

MOTION

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On June 13, 2024, Los Angeles Superior Court Judge H. Jay Ford, III issued a tentative decision in the matter of Barrington Plaza Tenant Association vs. Douglas Emmett, Inc. - a civil lawsuit brought by tenants of Barrington Plaza, challenging Douglas Emmett's use of the Ellis Act for the purpose of installing fire sprinklers following fires at the West Los Angeles apartment complex in 2013 and 2020, one of which was fatal.

In his ruling, Judge Ford ruled in favor of Barrington Plaza's tenants, writing that Barrington Plaza's owners "...did not intend to permanently remove those apartments from the rental market under the RSO or otherwise intend 'to go out of business' contemplated under the Ellis Act."

The tentative ruling conflicts with what was shared during a September 6, 2023 verbal update before the City Council's Housing and Homelessness Committee when the City Attorney opined that the Ellis Act permitted the withdrawal of these units and that any intervention could only be considered if the units were ultimately returned to the rental market.

Los Angeles Municipal Code Sections 151.24 - 151.28 govern the re-rental of units that have been proposed for removal under the Ellis Act and outlines the responsibilities and requirements of landlords. This includes notices of intention to re-rent that must be filed with the Los Angeles Housing Department, civil penalties for offering units for rent within two years of withdrawal, re-rental rights of displaced tenants as well as other provisions.

According to a February 1, 2024 report from the Los Angeles Housing Department, 394 tenants were required to relocate as of September 5, 2023 per Ellis Act procedures, after receiving relocation assistance ranging from \$9,200 - \$22,950. In addition, Douglas Emmett provided enhanced relocation benefits to seniors and other vulnerable populations. Another 193 households at Barrington Plaza expressed their interest to return to their units if they were re-rented within 10 years.

In light of the court's tentative ruling, the City should understand its role under Los Angeles Municipal Code Sections 151.24 - 151.28.

I THEREFORE MOVE that the Council instruct the Housing Department and City Attorney, to report back in 30 days with an analysis of Judge Ford's ruling.

I FURTHER MOVE that Council request the City Attorney to report on options for further intervention as previously requested in CF 23-4079.

PRESENTED BY:

Traci Park
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Councilwoman, 11th District

SECONDED BY:

Amador Pacheco

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