

Communication from Public

Name: Carlos Gonzalez

Date Submitted: 08/07/2024 01:43 PM

Council File No: 18-0610-S3

Comments for Public Posting: Hi, my name is Carlos Gonzalez. I am a renter, and I live in South Central, Council District 2. I am here to urge city leaders to address some important issues impacting tenants such as amending the Tenant Anti-Harassment Ordinance, amending the draft Right to Counsel ordinance, and releasing the United to House LA (ULA) funds to materially support tenants in need. A lot of time has passed since the last Housing and Homelessness committee met and tenants cannot afford more delays. I strongly support the 7 proposed amendments to close loopholes in the Tenant Anti-Harassment Ordinance (TAHO). Since the passage of the Tenant Anti-Harassment ordinance in August 2021, it has been nearly impossible to use the ordinance to stop harassment. I also strongly support a codified Right to Counsel ordinance, with key amendments that need to be made to the draft. We call for Tenants Right to Counsel to be included in the title and throughout the ordinance so it aligns with City Council motion directives. We need clear definitions around which tenants are eligible and a zip code based model, and when to seek legal representation so tenants can connect to Stay Housed LA. We also ask for added language so that landlords post notice of Right to Counsel in common areas. We know you are concerned about small LL's, but ignoring this rent debt problem will not help them either. They will not get that money back. The only outcome is eviction & homelessness because LL's will take tenants to small claims court and tenants will not be able to pay. We must find a way to monetarily support small LL's in REAL NEED (those who are defaulting), and keep the tenants in their homes.

Communication from Public

Name: Kyle Nelson

Date Submitted: 08/07/2024 10:24 AM

Council File No: 18-0610-S3

Comments for Public Posting: Hi, my name is Kyle Nelson. I am a renter, and I live in Council District #5. I am writing in strong support for a codified Right to Counsel ordinance, with key amendments that need to be made to the draft. First, a right is a right, not a program. I ask that you include Tenants Right to Counsel in the title and throughout the ordinance so it aligns with City Council motion directives. We need clear definitions around which tenants are eligible and a zip code based model, and when to seek legal representation so tenants can connect to Stay Housed LA. We also ask for added language so that landlords post notice of Right to Counsel in common areas. Please direct the City Attorneys Office to follow your direction and make the necessary changes, changes that unanimously passed the LA County Board of Supervisors and are supported by a coalition of legal service providers and community-based organizations that developed and have since implemented Stay Housed LA.

Communication from Public

Name: Robert M Shore
Date Submitted: 08/09/2024 10:34 AM
Council File No: 18-0610-S3

Comments for Public Posting: I write in my capacity as President of the Park La Brea Residents Association. The Park La Brea Residents Association has already voted to support Council File 18-0610-S3, and we reiterate that support. However, we believe that the ordinance proposed by the City Attorney can be approved, and we hereby request that the proposed ordinance be amended in conformance with these views. Specifically, Section 166.03(B) of the proposed ordinance provides for an informational notice advising tenants of the existence of the City Funded Counsel for Tenants program, and further requires that the landlord must serve this notice along with any Eviction Notice served on the tenant. We agree with this requirement. However, the enforcement mechanism for this notice requirement can be improved. Specifically, Section 166.04 of the proposed ordinance makes the landlord's failure to comply with this notice requirement an affirmative defense to an eviction action. We ask that Section 166.04 be amended to make the landlord's compliance with the notice requirement an element of an unlawful detainer claim against a residential tenant. Here's why it matters. A court can only enforce an affirmative defense if that defense is formally alleged in an Answer to the Complaint. But tenants who do not receive notice of their right to a city-funded attorney often will simply default, or will file an answer that does not include this affirmative defense. In these cases, the tenants will unknowingly forfeit a legal defense that this Council has decided they should have. If, instead, compliance with the notice requirement is an element of the claim, the landlord will be forced to allege compliance. If the tenant files an answer, the landlord also will be forced to prove compliance with the notice requirement. Under these circumstances, it is much more likely that the notice requirement will have real "teeth." Finally, placing the burden of proof for this issue on the landlord is entirely fair, and will not appreciably add to a landlord's expense. In order to proceed in court, landlords must already file a proof of service affirmatively listing the documents served on the tenant. Adding one more document to the list that must be recited on the proof of service is an infinitesimal additional burden. We therefore request that Section 166.04 of the proposed ordinance be amended to state: "In any action by a landlord to recover possession of a Rental Unit, the landlord must plead and prove that it provided a

copy of the CFCT Notice with the service of the Eviction Notice on the tenant." We further ask that the Council promptly adopt the proposed ordinance with this amendment. Thank you for your consideration of this input.