

## Communication from Public

**Name:** Sergio Martin

**Date Submitted:** 08/05/2024 05:15 PM

**Council File No:** 18-0610-S3

**Comments for Public Posting:** Dear Council Members, Please ensure balance in items 2 and 4 on the Housing Committee agenda. The Tenant Anti-Harassment Ordinance (TAHO), established in 2021, is facing amendments that could broaden its scope too far, removing judicial discretion and weakening protections for housing providers. These changes could wrongly classify lawful actions as harassment. The ordinance should focus on clear communication and fair protection for both residents and housing providers, not on increasing litigation or exposing providers to unnecessary lawsuits. Furthermore, the Right to Counsel Ordinance should include annual tracking to assess its effectiveness and funding. The "CFCT Notice" should be a single, multilingual notice directing tenants to a city website, simplifying compliance for housing providers. For the past several years, housing providers have faced an increasing burden from expanding city regulations, which could lead to significant financial strain and affect the availability and affordability of rental housing. Please preserve the sensible provisions in item 2 and make item 4 straightforward and easy to follow. Support housing providers by addressing these important concerns. Thank you for your consideration. Sincerely, Sergio Martin.

## Communication from Public

**Name:** Fred Sutton  
**Date Submitted:** 08/05/2024 11:31 AM  
**Council File No:** 18-0610-S3  
**Comments for Public Posting:** Attached, please find a letter from the California Apartment Association regarding this item.



California Apartment Association  
Los Angeles County

August 3, 2024

Councilmember Nithya Raman  
Chair, Housing & Homelessness Committee  
City of Los Angeles  
VIA Email

**Re: Right to Counsel Draft Ordinance (C.F. [18-0610-S3](#) )**

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 respectfully request the council consider clarifying amendments to the draft ordinance to ensure the program is easy to understand, contains appropriate guardrails and reporting benchmarks.

**Streamline Noticing (Sec. 166.03(B))**: We appreciate the department creating a notice advising tenants of the City Funded Counsel for Tenants Program (the “CFCT Notice”). Standardized noticing for everyone to understand and provide is crucial. There are two practical concerns we would appreciate being addressed.

- A housing provider might not be aware of a tenant's primary language. For instance, a resident could be fluent in English or Spanish, and conduct lease negotiations in either language, even if their primary language is Italian.
- Is the CFCT notice going to be available in all languages?

***Recommendation***: The city should create a single notice that includes information in multiple languages and directs tenants to a city website for more information that housing providers can provide in all cases. This simplifies compliance and ensures correct information is delivered to tenants. Housing providers should not be in a position where they are seeking translation services for the city verbiage.

**Reporting Requirement**: It is important that annual reporting is required. Most cities which have implemented such policies track the dollars and cases. As we have recently seen, the state of California failed to properly track much of its spending on homelessness. Without tracking, improvements in the program and funding allocation can't be properly assessed. How is the success of the program determined?

The objective of the CFCT program should be clearly laid out with the department developing policies pertaining to those objectives. Below are types of information that should be tracked:

- The number of tenant-households served.
- The basis for eviction.
- Outcomes following the case in an unlawful detainer proceeding, including, but not limited to, the number of households that:
  - Remained in their housing for at least 12 months following termination of proceedings, disaggregated by whether the result is because of a judgment entered in the case or a settlement.
  - Vacated their housing within 12 months following termination of proceedings, disaggregated by whether the result is because of a judgment entered in the case or a settlement.

- Average and median cost per case.

**Size of Scope Clarity:**

How is size of scope to be determined?

Section Sec. 166.03(A) states that representation through the program “shall last at least” through the termination of trial court proceedings. This language indicates a mandate to provide representation for the duration of the eviction case in the trial court. This appears at odds with the definition of “Legal Representation” which provides that the program can provide limited scope representation in some cases. Limited scope representation often is only for a brief period, such as reviewing the notice a tenant was served or helping them prepare an answer. Is limited scope representation possible with this language?

**Program Objective-** We respectfully request that the city consider incorporating additional overarching objective guidelines into the mission of the ordinance.

While the primary goal of the city funded Right to Counsel Program is to ensure that qualifying tenants have access to legal representation, it is important to clarify that the Program is not intended to delay legal proceedings, unnecessarily increase litigation costs, or burden the court system with unmeritorious filings and proceedings.

We believe that by including these specific objectives, the department will be more effective and efficient in overseeing its intended purpose.

CAA has long maintained that direct monetary assistance is the best way to help those in need and intervene before an eviction commences. Available dollars should be directed to a rental subsidy program. RTC programs do not achieve what their proponents claim. It comes at a high cost and demonstrates little success. RTC laws only delay an eviction and ultimately increase the costs of operations, making housing more expensive and harder to find. As the Right to Counsel Program concept has been approved, we respectfully request the above items be considered for refinement and inclusion.

Sincerely,



Fred Sutton  
California Apartment Association

## Communication from Public

**Name:** Monica A Erickson

**Date Submitted:** 08/05/2024 11:34 AM

**Council File No:** 18-0610-S3

**Comments for Public Posting:** Dear Council Members, I urge you to ensure balance is maintained in items 2 & 4 on the Housing Committee agenda. Harassment is illegal. The TAHO, established in 2021 after extensive discussion and debate, is now facing proposed amendments that are overly broad, eliminate judicial discretion, and undermine critical protections for housing providers. These changes risk categorizing lawful actions as harassment. The ordinance should not aim to increase litigation or place responsible housing providers at risk of frivolous lawsuits. Instead, it should foster communication and ensure protection for both housing providers and residents. Additionally, the Right to Counsel Ordinance must include annual reporting and tracking to assess outcomes and funding allocation. The "CFCT Notice" should be a single, multilingual notice that directs tenants to a city website for more information, simplifying compliance for housing providers and ensuring accurate information is delivered to residents. Housing providers should not be burdened with seeking translation services for city verbiage. For the past several years, housing providers have felt targeted by the city's ever-growing layers of requirements. These should not impose unreasonable burdens on responsible housing providers. The proposed changes could lead to significant and undue financial strain, increasing costs related to compliance, legal defenses, and potential penalties. This, in turn, may impact the availability and affordability of rental housing. Please maintain the commonsense provisions in item 2 and ensure item 4 is straightforward and easy to comply with. Support housing providers and address these critical matters. Thank you, Monica Erickson