Communication from Public

Name: John Calvo
Date Submitted: 07/22/2022 06:09 PM
Council File No: 20-0291
Comments for Public Posting: We need to place this for full council vote. The emergency order by Mayor Garcetti is one-sided and has only helped the tenants. Remember, that you also have a majority of constituents that are small mom and pop owners of investment property. We've had no reasonable relief. Mortgage has increased, utilities have increased, services (gardener, contractors, handymen and building supplies), insurance, etc. Covid emergency is OVER! How can you justify ending this insanity until 1-YEAR after the Mayor removes the emergency order? We can't take anymore. We need to be able to increase rent to catch-up with the cost of living. My property (3-unit in Boyle Heights) is rent controlled (RSO) and the increase is a meager 4%, but it is something. Eviction moratorium has also killed us! Most tenants that have taken advantage of the rent and eviction freeze have not been affected by Covid physically or financially. Please do something to help us keep the only investment and retirement we have for our families. REMOVE THE RENT FREEZE AND EVICTION MORATORIUM NOW.

Communication from Public

Name:	Alan Horwitz
Date Submitted:	07/22/2022 10:25 PM
Council File No:	20-0291
Comments for Public Posting:	Please see attached

July 22, 2022

Dear Los Angeles City Council Members:

As July winds down and August 1 arrives, City of Los Angeles will remain the one and only City in Southern California still in an eviction moratorium. And when that day finally comes, the thousands of small landlords that you "represent" will look to those of you who passed this moratorium without their input and will each think to themselves: "Not only has the City Council failed me, they have refused to even acknowledge me."

No doubt, the law's passage was done with good intentions and was necessary to give tenants a needed sense of security through tumultuous times. But that time has now passed and those tenants who have had trouble paying rent due to the pandemic will remain protected under new California state laws. Most notably, any future case based upon a failure to pay rent will first require a housing provider to participate in the rental assistance program and to exhaust all avenues before being allowed to proceed. And even if an unlawful detainer has been initiated, the law still provides for protections and safety nets for those who then seek rental funding. Along those same lines, I am happy to report that many evictions have been averted over these past 29 months and landlords are now reporting some success stories in receiving the assistance. I realize everyone's concern relating to a potential "tsunami" of evictions on the horizon, but that will not happen for those who have taken advantage of the state's protections. This large wave can also be scaled back by allowing some of the more egregious matters to proceed now.

With this in mind, most of the people that the moratorium now protects are those who wish to use the law as cover for impropriety and who are instead doing harm, not only to their beleaguered housing providers, but also to their neighboring renters. Here is what the emergency law has inflicted upon small landlords:

The Effect on Nuisance Matters:

The moratorium only allows for matters in which there is an "imminent threat to health and safety"

The entire purpose of terminating tenancies for "nuisance" or for "lease violations" is to avoid an imminent threat to the health and safety of others. It should come as no surprise then that the inability of housing providers to use these normal remedies has resulted in harrowing circumstances for rental communities that could have been easily avoided. With such a high threshold in place since April of 2020, landlords and tenants have had to endure:

For an entire year, I frustratingly had to advise Angelina C. and her disconcerted tenants that she was powerless to remove a household that was violating the peace and quiet enjoyment of the complex with screaming, arguments, loud music, excessive foot traffic, loitering and suspected drug use. Only once neighbors began to come across used hypodermic needles could we finally argue that the tenancy met the health and safety threshold. But by that time it was too late and shortly thereafter, neighbors were horrified as they watched the Coroner's office remove a dead body (not the tenant) that had gone unnoticed in the unit for over three days following the guest's drug overdose.

Without the moratorium in place, Michael L could have quickly terminated the occupancy of his subtenant (a defendant in three previous evictions for harassing behavior) in their shared-living situation

once his housemate exhibited offensive and erratic behavior. Instead, because of the emergency law and because there was no expressed threat made, he had to wait until the subtenant actually attacked another roommate to finally begin the termination process. Before our case could finish, the subtenant was killed by Mr. Lee's own son in self-defense and his son now faces murder charges.

These deaths could have been preventable had the City Council listened to other voices and even considered a more balanced and reasonable approach to the eviction crisis.

Amalia M. manages a residential. She filed a case against her tenants in 2019 that had yet to be adjudicated before the moratorium stopped the process. For over two years she fielded complaints from other residents relating to this tenancy, including: noise, fighting, loud music, belligerence, and visits by Child Protective Services. Now, with the original matter still on hold, my office has been required to file a second and concurrent case against the tenants after one of the defendants threatened on separate occasions to "beat the shit out of" and kill Ms. Moran. She goes to work everyday in fear from these tenants, who should have been removed from the property over a year ago.

