]
- 5% is for Short-Term Emergency Assistance [Section 22.618.3 (d)(2)(i)a]
- 3% is for Protections from Tenant Harassment [Section 22.618.3 (d)(2)(ii)c]
- 2% is for Tenant Outreach and Education [Section 22.618.3(d)(2)(ii)b]

## L.A. CITY COUNCIL CAN REALLOCATE FUNDS

*The City Council may reallocate funding from one category to another other than as the Oversight Committee recommends [Section 22.618.5]*

## FUNDING IS NOT AVAILABLE & AMOUNTS ARE UNKNOWN

- On December 21, 2022, lawyers for the Howard Jarvis Taxpayers Association and Apartment Association of Greater Los Angeles filed a lawsuit against Measure ULA
  - There is **no timetable** established for when Measure ULA funds will be available.
- There are no estimates by the City as to how much funding will be available for programs within the first year or any subsequent years of ULA.

## CONCLUSION

Right to Counsel is the most divisive provision under ULA and promotes class warfare. The Right to Counsel motion should be held until all other ULA programs have been properly addressed, the Oversight Committee has submitted its program guidelines for consideration and monies are available to fund all programs.



## Communication from Public

**Name:** Janet Gagnon

**Date Submitted:** 03/21/2023 05:31 PM

**Council File No:** 18-0610-S3

**Comments for Public Posting:** Dear President Krekorian and Members of the Los Angeles City Council, Attached please find the formal comment letter from the Apartment Association of Greater Los Angeles (AAGLA) regarding agenda item 6 - Motion (Raman - et al.) Relative to the Establishment of a Right to Counsel Ordinance and Program? and Related Matters that will be considered at tomorrow's (3/22) City Council meeting. AAGLA strongly opposes this motion as being extremely premature, inappropriate based on the fundamental structure of Measure ULA and irresponsible based on pending litigation. We urge a No Vote on the motion in its entirety. Thank you for your consideration. Sincerely, Janet M. Gagnon





*"Great Apartments Start Here!"*

Janet M. Gagnon, Esq.  
Director, Government Affairs &  
External Relations  
janet@aagla.org  
213.384.4131 ext 309

March 21, 2023  
**Via Electronic Mail**

President Paul Krekorian and  
Members of the Los Angeles City Council  
Los Angeles City Hall – John Ferraro Council Chamber, Room 340  
200 North Spring Street  
Los Angeles, California 90012

**RE:** Motion (Raman - et al.) Relative to the Establishment of a Right to Counsel Ordinance and Program; and Related Matters (Agenda Item 6)

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Dear President Krekorian and the Members of the Los Angeles City Council:

At the March 22<sup>nd</sup> City Council meeting, the Council will consider a motion by City Council Members Raman, Hernandez, Soto-Martinez, Hutt, Yaroslavsky and Blumenfield regarding the creation of a Right to Counsel ordinance and program (Agenda Item 6).

This program is the single most divisive program of all of the **eleven programs** discussed under Measure ULA and wrongfully **promotes class warfare** between renters and rental housing providers. City Council Members that support this program especially at this time appear to be openly hostile and biased against mom-and-pop rental housing providers. At best, it appears Council Members are trying to use rental housing providers as scapegoats for their own ineptitude and failures as elected officials to create needed affordable housing throughout the City of Los Angeles. At worst, it appears that there is a concerted effort to purposefully force small mom-and-pop private property owners out of business, so that their properties can be taken by the City without just compensation to be turned into below-market rate public housing.

It is common knowledge that rental housing providers have suffered huge financial losses over the last 3 years due to the City's eviction moratorium and ongoing RSO rent increase freeze that will last another entire year beyond the end of the COVID-19 emergency. They are the **ONLY** essential workers that have been expected **not** to be paid for their services throughout the entire pandemic and beyond. All healthcare workers (doctors, nurses, physician assistants, etc.), local grocery stores, and gas stations were paid in full and some even received additional payments. Yet small mom-and-pop rental housing providers were actively prevented by the City from collecting the rent owed for the housing that was continuously provided throughout the last 3 years.

