

## Communication from Public

**Name:** Rob Reed

**Date Submitted:** 09/23/2020 09:41 AM

**Council File No:** 20-0922

**Comments for Public Posting:** Re: SCEP fee increase. I agree that the City needs a strong, proactive Code Enforcement Program and am in favor of increasing the SCEP charge. However, the fee should be 100% paid by landlords, not passed through to tenants, due the massive hardships caused the by coronavirus pandemic. The fee is also used to evict tenants by less-than-ethical landlords. Some use nonpayment of the SCEP fee to evict tenants because some courts interpret the fee to be "rent." As an eviction defense attorney, I have seen landlords allow the unpaid fee to accumulate for a few months, and then attempt to evict once the debt rises to about \$25. Tenants don't understand what the fee is and often landlords do not give tenants the required document explaining the fee. If the SCEP fee continues to be passed-through to tenants, the municipal code must be updated to make it clear that nonpayment of the SCEP fee is not a basis to evict someone. Thank you.

## Communication from Public

**Name:** John Parks

**Date Submitted:** 09/23/2020 09:41 AM

**Council File No:** 20-0922

**Comments for Public Posting:** John Parks, Coalition for Economic Survival While SCEP fees may need to be increased it can't be on the backs of financially strapped renters who are struggling to pay rent because of the pandemic This fee is crucial to ensuring that our housing is habitable and safe. But, to ensure equity, as with the rent registration fee, the SCEP fee must be equally split between tenants and landlords. SCEP was established to ensure landlords maintain their properties. It's unjust and makes no sense that the entire burden of that fee rests on the shoulders of tenants. We strongly urge your support for the CAO's Option 2 to split the fee 50/50 between tenants and landlords.

## Communication from Public

**Name:** Elizabeth Guzman

**Date Submitted:** 09/23/2020 11:25 AM

**Council File No:** 20-0922

**Comments for Public Posting:** Hello, My name is Ellie, I have been a tenant advocate and organizer for the past 2 years. I have helped countless tenants who were evicted due to SCEP fees or who's habitability issues were unresolved due to biased investigators, who sympathize with property owners versus tenants. While this program is important, it needs alot of improvement. It makes sense that SCEP needs a fee increase, to help improve and expand the system. However, landlords should pay 100% of the fees. This is the cost of carrying out their business. Typically, the regulated industry pays the fees. For instance, with lead poisoning prevention, the lead industry pays the fees that fund the State and county lead poisoning prevention programs. In this case, landlords are the regulated industry: The inspections ensure that the landlords comply with State and local habitability laws. Landlords benefit from the program and they have said so. As part of the City's 2009 Economic Study of the RSO, there was a survey of landlords in which 60% of landlords reported that they benefit from SCEP. See chart on page 161 of the Study. Most urgently, tenant incomes have been decimated by the pandemic. Imposing a fee increase of only \$6/month, on tenants who are already being forced to choose between food and healthcare and housing, will push many beyond the brink. Now is not the time for more fee increases on tenants. This is no time to burden people who working-class people who are being hit hardest by the pandemic by the closure of food, service and entertainment industries +. In addition, the Council should make it explicit in the LA Municipal Code that SCEP fees are not rent and must not be the basis for eviction. Currently, the LA Municipal Code is not explicit about whether the fee is rent. Some landlords seek eviction based on unpaid SCEP fees, as if it were rent. Some judges catch it and dismiss the cause of action. Other judges don't catch it. And we don't know how many times tenants move without fighting the eviction because they don't know that SCEP fees aren't rent. Making it explicit in the code could help minimize these improper evictions.

