

Communication from Public

Name: susan

Date Submitted: 08/14/2022 06:25 PM

Council File No: 20-0291

Comments for Public Posting: Hello City Council, So the CDC announced we are pre-pandemic normal. What I think that means is you cannot use the no eviction moratorium to meet your own needs anymore. Or, at least, without enabling a whole lotta lawsuits, you know the same sort of enabling you have given tenants to not pay rent and keep them in place without any help, solutions, resources or accountability to or for landlords. We all know you are preparing the lift with input from Housing but what was supposed to be done in 30 days is now well over that mark. Is that because you can't figure out how to not continue to screw small business, i.e., small lot rental landlords? Or, more likely, make us jump through all kinds of hoops including paying lawyers' money we don't have, to give tenants a 'fair deal.' Would that be sort of like the 'fair deal' you have given landlords? I am curious what that will mean in city council speak. From how we have all been treated, excluded and dismissed with absolutely no provisions for the hell we continue to go through; I suspect we can't expect much. Have you figured out a new ruse to enable tenants to skip their debts? Oh boy, what a mess this is.

Communication from Public

Name: Lamar Robinson

Date Submitted: 08/14/2022 09:39 PM

Council File No: 20-0291

Comments for Public Posting: Original motion, June 24, 2022 to have LAHD report back in 30 days with a report. We are now 21 days overdue (or rather day 51 since motioned) for the report. It disconcerting how the City can abide by their 'laws' only whenever it is convenient for them. All while putting the burden on this world-wide 'covid' issue on the backs of small mom & pop landlords. Like how come small landlords do not get to slip 21 days for their mortgages, property taxes, and repair requests? Stop stalling and do what is right and stop punishing small landlords.

Communication from Public

Name: Greg
Date Submitted: 08/15/2022 07:48 AM
Council File No: 20-0291

Comments for Public Posting: I'm just waiting for the article to come out with "breaking news" stating how much the tenant advocacy groups have been paying these city council members. Why else would they keep this ridiculous declaration going for so long? Why don't you waive our mortgage payments for 2 years? How about our property tax? Our utility bills? Maybe insurance payments? Are you not worried home owners will end up homeless? Or can that only happen to those who rent? If you really cared about homelessness or housing, you wouldn't pass a law that so blatantly and unilaterally helps one segment of society while destroying another. Eventually, one of these lawsuits will be successful. This can't stand. At the very least, hopefully all of you get voted out of office for this atrocity.

Communication from Public

Name:

Date Submitted: 08/16/2022 07:55 AM

Council File No: 20-0291

Comments for Public Posting: takings

Communication from Public

Name: MICHAEL H.

Date Submitted: 08/17/2022 01:40 PM

Council File No: 20-0291

Comments for Public Posting: "There is an overall problem with the changes to Ordinance 186606. Attorneys and judges are left to interpret the status of the law without a definitive declaration of the law adopted by City Council. The City Council itself had problems in interpreting the status of the law with respect to commercial evictions and asked the City's Chief Legislative Analyst ("CLA") to advise them as to the same. In two reports to City Council dated 3-17-22 and 4-13-22, the CLA reported on page 5 as follows: "As of February 1, 2022, commercial tenants are no longer protected from eviction due to nonpayment of rent. Tenants who comply with the County's tenant protection procedures will have an extended period of time to repay past due rent, which depends on the number of employees at the business, unless prior arrangement have been made with the landlord...." While on Page 6, the CLA states that commercial tenants have 12 months (in the case of 10-100 employees) to repay rent by January 31, 2023, or 6 months (in the case of 9 or less employees) to repay rent by July 1, 2023, in equal monthly installments. This is confusing in light of Nuri Martinez's motion stamped February 22, 2022, requiring the Housing Department and City Attorney to report back in 30 days with recommendations and amendments to the eviction moratorium. In the motion Ms. Martinez states the following: "To make sure residents are not confused about upcoming changes to Los Angeles's emergency protections, the City must work from the State's deadline of May 2023 for rental payment during COVID-19. In alignment with the year long repayment period, we must provide enough time for tenants to comfortably pay rent that accumulated over the pandemic." This statement gives rise to the following issues that are further confusing the Courts, attorneys, and the public alike in so far as: 1. When did the Pandemic begin and end for purposes of calculating past due rent to be repaid? 2. The State mandates that past due rent be repaid by May 2023, the City Council and/or Mayor should have ended the emergency declaration and the eviction moratorium as of April 30, 2022. The City Council's refusal to deal with these issues causes confusion for all concerned. This problem is exacerbated by the fact that none of the County or City's Tenant Protection Notices have addressed these issues at all. Please see the following attached documents: 1. Los Angeles County Updated COVID-19 Tenant

