

Communication from Public

Name: Phillips

Date Submitted: 10/28/2024 02:04 PM

Council File No: 14-0268-S18

Comments for Public Posting: This committee must consider that most landlords are good people and have every incentive to keep their tenants happy so that they don't have vacancies and turnover which only cost more money. It is in their economic best interest to not harass or be mean or discriminatory or act in any demeaning way to their tenants. For the government to create laws that are artificial and that just give plaintiffs' counsel who are looking for nothing other than an opportunity to settle claims is unfair and will eventually hurt tenants And landlords the same.

Communication from Public

Name: Jun

Date Submitted: 10/28/2024 02:04 PM

Council File No: 14-0268-S18

Comments for Public Posting: Hi, my name is Jun. I am speaking on agenda item 26 on the agenda, and giving general public comment. When LARSO is scheduled, I urge the City Council to vote on LARSO updates that will keep our friends and family in their homes. I am demanding:
1) An annual increase formula based on 60% of CPI with a limit of 3%, and no floor 2) Removal of the utility bump 3) Elimination of additional occupant increase 4) The formula applies equally to all owners, regardless of size. A coalition of more than 100 organizations in Los Angeles supports these updates and the Economic Roundtable report supports our demands too. Please vote to make rent increases under LARSO the most protective of tenants possible. In addition, I am here to urge all City Council members to vote YES on agenda item 26. We need a Tenant-Anti-Harassment ordinance that works as intended. Thank you to Councilmember Raman for all your leadership and thanks to all Councilmembers who have supported the amendments.

Communication from Public

Name: edna monroy

Date Submitted: 10/28/2024 02:57 PM

Council File No: 14-0268-S18

Comments for Public Posting: Hi, my name is Edna Monroy, and I am speaking on agenda item 26 on the agenda. I want to thank you Council member Nythia Raman for her consistent leadership, and commitment, and thank all the councilmembers that have been supporting the Tenant Anti Harassment Ordinance (TAHO) to ensure we not only passed it, but passed the strongest TAHO possible. We are almost there, and I want to ask you to PLEASE VOTE YES ON TAHO ON WEDNESDAY, OCTOBER 30TH. TAHO 2.0 will bring much relief and justice to tenants that have been facing extreme landlord harassment. Let's help Angelenos stay housed, protected, and feel safe in their homes. Thank you em

Communication from Public

Name: Haya Handel

Date Submitted: 10/28/2024 03:51 PM

Council File No: 14-0268-S18

Comments for Public Posting: I have written detailed emails to you in the past regarding the serious problems with this provision as it is drafted so I don't really have the energy to put too much detail in this one. We all want tenants to be treated fairly, but we also want housing providers to be treated fairly -- right? We are your constituents as well and we provide an essential service, I don't know if any of you are attorneys, but I have been a practicing attorney for almost thirty years, and attended Yale School of Law, and have been a party to numerous spurious disability law suits from various legal mills who file 100 of these a day and I can promise you that the horrible way this is drafted will result in ENDLESS LAWSUITS AGAINST GOOD, HONEST, HARDWORKING HOUSING PROVIDERS. It is so badly drafted and vague that literally I could make the case that asking a tenant for rent is harassment. Maybe that is what you want -- but you are going to drive a lot of people to convert their units to condos and get out of the rental business. Really people -- get in a room with landlords and their representatives and explain to them what isn't harassment. Please vote no on this.

Communication from Public

Name: Fred Sutton

Date Submitted: 10/28/2024 04:49 PM

Council File No: 14-0268-S18

Comments for Public Posting: Attached, please find a letter from the California Apartment Association.



California Apartment Association
Los Angeles County

October 28, 2024

Council President Harris-Dawson
City of Los Angeles
VIA Email

Re: Item 26 Tenant Harassment Ordinance (C.F. [14-0268- S18](#))

The California Apartment Association (CAA), representing a spectrum of housing providers and industry-supporting businesses, is committed to promoting fair and equitable housing policies in LA City. We are writing to express our concerns regarding item 26 on the October 30th agenda.

When the Tenant Harassment Ordinance was first inception, CAA understood the aims of the city and worked hard to ensure communications would be fostered, and protections for both housing providers and residents were present in the ordinance. Harassment is illegal. The goal of the ordinance should not be to increase litigation but ensure everyone is abiding by the law. Additionally, responsible housing providers should not be faced with frivolous lawsuits. We are concerned this item was waived out of committee without further discussion on key changes. We respectfully request the council to review these critical issues regarding the proposed policy changes.

