

ORDINANCE NO. _____

An ordinance amending Section 151.09 of Article 1, Chapter XV, and Section 165.03 of Article 5, Chapter XVI of the Los Angeles Municipal Code in furtherance of the public interest to avoid forfeiture, limit displacement and homelessness, and restrict evictions for nonpayment of rent that is not material as specified; and adding Section 165.10 to Article 5, Chapter XVI of the Los Angeles Municipal Code to incorporate a severance clause.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection A.1 of Section 151.09 of Article 1, Chapter XV of the Los Angeles Municipal Code is amended to read as follows:

1. The tenant has failed to pay rent to which the landlord is entitled, including amounts due under Subsection F of Section 151.05; provided, however, that the landlord's right to evict a tenant lawfully in possession of residential housing under this subdivision is limited to defaults in payment where the amount due exceeds one month of fair market rent for the Los Angeles metro area set annually by the U.S. Department of Housing and Urban Development for an equivalent sized rental unit as that occupied by the tenant. The written notice to the tenant required under this section shall state the number of bedrooms in the tenant's rental unit.

Sec. 2. Subsection A of Section 165.03 of Article 5, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

A. The tenant has defaulted in the payment of rent to which the landlord is entitled; provided, however, that the landlord's right to evict a tenant lawfully in possession of residential housing under this subsection is limited to defaults in payment where the amount due exceeds one month of fair market rent for the Los Angeles metro area set annually by the U.S. Department of Housing and Urban Development for an equivalent sized rental unit as that occupied by the tenant. The written notice to the tenant required under Section 165.05 of this article shall state the number of bedrooms in the tenant's rental unit.

Sec. 3. Section 165.10 is added to Article 5, Chapter XVI of the Los Angeles Municipal Code to read as follows:

SEC. 165.10. SEVERABILITY.

If any provision of this article is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this article which can be implemented without the invalid provisions, and to this end, the provisions of this article are declared to be severable. The City Council

hereby declares that it would have adopted this article and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.

Sec. 4. URGENCY CLAUSE. The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health, and safety for the following reasons: the City of Los Angeles is in the midst of a homelessness crisis emergency and is just emerging from the devastating effects of COVID-19. Nearly 70 percent of the residents of Los Angeles are renters and more than half of those renters are rent burdened, and are experiencing financial fragility, and housing insecurity. The City Council finds that this ordinance is critically needed to protect tenants who are materially in compliance with their rent obligations, as the COVID-19 rent moratorium is ending next week. Therefore, adopts this ordinance to become effective upon publication pursuant to Los Angeles City Charter Section 253.

Sec. 5. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By *Elaine Zhong*
ELAINE ZHONG
Deputy City Attorney

Date *January 27, 2023*

File No. _____

M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOW\AMC 151.09 and 165.03 - Revised Rental Eviction Restrictions.docx

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____