



MOTION

In 2019, the State of California adopted AB 1482 (Chiu) "The Tenant Protection Act," which provides statewide regulation of certain non-rent stabilized rental units, limiting the allowable annual rent increase to no more than 10 percent for buildings fifteen years or older, and not subject to Statewide Rent Stabilization. A major component of the Tenant Protection Act provides wide regulation for "just cause" evictions, including for what is known as "substantial remodel", which is defined as major structural, electrical, plumbing or mechanical system work lasting 30 over days and requiring local permits. Like the Tenant Protection Act, the City's Just Cause Ordinance (JCO) qualifies "substantial remodel" as a "no-fault" eviction in which a tenant in good standing can be evicted if the unit requires permitted work and the building owner self-certifies that the work will require 30 days or more to complete.

The City's Rent Stabilization Ordinance (RSO) provides protections for tenants from evictions for units undergoing substantial remodel through the Tenant Habitability Program (THP). THP was adopted in 2005 (LAMC § 152 et seq) and requires building owners with units subject to RSO who need to substantially remodel a unit to temporarily relocate impacted tenant(s) while requiring the tenant(s) to continue paying rent to maintain tenancy while temporarily relocated and the remodel work is completed. The THP requires the building owner to submit a Tenant Habitability Plan to the Los Angeles Housing Department, and requires the agreement of the tenant to execute the Tenant Habitability Plan which includes cost recovery for the remodel work.

The THP is an important tool for displaced tenants in RSO units to maintain tenancy and to enable the right to return to the remodeled unit. The JCO enables "substantial remodel" as a reason to evict a tenant and the City should take steps to further protect tenants from this no-fault eviction by eliminating LAMC 165.03 (I.2) from the JCO. Although substantial remodels are sometimes necessary, it should not be a reason to evict a tenant from their home, and tenants should have the right to return and maintain their tenancy.

The Los Angeles Housing Department, in collaboration with the City Attorney, should report to Council with options to amend LAMC 165.03 (I.2) the City's Just Cause Ordinance, in order to provide further eviction protections for tenants in units undergoing substantial remodel, and report with an urgency clause to immediately end this eviction practice.

I THEREFORE MOVE that the Los Angeles Housing Department (LAHD), with the assistance of the City Attorney, report with recommendations to amend the Just Cause for Eviction Ordinance, LAMC 165.03 by removing the Substantial Remodel clause (LAMC 165.03 I.2.), and replace with a method for tenants to maintain tenancy during a "substantial remodel" wherein a tenant continues paying rent while a substantial remodel takes place, such as through a Tenant Habitability Plan (THP), for those renters impacted by eviction proceedings currently done as "substantial remodel", and include other protections for renters subjected to this provision such as verification of "self-certification" of the substantial remodel work.

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I FURTHER MOVE that the LAHD report to Council with recommendations on fee adjustments required to effectuate this ordinance, and a summary of "no-fault evictions", within the scope of AB 1482 (Chiu) and SB 567 (Durazo), within the City from July 1, 2022 to October 1, 2024 specifying the total number of units taken off the market, the rationale for the removal, and the legal justification for that eviction.

I FURTHER MOVE that the City Attorney, with the assistance of LAHD, to report on the feasibility of enacting an urgency ordinance that would remove the substantial remodel section of LAMC 165.03(1.2) immediately while LAHD reports back with recommendations.

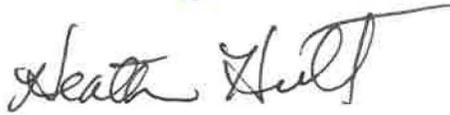
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