



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R25-0240

May 12, 2025

REPORT RE:

**REVISED 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:

Pursuant to your request, this Office has prepared and now transmits for your consideration, approved as to form and legality, the enclosed revised draft ordinance, which supersedes the draft ordinance transmitted by this Office on March 13, 2025 (City Attorney Report No. R25-0126). The revised draft ordinance, if adopted, would add Article 6 to Chapter XVI of the Los Angeles Municipal Code in order to codify a Right to Counsel Program that will be administered by the Los Angeles Housing Department.

The revised draft ordinance reflects the changes that the City Council requested at its April 1, 2025, meeting. The revised draft ordinance specifies that the affirmative defenses set forth in Section 166.04 apply to an "Eligible Tenant," i.e., a tenant making 80 percent of area median income (AMI) or less. The term "Eligible Tenant" is defined in Section 166.02 (Definitions Section) for consistency. In addition, this Office has made some further technical refinements to the definitions section in the process of preparing this 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