Protection for Commercial Tenants Last updated September 30, 2021 2. Los Angeles County Updated COVID-19 Tenant Protection resolution updated January 26, 2022; and 3. Workforce Development Aging and Community Services report to City Council dated and adopted by City Council February 15, 2022. The people deserve a clear and concise statement of the current law in a NEW Ordinance. My recommendation as to commercial evictions are as follows: 1. Effective February 1, 2022, SEC. 49.99.3. PROHIBITION ON COMMERCIAL EVICTIONS is repealed. 2. For purposes of calculating past due rent covered by the now repealed Ordinance 186606 more specifically SEC. 49.99.3. PROHIBITION ON COMMERCIAL EVICTIONS, Past Due Rent shall be defined by all amounts not paid by a commercial tenant from May 1, 2020, to and including January 31, 2022 ("Protected Period"). 3. Commercial and/or guarantors' failure to pay current or past due rent under the Protected Period are subject to eviction. Furthermore, any and all past due rent shall become immediately due and payable plus interest at 10% on a go forward basis. 4. Landlords shall have the right to bring civil causes of action for fraud against any commercial tenant and/or guarantors who claims COVID-19 hardship falsely. In such actions, commercial tenants and/or guarantors shall be barred from bring a harassment action against the landlord. It is incumbent on the City Council to repeal and replace Ordinance 186606 eliminating any confusion as to the current status of the law as it is preempted by the state law. Nothing must be left as to interpretation. It may already be too late for residential tenants and commercial tenants of 10 or more employees."



Los Angeles County Updated COVID-19 Tenant Protections Resolution*

	Phase I (February 1, 2022 – May 31, 2022)	Phase II (June 1, 2022 – December 31, 2022)
What's Staying the Same?	<p>Current residential tenant and mobilehome space renter protections extended through May 31, 2022, where not preempted by State law, including:</p> <ul style="list-style-type: none"> Rent Increase Freeze (for rent stabilized units and mobilehome spaces in unincorporated areas)– including new pass-throughs or charges Protection from evictions for: <ul style="list-style-type: none"> No-Fault eviction reasons, except for qualified Owner Move-in Evictions ¹ Nuisance Unauthorized occupants or pets Denying entry to landlord <p>Anti-harassment and retaliation protections for all residential, mobilehome space renters and commercial tenants.</p> <p>For commercial tenants with 9 or fewer employees: Prohibiting enforcement of personal guarantees for rent incurred on or before 1/31/22.</p>	<p>Eviction protections for residential and mobilehome space renters:</p> <ul style="list-style-type: none"> Rent Increase Freeze (for rent stabilized units and mobilehome spaces in unincorporated areas)–including new pass-throughs or charges Protection from evictions for: <ul style="list-style-type: none"> No-Fault evictions reasons, except for qualified Owner Move-in Evictions ¹ Nuisance Unauthorized occupants or pets <p>Anti-harassment and retaliation protections for all residential, mobilehome space renters and commercial tenants.</p> <p>For commercial tenants with 9 or fewer employees: Prohibiting enforcement of personal guarantees for rent incurred on or before 1/31/22.</p>
What's Being Added?	<p>Effective April 1, 2022 - Eviction protections for nonpayment of rent, including self-certification to establish affirmative defense, for <u>all residential and mobilehome space renters</u> due to COVID-19 financial hardship for rent incurred on or after April 1, 2022.</p>	<p>Effective June 1, 2022- Eviction protections for nonpayment of rent, including self-certification to establish affirmative defense, for <u>households with income at or below 80% Area Median Income (AMI) ONLY</u> ³ due to COVID-19 financial hardship for rent incurred on or after April 1, 2022.</p>
What's Going Away?	<p>Non-payment of rent eviction protections for commercial tenants to expire January 31, 2022. ²</p>	<p>Effective June 1, 2022:</p> <p>Purchase date (6/30/2021) requirement for owner move-ins.</p> <p>Requirement for landlord move-in for tenants impacted by COVID-19.</p> <p>Denying entry to landlord, except when entry constitutes harassment.</p>

* Applies to residential tenants, commercial tenants and mobilehome space renters in unincorporated Los Angeles County, as well as incorporated cities in the County that do not have a moratorium in place.

¹ Landlords can evict a tenant and members of their household in order to move into a single-family home, mobilehome space, condominium unit, and/or two unit(s) in a duplex, or triplex home under certain conditions. Visit <https://dcba.lacounty.gov/noevictions/> for more information.

² Commercial tenants will have the following time to repay past due rent from March 2020-January 2021: Twelve (12) months those with 0-9 employees; Six (6) months for those with 10-100 employees

³ Income limits established by the U.S. Department of Housing and Urban Development (HUD): <https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/income-limits-2021.pdf>

Updated 1/26/2022

Communication from Public

Name: MICHAEL H.

