



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 22 - 0 4 1 4
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REPORT RE:

REVISED DRAFT ORDINANCE ADDING ARTICLE 5 TO CHAPTER XVI OF THE LOS ANGELES MUNICIPAL CODE PROHIBITING TERMINATIONS OF TENANCIES WITHOUT JUST CAUSE AND REQUIRING RELOCATION ASSISTANCE FOR NO-FAULT EVICTIONS, AS SPECIFIED; AMENDING THE RENT STABILIZATION ORDINANCE'S PROVISIONS ON RESIDENT MANAGER EVICTIONS, TENANT NOTIFICATIONS, AND RELOCATION ASSISTANCE; AND REPEALING DUPLICATIVE OR EXPIRED PROVISIONS OF THE LOS ANGELES MUNICIPAL CODE RELATING TO EVICTIONS

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. 17-0454 and 21-0042-S3

Honorable Members:

Pursuant to the City Council's Housing Committee request dated November 9, 2022, this Office has prepared and now transmits for your consideration, approved as to form and legality, the enclosed revised draft ordinance. Pursuant to that request, this Office has revised the draft ordinance transmitted on November 2, 2022 (R22-0383) with amended Sections 165.03(B), (H), (M), and (N) to track related provisions in the Rent Stabilization Ordinance (RSO), Los Angeles Municipal Code (LAMC) Section 151.09.A, to the extent feasible by law. The Office has also removed Section 165.04(A), relating to a one-year tenancy requirement, which was initially included in the draft ordinance in response to Motion 13E (Blumenfield-Lee) and the Los Angeles Housing Department's recommendation, as discussed in our November 2, 2022, Report (R22-0383).

The City Council's instructions dated October 4, 2022, requested a draft ordinance that would "restrict evictions to those reasons allowed under LAMC 151.09." The instructions did not specify that any such draft ordinance would incorporate each RSO provision related to evictions, some of which exist for reasons specific to the City's rent stabilization framework or legally inapplicable in the implementation of a standalone eviction regulation. As also noted in this Office's report dated November 2, 2022, this Office has worked closely with the Los Angeles Housing Department to prepare a draft ordinance consistent with the City Council's broad directive to the extent feasible, while also recognizing eviction protections already existing in the LAMC or state law and the body of existing law governing rent control laws. With the understanding that the City Council intends for the just cause ordinance to track the provisions of the RSO to the extent feasible, the revised draft ordinance also includes Section 165.04(L), which explicitly exempts government-owned property, a similar exception which currently exists in the RSO, LAMC Section 151.02.

Finally, this Office's November 2, 2022, Report (R22-0383) and draft ordinance addressed Motion 13E (Blumenfield-Lee) in Council File 21-0042-S3, regarding the length of tenancy required to trigger just cause protections. In the revised draft ordinance, as requested by the Housing Committee, a tenancy of any length not otherwise defined as a transient occupancy or specifically exempted would trigger the just cause protections.

CEQA Findings

This Office recommends that the City Council find that the adoption of this revised draft 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 draft ordinance.

Council Rule 38 Referral

Pursuant to the City Council's instructions, this Office consulted with the Los Angeles Housing Department to prepare the revised draft ordinance. Concurrently with this transmittal, a copy of the revised 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:pj
Transmittal