

CORRECTED REPORT

File No. 18-0610-S3

HOUSING AND HOMELESSNESS COMMITTEE REPORT relative to the establishment of a Right to Counsel Ordinance and program.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. NOTE and FILE the October 6, 2023 Los Angeles Housing Department (LAHD) report relative to establishing a Right to Counsel program for low-income tenants facing eviction.
2. ADOPT the recommended Right to Counsel five-year phase-in plan through the expansion of the Eviction Defense Program (EDP), as detailed in the November 27, 2023 City Administrative Officer (CAO) report, attached to the Council File.
3. REQUEST the City Attorney, with the assistance of LAHD, to prepare and present a Right to Counsel (RTC) Ordinance, contingent on the availability of funding, to:
 - a. Provide legal service to qualifying tenants at or below 80 percent of Area Median Income who reside within City limits.
 - b. Provide legal representation to qualifying tenants for any judicial or administrative proceedings to evict or terminate a renter's tenancy or housing subsidy.
 - c. Require landlords to notify tenants of the RTC Program, using a curated City form, at the onset of a tenancy and attach to any termination of tenancy notice in the tenant's primary language.
 - d. Provide landlords with appropriate forms and notices that are to be utilized as part of the RTC Program.
 - e. Provide notice to landlords of updates and changes to RTC Program requirements.
 - f. Disallow services for tenants who reside in the same dwelling unit with their landlord or master tenant in order to avoid potential conflict with other statutes.
 - g. Provide that the RTC Program shall be established and operated subject to the appropriation of necessary funds by Mayor and Council.
4. AUTHORIZE Resolution Authority for the following new positions to support the implementation and administration of the RTC program, subject to allocation by

the Board of Civil Service Commissioners and subject to pay grade determination by the CAO:

- a. One Housing Planning and Economic Analyst, Class Code 8504
- b. One Communications Information Representative, Class Code 1461

5. REQUEST the Controller to:

- a. Transfer \$178,952.87 within the House LA Fund No. 66M/43 from Account No. 43Y00B, Administration to the following accounts:
 - i. 43Y143 – Housing Department \$106,820.99
 - ii. 43Y299 – Reimburse the General Fund \$72,131.88
- b. Increase appropriations in the amount of \$106,820.99 for the following accounts within LAHD Fund No. 100/43:
 - i. 1010 – Salaries General \$92,887.82
 - ii. 6030 – Leasing \$13,933.17
- c. Expend funds not to exceed \$178,952.87 upon proper written demand of the General Manager, LAHD, or designee.

6. DIRECT the General Manager, LAHD, or designee, to:

- a. Develop a plan that will guide the RTC Program implementation and allow for service level adjustments based on available funding.
- b. Administer, implement, and monitor the expanded RTC/EDP program, including:
 - i. Work with designated community groups to engage and educate tenants about their rights and provide tenants with navigation services.
 - ii. Provide a plan to implement the five-year phase in plan that prioritizes vulnerable tenants based on zip codes or criteria developed by the LAHD in collaboration with legal service providers and community-based organizations.
 - iii. Report back on the number of tenants serviced with legal assistance, case outcomes, and education efforts to assist renters facing eviction.

- iv. Report back with a detailed annual spending plan for the program, subject to available funding.
 - c. Prepare Controller instructions and make necessary technical adjustments consistent with the Mayor and Council actions, subject to the approval of the CAO; and, request the Controller to implement these instructions.
7. INSTRUCT the LAHD to report in regard to alternate methods (other than by Zip Code) for determining areas which are most in need of RTC Program services.

Fiscal Impact Statement: The CAO reports that that there is no impact to the General Fund at this time. The actions recommended in the November 27, 2023 CAO report, attached to the Council File, will be funded by Measure United to House LA (Measure ULA) revenues. Should Measure ULA revenues come in lower than anticipated or become unavailable, the General Fund may be obligated to cover any spent funds. In future years, service levels may need to be adjusted based on Measure ULA funding availability to curb potential impact to the General Fund.

Financial Policies Statement: The CAO reports that the recommendations stated in the November 27, 2023 CAO report, attached to the Council File, are in compliance with the City's Financial Policies in that ongoing revenues will be used to fund ongoing expenditures.

Community Impact Statement: Yes

For:
Historic Highland Park Neighborhood Council

(Personnel, Audits, and Hiring Committee waived consideration of the above matter.)

Summary:

On November 29, 2023, your Committee considered October 6, 2023 LAHD and November 27, 2023 CAO reports relative to the establishment of a Right to Counsel Ordinance and program. The CAO report was received subsequent to the release of the Committee agenda and thus was presented in Committee. According to the CAO, in its October 6, 2023 report, the LAHD is requesting authority for various actions related to the creation of an RTC program through the expansion of the City's existing EDP. This includes requests for the Council and Mayor to:

- a) Approve the proposed five-year phase in plan of the EDP.
- b) Request that the City Attorney, with assistance from the LAHD, prepare an Ordinance codifying the RTC program.
- c) Instruct the LAHD to administer the expanded EDP/RTC Program.

- d) Authorize five resolution authority positions to administer the expanded EDP/RTC program.
- e) Authorize the Controller to transfer and increase appropriations in the amount of \$178,952.87 from the Administration account within the House LA Fund to LAHD to fund these positions.

The LAHD launched the EDP on July 1, 2021 to provide legal assistance and information to renters facing eviction in the City. Council has approved \$63,576,824.20 in one-time funds for EDP, delivered by the Legal Aid Foundation of Los Angeles (LAFLA), at its current level through June 30, 2025. The ULA measure, approved by voters in November 2022, provides a permanent source of funding for LAHD to expand EDP to eventually provide legal services to all eligible renters facing eviction citywide. The LAHD Report provides a framework for this expanded program, including an ordinance that would provide the right to counsel for qualified tenants, a five-year phase in plan to roll out services citywide, and additional LAHD staffing to administer and monitor the program.

The LAHD is requesting five new positions to administer, implement, and monitor the program as follows:

- a) One Housing Planning and Economic Analyst
- b) One Communications Information Representative
- c) One Management Analyst
- d) One Senior Administrative Clerk
- e) One Administrative Clerk.

The LAHD intends to begin recruitment in the second half of Fiscal Year 2023- 24 and does not expect all positions to be filled until the following fiscal year. The CAO concurs with the recommendation to authorize one Housing Planning and Economic Analyst and one Communications Information Representative at this time. The LAHD has several vacancies in the Management Analyst, Senior Administrative Clerk, and Administrative Clerk classifications that can be used for this program on the interim. Any other position requests should be addressed through the annual budget process. After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the recommendations contained in the CAO report, as amended. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Housing and Homelessness Committee

COUNCILMEMBER	VOTE
RAMAN:	YES
BLUMENFIELD:	YES
HARRIS-DAWSON:	YES
RODRIGUEZ:	YES
LEE:	YES

ARL

11/29/23

-NOT OFFICIAL UNTIL COUNCIL ACTS-