The Effect on Lease Violation Matters

Jacqueline W. owns a duplex and brought an action against her tenant almost two years ago after he failed to maintain the property, damaged the unit, made unauthorized modifications to the dwelling, allowed three unauthorized dogs, moved the mailbox, and refused properly-noticed inspections. This case has also been in limbo for the past 18 months with the moratorium in place. Since December 2019, she has not been able to accept rent from her tenant because the case is still active. But more harmful to her, she is now losing income from the second unit as it sits empty because no prospective resident wishes to inhabit an apartment with dogs running wild and common areas fouled with pet waste.

Joe W. is currently unable to initiate any action against his tenant who continues to smoke excessively at the property, is destroying the unit, and has allowed the unit to become overly cluttered. Moreover, his tenant lied on her application by saying that she did not smoke, provided a fraudulent reference, and provided a false past address. (She had been evicted from her previous residence for the same violations)

I have had to write multiple letters responding to threats by neighbors of disruptive tenants to sue landlords for their inability to remove the offending tenants. My office is also powerless to help homeowners who remain financially responsible for their renters' continued violations of community CC&R's. or city code violations for blight. The owners are required to pay the fines and penalties for these violations and fend off complaints made at HOA Board Hearings meetings while the tenant suffers no present repercussions and is free to continue in the unpermitted behavior.

The Effect on Matters involving Non Payment of Rent

You will hear very little opposition from housing providers to any laws protecting those who truly need help and have sought assistance. The state has further ensured that these persons will still receive protections even after September 30 passes. The big issue here is the fact that many tenants are either failing, or outright refusing to participate in the rental assistance program.

Clay D's tenant stopped paying rent in March of 2020. Despite numerous outreaches from my office informing her of the rental assistance programs, she has failed to give any reason for her failure to pay

and has refused to even respond to Mr. D's good faith efforts to maintain the tenancy. As of this month, he will have endured a loss of $51,000.00 in rent and $3,000.00 in utilities.

Bruce D. transferred his tenant into a newly renovated unit in 2019, and at a rate substantially lower than the market value. In return, the tenant promised to pay rent, but never once did. Entreaties to both the tenant and her attorney to seek rental assistance have gone nowhere and she has refused to participate in the assistance program.

Immanuel B. started a lawsuit based upon non-payment of rent prior to the moratorium. Like all pending cases at the time, his action was stopped dead-in-its-tracks in March of 2020. The owner and I worked diligently to secure rental assistance for the tenant, and Immanuel and would have happily accepted it, even though it would not have covered the rent prior to April 2020, which he was willing to waive. The resident then became non-communicative and when Mr. B visited the property to check on his tenant's welfare, he instead discovered an unknown person who refused to identify himself and then slammed the door shut. The balance now owing is $40,050.00 and will continue to accrue with no end in sight and no true ability to ever recover this sum.

Most of these small landlords rely on this income as part of their retirement plans, and in fact, many are already past their working years. It's also important to note that California's COVID-19 Tenant Relief Act requires tenants to show their own good faith by paying at least 25% of the rent between September 2020 and September 2021. While most landlords in California might receive this small benefit, those in your jurisdiction will not, and will have no recourse to ever receive it. Without any ability to enforce this obligation, the law has been rendered meaningless in City of Los Angeles.

The Effect on Tenancies at Sufferance

The moratorium maddeningly defines an occupant who is present by "sufferance" as a "tenant."

A "tenant at sufferance" is one who is upon the property without the consent of the owner and is effectively a trespasser, much like the example above. Many also describe this type of occupant as a squatter. The moratorium protects the interlopers, even though they have no privity or relationship with the owner. In most of these instances, the leaseholder has absconded or even died, with unknown and unauthorized persons remaining and only coming to light after months of rent have gone unpaid. As there is no agreement between the landlord and the occupant, the owner may not seek rental assistance and the trespasser has secured free housing for months to come. On no less than 15 occasions, I have had to inform small landlords that the moratorium prevents any current action against the illegitimate occupants and they are instead stuck until possibly 2022 with mortgage, taxes, utilities, insurance and maintenance charges adding up, with no income for the unit while an unauthorized individual remains on the property, without consequence or responsibility.

