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CITY ATTORNEY

REPORT NO. R 22 - 0 3 7 5
OCT 2 8 2022

REPORT RE:

**DRAFT ORDINANCE AMENDING ARTICLE 14.6 OF CHAPTER IV OF THE
LOS ANGELES MUNICIPAL CODE TO SUNSET EVICTION PROTECTIONS
RELATED TO THE COVID-19 PANDEMIC AND ADDING ARTICLE 11 TO
CHAPTER XX OF THE LOS ANGELES MUNICIPAL CODE TO WAIVE FEES,
FINES, AND PENALTIES, AS SPECIFIED**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File Nos. 20-0147-S19, 20-0479, 20-0522, and 21-0042-S3

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration, approved as to form and legality, the enclosed draft ordinance. The draft ordinance phases out residential eviction protections passed in response to the COVID-19 Pandemic according to the framework the City Council adopted on or about October 4, 2022. It also removes language relating to commercial eviction protections, as the State previously eliminated the ability of local governments to continue with such protections.

Pursuant to the City Council's instructions, the draft ordinance sunsets the eviction protections relating to nonpayment of rent for COVID-19 reasons by January 31, 2023, and would require tenants to provide notice within seven days of missing rent beginning on December 1, 2022. The draft ordinance also clarifies the various timelines by which rental arrears must be paid to avoid eviction under state and local law. The draft ordinance also ends no-fault eviction protections by January 31, 2023. With respect to evictions undertaken to install a resident manager, the Los Angeles Housing

Department recommended that the draft ordinance clarify that evictions for this reason may proceed even if an on-site resident manager is not required under law or a regulatory agreement when the owner initiated the eviction before the onset of the state of emergency by filing applicable paperwork with the Los Angeles Housing Department.

In order to provide the Los Angeles Housing Department and the public with time to understand and comply with the framework in the draft ordinance, this draft ordinance also includes an urgency clause.

CEQA Findings

This Office recommends that the City Council find that the adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) through Section 15061(b)(3) of the State CEQA Guidelines and Article II, Section 1 of the City CEQA Guidelines. If you concur, you should adopt this finding prior to or concurrent with taking action on this ordinance.

Council Rule 38 Referral

Pursuant to the City Council's instructions, this Office consulted with the Los Angeles Housing Department to prepare the draft ordinance.

Concurrently with this transmittal, a copy of this draft ordinance will be sent to the Los Angeles Housing Department, with a request that any comments be transmitted directly to Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Elaine Zhong at (213) 922-7715. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM:EZ
Transmittal