1. Eviction Defense Nexus (Section 45.34): The proposed amendment could allow any instance of alleged harassment to be raised as a defense in eviction cases, even if completely unrelated to the reason for eviction. Unlawful detainer actions are not intended to be used to litigate issues beyond the eviction because they are intended to be relatively simple, summary procedures. See e.g., *Green v. Superior Court* (1974) 10 Cal.3d 616, 632 (citation omitted) (“The remedy of unlawful detainer is designed to provide means by which the timely possession of premises which are wrongfully withheld may be secured to the person entitled thereto. The summary character of the action would be defeated if, by cross-complaint or counterclaim, issues irrelevant to the right of immediate possession could be introduced.”). The proposed amendment would conflict with state law by expanding the scope of unlawful detainer actions to allow for wholly unrelated claims to be shoehorned into a summary eviction proceeding. This expansion will clog court dockets, delay lawful proceedings, and increase costs due to extensive discovery. The proposed amendment should be removed.

2. Penalties (Section 45.35.B): The proposed automatic treble damages (including damages for mental or emotional distress), minimum \$2,000 civil penalty, and mandatory attorney fees for emotional distress are excessive, particularly in light of the broad range of conduct encompassed by the other revisions proposed. We urge the council to reinsert judicial discretion and allow judges to decide based on the case's specifics and totality of information.

3. Exception to Notice to Cure (Section 45.35.F): The cure provision was meant to foster communication, provide an opportunity to resolve issues and to ensure a cottage industry of litigation was not created. The language allowing tenants to bypass notice requirements due to the landlord's "willful disregard for the comfort, safety or well-being of the tenants" is overly broad and very subjective. Virtually any conduct by a housing provider could be deemed by a tenant to be in willful disregard of their comfort or well-being which would then allow the tenant to bypass this important



California Apartment Association
Los Angeles County

protection. Understanding the purpose of the exception, we propose a more precise standard, such as "no waiting period shall apply if the landlord's conduct is malicious and puts the tenant's physical safety at immediate risk."

Additional Concerns:

- **Unilateral Changes in Terms of Tenancy (Section 45.33.16):** Amend to allow changes authorized by Federal, state, or local law, ensuring consistency with existing just cause ordinances.
- **Right of Entry (Section 45.33.3):** Align notice requirements with state law (Section 1954) for practicality and consistency.
- **Third Party Payment (Section 45.33.9):** Require a signed statement by third parties per Civil Code 1947.3 to avoid creating unintended tenancies.

The original ordinance resulted from an extensive stakeholder consultation and thorough deliberation process. Notably, these changes had no prior discussion with those who house LA and the basic committee hearing process prior to this final draft coming to full council did not take place. The city should not rush complex and nuanced policy discussions. However, if policy changes are to proceed, it is essential that the concerns outlined above are addressed to ensure fair and reasonable interactions between tenants and housing providers. Thank you for your attention to these important matters.

Sincerely,

Fred Sutton
California Apartment Association

Communication from Public

Name: Angela Birdsong

Date Submitted: 10/28/2024 05:58 PM

Council File No: 14-0268-S18

Comments for Public Posting: Greetings, My name is Angela Birdsong and I am making a general comment. I am a housing rights organizer for Los Angeles Community Action Network better known as LA CAN. I work in Council District 14, and I reside in the city of Inglewood, a close neighbor of the city of Los Angeles, and I am a landlord in Hermosa Beach. I am urging all Council members to pass TAHO as amended by the Housing and Homeless Committee. The current TAHO is weak and unenforceable. Furthermore, the Tenant Anti-Harassment Ordinance must include 4 key amendments: 1. Ensure landlords are fined when they are found in violation of the ordinance 2. Institute triple damages when landlords willfully engage in harassment 3. Must include remedies for tenants such as emotional damages 4. Create affirmative defenses in eviction proceedings Without consequences for harassment, landlords will continue to ignore TAHO. Landlords ignore TAHO in Skid Row constantly despite HACLA (Housing Authority of the City of Los Angeles) withholding its portion of the subsidized rent when the unit does not pass inspection and re-inspection. Landlords ignore when the Los Angeles Housing Department writes citations for elevators not working for 3 weeks leaving tenants who use wheelchairs stuck on their floors or out of their buildings for those 3 weeks. This elevator issue happened at SP7 Apartments on San Pedro and 7th Street to two of our LA CAN's members: Mr. Tyrone Rucker and Mr. Kay C Porter. Can you imagine the mental and emotional distress these two gentlemen experienced and are experiencing? Landlords must be held accountable and responsible! Please support TAHO making it stronger and enforceable. Thank you