One management company came across this exact scenario earlier this year and had no idea that the original tenants had left until the rent went unpaid for months and others were found to be occupying the unit. They were at a loss to do anything, even with water pouring out of the apartment and into the unit below. Finally, after requiring a police escort to complete an inspection, the manager found the unit to be akin to a flophouse, damaged and unsanitary with graffiti-sprayed walls, no actual beds, four dogs and cats, at least seven occupants, mold growing in the bathrooms, some sort of apparatus containing

water tubs and surgical tubes, and a secure room with a sophisticated psychedelic mushroom cultivation operation. We are currently waiting for the court to determine whether or not this has reached the "imminent threat to health and safety" This is another situation that could have been quickly remedied had some thought or opposing viewpoints gone into the drafting of the moratorium.

The Effect on Cases Filed Prior to April 2020

The moratorium continues to financially devastate landlords who brought eviction actions prior to April 2020 and that had no connection to COVID-19 issues. These matters that were either ready for trial, or even already adjudicated when the moratorium went into place. They have since remained idle, with new court dates now rescheduled in 2022 and no relief allowed prior to that time, or even later if the moratorium is still in place.

Some of these include:

Active Cases

Martha H. started her matter in February of 2020 when her tenant already owed her four months of rent totaling $6,800.00. (Non-COVID rent is not covered by rental assistance programs) Trial has now been rescheduled to January of 2022 - almost two entire years after the initiation of her lawsuit. She has now lost $40,800.00 in rental income while her tenants, who live on the same property with her, continue to smoke upon the property, block her from using her own driveway with their vehicles, and now have an unauthorized dog (Martha's family member is allergic to dogs).

Acacia C. rented out her own residence for the first time in December 2019. By the second month, her tenant had stopped paying rent. Ms. Chidi is still teetering on foreclosure after her tenant expressly refused to seek rental assistance and instead demanded to be paid to leave. She finally received some rental assistance, but only after I pestered the tenant's attorney. The tenant has now allowed the home to become infested with rats, has an unauthorized dog, and has refused to allow gardeners on the property, which is now blighted.

Stipulations that have been violated by tenants:

Here is a small example of other pending matters from my office which remain unenforceable

Unauthorized tenants at sufferance were paid to vacate by April 13, 2020 but are still present. The balance for the loss of rent is now $26,136.00.

$9,000 in rent was waived in exchange for a tenant to vacate by April 30, 2020. That balance has now reached $32,063.20

A landlord agreed to waive $58,100.00 for his tenant to vacate by July 31, 2020. The arrearage has now ballooned to an astronomical $99,540.00.00.

A tenant was placed on probation following his disruptive behavior has violated the stipulation for 18 months now with alcohol-induced profane, racist, and misogynist rants directed at other residents and the owner/manager

I have at least a dozen other cases like this, many in which the landlords paid the first half of negotiated relocation fees in reliance upon their tenant vacating as required by court-enforced stipulations, but

where the occupant has shown absolutely no sign of searching for alternative housing, and unpaid balances now ranging from $25,000 - $60,000.00.

Cases where judgments had already entered and evictions scheduled:

A tenant had not paid rent in over four years and was (still is) using the home for illegal cannabis cultivation. The owner was required to incur over $30,000 in attorney's fees following a week-long jury trial and the lockout was finally scheduled for March 2020. It has now been postponed indefinitely, while the City of Los Angeles continues to lodge complaints about the property being used as a marijuana collective, and the owner left in the position of selling the property at a loss to avoid foreclosure.

A tenant was scheduled to be removed in March of 2020, but remains on the property today, still exhibiting irrational and disruptive behavior and throwing garbage around the property. The owner has been unable to rent out the adjoining units.

This is by no means a comprehensive list and reflects only a smattering of cases within my own small firm. Needless to say, the number of these experiences can be multiplied by the dozens of other firms who also represent property owners in City of Los Angeles. If you are not willing to lift the moratorium, you should be open to at least reconsidering some of its severe language.

Communication from Public

Name: Gerardo
Date Submitted: 07/22/2022 08:50 AM
Council File No: 20-0291
Comments for Public Posting: To Keep L.A. Housed Coalition: Are you fucking serious?! Your tenants have not paid rent in over two years and you want permanent protections for non-payment of rent? Do you think we will pull money out of our asses to cover our expenses? I remind you that you are talking about OUR private properties. If you keep pushing these draconian demands, we housing providers will pull our units off the market. Where will these financially struggling people live then? These people are struggling is no fault of landlords, PRIVATE CITIZENS. It is not the responsibility of private citizens to house other private citizens. Stop your attacks on middle-class housing providers of color!! We have had enough of your bullshit!

Communication from Public

Name:	Gerardo
Date Submitted:	07/22/2022 09:00 AM
Council File No:	20-0291
Comments for Public Posting:	To Keep L.A. Housed: .... And stop spreading lies that people are falling dead on the street due to Covid. Hospitalization are down fools. Your propaganda makes it sound like we are stepping over bodies on the street. And stop your lies about the economy and inflation. Unemployment is low and we all are affected by inflation.