## Communication from Public

**Name:** Edna Monroy

**Date Submitted:** 09/23/2020 03:37 PM

**Council File No:** 20-0922

**Comments for Public Posting:** The creation of the SCEP program was to ensure that there are minimal habitability standards and requirements provided to landlords to ensure all rental units are up to code, and we decrease health and safety hazards that hundreds of Los Angeles tenants, many of them very low income, face in rental units. Although we understand that there needs to be an increase to this service, there also needs to be an improvement to the quality of said process, and the way that code violations are cited and resolved. It is a right for tenants to live in safe and healthy homes, the responsibility of landlords to abide by process, and the Housing Department to ensure tenants do not get harassed for filing complaints, for speaking up and requesting repairs, and choose to engage and ask questions about SCEP inspections. Inspectors need to be open to adding newly found code violations, and not just go by the books especially when the tenants are clearly showing the inspectors the seriousness of the code violations. Landlords should pay 100% of the fees because these are part of running business as usual and part of the renting business. It is quite senseless to expect already financially struggling tenants to pay a SCEP increase when people already do not have money for basic necessities and food, much less for SCEP fees and rent. Just like we're asking for a complete rent and debt cancellation, we also believe that we need a mortgage cancellation. Forcing tenants to pay for an increased SCEP fee will further displace tenants, and cause extreme economic hardships to the most vulnerable. In addition, Council should make it explicit in the LA Municipal Code that SCEP fees are not rent and must not be the basis for eviction. Currently, the LA Municipal Code is not explicit about whether the fee is rent. Some landlords seek eviction based on unpaid SCEP fees, as if it were rent. Some judges catch it and dismiss the cause of action. Other judges don't catch it. And we don't know how many times tenants move without fighting the eviction because they don't know that SCEP fees aren't rent. Making it explicit in the code could help minimize these improper and unjust evictions, and unnecessary emotional distress to tenants and their loved ones.

## Communication from Public

**Name:** Nancee Lee

**Date Submitted:** 09/23/2020 09:10 PM

**Council File No:** 20-0922

**Comments for Public Posting:** Thank you for this opportunity to provide public comment. I'm a long term Los Angeles community member and Tenant. When I contact HCIDLA desperate for help, it is very difficult to obtain that help! I have numerous long term code violations. I'm urging you to increase the SCEP fees, so that there can be more code enforcement. We must be certain that owners pay 100% of the fees. Owners have dramatically higher resources than Tenants.

## Communication from Public

**Name:** Greg Spiegel

**Date Submitted:** 09/23/2020 01:23 PM

**Council File No:** 20-0922

**Comments for Public Posting:** Inner City Law Center supports a fee increase for SCEP to ensure a comprehensive and proactive housing code enforcement program but the fees should not be passed through to tenants. Instead, as the regulated entity, landlords should pay 100% of the SCEP fees. The City needs a strong, proactive SCEP. When there wasn't one, slum housing was rampant, neighborhoods deteriorated, tenants suffered. In 1997, the slum housing crisis necessitated the creation of a blue-ribbon citizen's commission that proposed something like SCEP. SCEP has been a success (improved conditions for tenants and the City's housing stock) and it needs sufficient funding. A fee increase makes sense when there hasn't been one since 2012. However, for several reasons, it is not appropriate to impose the fee on tenants. Typically, the regulated industry pays the fees. For instance, with lead poisoning prevention, the lead industry pays the fees that fund the State and county lead poisoning prevention programs. In this case, landlords are the regulated industry. The inspections ensure that the landlords comply with State and local habitability laws. As the regulated industry, landlords should pay for SCEP. Even if the regulated industry doesn't exclusively pay, it doesn't make sense for the people that are intended to be protected by the regulation to exclusively pay. Landlords claim that tenants pay because it is tenants who benefit from the program. But it is important to acknowledge that landlords benefit from the program and they have said so. As part of the City's 2009 Economic Study of the RSO, there was a survey of landlords in which 60% of landlords reported that they benefit from SCEP. See chart on page 161 of the Study. If the theory is that those who benefit should pay, then landlords should be paying fees. Finally, and most urgently, tenant incomes have been decimated by the pandemic. Imposing a fee increase of only \$6/month, on tenants who are already being forced to choose between food and healthcare and housing, will push many beyond the brink. Now is not the time for more fee increases on tenants. In addition, Council should make it explicit in the LA Municipal Code that SCEP fees are not rent and must not be the basis for eviction. Currently, the LA Municipal Code is not explicit about whether the fee is rent. Some landlords seek eviction based on unpaid SCEP fees, as if it were rent. Some judges catch it and dismiss the cause of action. Other judges don't

catch it. And we don't know how many times tenants move without fighting the eviction because they don't know that SCEP fees aren't rent. Making it explicit in the code could help minimize these improper evictions. Please pass a SCEP fee increase and require landlords to pay the fee. Thanks, Greg Spiegel