By this motion, it appears that these City Council Members want to further penalize rental housing providers by purposefully undermining an owner's ability to remove renters causing problems and violating the lease even when utilizing City-mandated At Fault and No Fault reasons. The City's proposal for paying private attorneys for renters using taxpayer funds does **not** change the root problems causing the evictions and only delays an already difficult, lengthy and stressful situation for all parties, including responsible renters living in close proximity to the renter causing the problems by, among other things, damaging property, threatening other residents or conducting illegal activities.

**The overwhelming majority of evictions has been and continues to be (both before and after COVID-19) due to one simple fact: non-payment of rent by the renter.** If the City wants to stop evictions, then they need to step up and pay for the rent that is owed for those renters who need financial assistance so that no eviction proceedings and no attorneys are needed by either party. This is the only fair and balanced approach for the City to take without showing undue favoritism to one side or the other as all are constituents deserving of **equal** respect and consideration by their elected officials.

Supporters use the guise of this program being considered under Measure ULA as a justification for this motion, but fail to explain why it is being fast tracked when NONE of the other more substantial and beneficial programs under Measure ULA have even begun to be discussed by the City much less moved for recommendations for a draft ordinance. Fully 70% of the funding under Measure ULA is supposed to go towards the creation of affordable housing and that is why many people voted for the measure in the first place. An additional 10% of the funding is supposed to go towards income support for at-risk seniors and people with disabilities. However, NONE of the other TEN programs have even been put on an agenda for committee discussion.

Even more disturbing is that by singling out this one program for preferential and expedited consideration, it puts all the other programs under Measure ULA at a substantial disadvantage as all programs are to be paid for by the same single funding source. Therefore, cherry picking out this one program for an ordinance and funding removes those dollars from use for all other programs. This is fundamentally in opposition to the structure of Measure ULA, which purposefully ties all programs together for consideration, prioritization and funding as one all-inclusive package. Thus, to allow this program to be considered separately is violation of the clear intent contained in Measure ULA and betrayal of the voters that voted for it.

It is also the opposite of good governance for the City Council to consider this motion without having any funding in hand to pay for any of the programs under Measure ULA. The City is well aware of the current lawsuits against it seeking to overturn Measure ULA. As a result, it is highly unlikely that the City will have any funds available any time in the near future. Also, the funds are being created from a new transfer tax on real property that is 100 times greater than the prior transfer tax and will likely cause substantial alterations to behaviors of sellers, so total dollar amounts that may be available are entirely speculative and completely unreliable. The City should not be discussing programs until and unless the funds are actually available to be disbursed. Even the joint report from the City Administrative Officer (CAO) and Los Angeles Housing Department (LAHD)



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dated March 17, 2023 strongly cautions the City Council against taking on ongoing financial liability for new and expanded programs under Measure ULA until the litigation has been resolved. Thus, to expedite any single program now is the epitome of irresponsible budgeting.

This motion is utterly premature, inappropriate and detrimental to all programs under Measure ULA and the voters that voted for it. Thus, we urge the City Council either Vote NO on the motion or suspend it until all other ULA programs have been discussed and brought forward to be considered as one-single package for prioritization and funding after the litigation has been fully resolved.

Thank you for your time and consideration of these matters. If you have any questions, please call me at (213) 384-4131; Ext. 309 or contact me via electronic mail at [janet@aagla.org](mailto:janet@aagla.org).

Sincerely,

A handwritten signature in black ink that reads "Janet M. Gagnon". The signature is written in a cursive, flowing style.

Janet M. Gagnon, Esq.

CC: Daniel Yukelson, Executive Director, Apartment Association of Greater Los Angeles

## Communication from Public

**Name:** Diana

**Date Submitted:** 03/21/2023 10:56 PM

**Council File No:** 18-0610-S3

**Comments for Public Posting:** I am writing in support of right to counsel. As a tenant who was forced to organize alongside my primarily monolingual older adult neighbors during the pandemic to defend our health while receiving harassment from a management company, this resource is too valuable to deny. As tenants and your constituents, having access to habitable housing often means fighting for it while some landlords and management companies extract our rents but do not provide habitable living quarters. Having accessible legal representation means closing the gap in a power dynamic that has already left so many Angelenos unhoused. Please show up for your constituents who are tenants and pass right to counsel for the well being of our City.