Communication from Public

Name:	Benito Santiago
Date Submitted:	07/22/2022 01:01 PM
Council File No:	20-0291
Comments for Public Posting:	why is the City continuing to babysit and coddle these tenants as though they are helpless children? these tenants are not as helpless as the City makes them out to be. they are cunning and sophisticated enough be out, socially gathering, working and managing their own covid precautions. we as a City have learned to ebb and flow with this virus. it is time for the City to step aside and let mom & pop operators resume normal and legal business practices. you are only hurting the tenants at the end.

Communication from Public

Name:

Date Submitted: 07/22/2022 02:02 PM

Council File No: 20-0291

Comments for Public Posting: There is not state of emergency there is no more emergency declaration for Covid. This is the excuse that Democrats are still doing to scare the public and control the masses. No need for extension of emergency declaration when you guys are taking people to the meetings in person, when the city council members organize public gathering and events, when you promote social gathering and then you keep saying we have emergency declaration because of Covid. This game is over and enough is enough and you must stop this extension and resume businesses as before pandemic. Stop the tenant protection and eviction moratorium. You stole our properties for two years without recourse and it is time to do the right thing. You guys are criminals and you will pay eventually. Landlords want their properties back and we want to shut our business. ENOUGH WITH THE ABUSE, ENOUGH WITH THE VIOLATION OF PROPERTY RIGHTS, ENOUGH WITH ADVOCATING TO THIEVES AND LOOSERS. MANY PEOPLE ARE MOVING AWAY FROM SOCIALISM CITY OF LOS ANGELES AND YOU WILL BE SCREWED BIG TIME AND SHORTGAGE OF HOUSING RENTALS WILL HAPPEN. STOP THE EVICTION PROTECTION AND STOP VIOLATING OUR RIGHTS. I WILL SEND SOME TENANTS TO YOUR HOME AND LET THEM LIVE FOR FREE STATE LAW AB2179 This bill would extend the date for which the requirements and limitations described above relating to COVID-19 rental debt repayment periods are determined to August 1, 2022. The bill would prohibit any provision by the specified local authorities permitting a tenant to repay COVID-19 rental debt beyond August 31, 2023. THIS IS STATE LAW AND YOU IDIOTS MUST UNDERSTAND STATE LAW

Communication from Public

Name: Madeline
Date Submitted: 07/22/2022 02:31 PM
Council File No: 20-0291
Comments for Public Posting: Right now all of you City Council members are waiting to receive a report back from LAHD officials on recommendations for changes to be made to this moratorium as well as restrictions that tenant's rights groups are fighting to make permanent. Even though landlords have been subjected to months, or even years of lost rent and huge increases in the cost to operate and maintain buildings, all during a multi-year rent freeze, the tenant's unions are pushing to cut allowable increases below the level of inflation. How do our politicians expect property owners move forward and keep up with costs that have already risen far above the reported CPI if increases are cut to a level below inflation? Do our politicians not understand that just like every other business sector from plumbers, to restaurants, to gas stations, we are all being subjected to a rise in operating costs that is out of our control? After small landlords have shouldered the financial burden of nearly 30 months under this moratorium, and rent freeze, it is grossly inappropriate for tenant's unions to be using this pandemic as a political tool to negotiate more restrictions on rental providers. Do not fall for this! These policies have thrown my family and many other small property owners into financial ruin and foreclosure. We personally have a good handful of tenants who have gone years without paying rent and all of them have continued to work and have continued to enjoy a life of luxury completely rent free. Meanwhile we have drained our savings, taken out loans to try and cover the mounting expenses for our property and now are in danger of losing our property. We have lost the ability to keep our building safe since tenants can bring in as many additional occupants and animals as they want. We have gang members and drug activity that we are powerless to control. None of the other tenants feel safe. The tenants' kids can't even go outside to play anymore. The other day there was a shooting right in front of the building. Even the LAPD says there is not much they can do since those who have been arrested are let back out in a day or two and the activity continues. The city has turned a blind eye to this and to our suffering for the last 2 1/2 years. What the city has done here is not much different from the Bruce's Beach scenario. Through these regulations the City Council and Mayor have, allowed tenants to occupy and use our properties completely free from paying rent, knowing that many of us will likely never

recover this lost money. By allowing this to go so long and without compensation, you have put many owners in a position to lose their properties outright, forever stripping us of property that we worked many years to purchase and generational wealth we had built for our families. This use of political power is unjust! The City of LA needs to immediately right this wrong.