Date Submitted: 08/17/2022 01:42 PM

Council File No: 20-0291

Comments for Public Posting: There is an overall problem with the changes to Ordinance 186606. Attorneys and judges are left to interpret the status of the law without a definitive declaration of the law adopted by City Council. The City Council itself had problems in interpreting the status of the law with respect to commercial evictions and asked the City's Chief Legislative Analyst ("CLA") to advise them as to the same. In two reports to City Council dated 3-17-22 and 4-13-22, the CLA reported on page 5 as follows: "As of February 1, 2022, commercial tenants are no longer protected from eviction due to nonpayment of rent. Tenants who comply with the County's tenant protection procedures will have an extended period of time to repay past due rent, which depends on the number of employees at the business, unless prior arrangement have been made with the landlord...." While on Page 6, the CLA states that commercial tenants have 12 months (in the case of 10-100 employees) to repay rent by January 31, 2023, or 6 months (in the case of 9 or less employees) to repay rent by July 1, 2023, in equal monthly installments. This is confusing in light of Nuri Martinez's motion stamped February 22, 2022, requiring the Housing Department and City Attorney to report back in 30 days with recommendations and amendments to the eviction moratorium. In the motion Ms. Martinez states the following: "To make sure residents are not confused about upcoming changes to Los Angeles's emergency protections, the City must work from the State's deadline of May 2023 for rental payment during COVID-19. In alignment with the year long repayment period, we must provide enough time for tenants to comfortably pay rent that accumulated over the pandemic." This statement gives rise to the following issues that are further confusing the Courts, attorneys, and the public alike in so far as: 1. When did the Pandemic begin and end for purposes of calculating past due rent to be repaid? 2. The State mandates that past due rent be repaid by May 2023, the City Council and/or Mayor should have ended the emergency declaration and the eviction moratorium as of April 30, 2022. The City Council's refusal to deal with these issues causes confusion for all concerned. This problem is exacerbated by the fact that none of the County or City's Tenant Protection Notices have addressed these issues at all. Please see the following documents: 1. Los Angeles County Updated COVID-19 Tenant Protection for

Commercial Tenants Last updated September 30, 2021 2. Los Angeles County Updated COVID-19 Tenant Protection resolution updated January 26, 2022; and 3. Workforce Development Aging and Community Services report to City Council dated and adopted by City Council February 15, 2022. The people deserve a clear and concise statement of the current law in a NEW Ordinance. My recommendation as to commercial evictions are as follows: 1. Effective February 1, 2022, SEC. 49.99.3. PROHIBITION ON COMMERCIAL EVICTIONS is repealed. 2. For purposes of calculating past due rent covered by the now repealed Ordinance 186606 more specifically SEC. 49.99.3. PROHIBITION ON COMMERCIAL EVICTIONS, Past Due Rent shall be defined by all amounts not paid by a commercial tenant from May 1, 2020, to and including January 31, 2022 ("Protected Period"). 3. Commercial and/or guarantors' failure to pay current or past due rent under the Protected Period are subject to eviction. Furthermore, any and all past due rent shall become immediately due and payable plus interest at 10% on a go forward basis. 4. Landlords shall have the right to bring civil causes of action for fraud against any commercial tenant and/or guarantors who claims COVID-19 hardship falsely. In such actions, commercial tenants and/or guarantors shall be barred from bring a harassment action against the landlord. It is incumbent on the City Council to repeal and replace Ordinance 186606 eliminating any confusion as to the current status of the law as it is preempted by the state law. Nothing must be left as to interpretation. It may already be too late for residential tenants and commercial tenants of 10 or more employees."

Communication from Public

Name: Megan

Date Submitted: 08/18/2022 09:53 AM

Council File No: 20-0291

Comments for Public Posting: Dear Councilmembers, The "emergency" part of this emergency declaration faded long ago and yet here we are, two and a half years later with ever mounting unpaid rental debt, drastically increased operating expenses due to record inflation, and many small to medium sized landlords in dire financial situations and on the verge of losing their properties and generational wealth along with them. Even as we approach three years under this rent freeze and eviction moratorium the majority of this council still shows a complete lack of urgency and a callous indifference to the suffering this unbalanced policy continues to inflict on LA property owners. Now the council has seemingly pivoted and set its sights on the long standing affordable housing crisis as a reason to continue these policies or make some of them permanent, as if housing providers should be responsible to privately fund and solve a crisis belonging to society at large. It blows my mind that our politicians have decided that owners must somehow, with money pulled out of the sky, continue to provide housing, make all necessary repairs and pay our property taxes, mortgages, insurance and city fees without receiving any rent from the tenants we serve for nearly three years! There is no other small or large business that has been subjected to this impossible circumstance. You've made clear winners and losers of your constituents by bestowing this windfall policy on tenants and forcing landlords to foot the entire bill. You all know by now that there is no financial compensation available to us if our tenants failed to qualify or refused to participate in the rent relief program. Even those who have cooperated only received a maximum of 18 months of their rent covered. We are already a full year beyond that 18 month mark with no rent relief programs in effect since 3/31/22. Have any of you thought about the multitude of downstream effects this policy is having? The sheer length and severity of the financial burden being placed on owners is forcing small and medium mom and pop landlords completely out of business! The generational wealth built by families over many years of hard work and investment of hard earned wages into housing is being stripped before our eyes under the watch of this council. The most marginal and financially vulnerable owners are the most at risk for losing everything while large corporate owners sit largely insulated and ready to scoop up distressed

properties. The loss of affordable housing, a city full of aged housing stock that struggling owners cannot afford to properly maintain or repair, and the loss of trust among those who would seek to invest in LA or build more housing here. It will take years for housing to recover from this and our council needs to take action now to help owners dig themselves out of this hole you've put us in.