



"Great Apartments Start Here!"

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Via Electronic Mail

Hon. Mayor Meghan Sahli-Wells, and
Members of the Culver City Council
Culver City Hall
9770 Culver Boulevard
Culver City, California 90232

Re: Eviction Moratorium/Financial Relief for Rental Property Owners
(Agenda Items A-1, A-2 and A-3)

Dear Hon. Mayor Sahli-Wells and Members of the Culver City Council:

The global Coronavirus (COVID-19) pandemic has in an instant fundamentally changed all our lives. Culver City, among many other jurisdictions are implementing health and safety protocols, including sheltering in place, social distancing, and mandated closures of schools and non-essential businesses in the hopes that it will impede further spread of the virus. The world we live in today looks very different from the one we lived in just a month ago, or even a week ago. Businesses have been closed or where possible have directed their employees to work remotely. Many individuals and families have been impacted by reductions in work hours or layoffs. The effects of sudden business closures coupled with dramatic increases in unemployment has caught everyone off guard, in duress, and has many of us questioning how we will meet our ongoing financial obligations.

The multifamily rental housing business, much like a multitude of industries, small businesses and the individuals whose livelihood are dependent upon those industries have, through no fault of their own, been detrimentally impacted by COVID-19. The Apartment Association of Greater Los Angeles (AAGLA) continues to urge the City Council to take a holistic and balanced approach in recognition of the detrimental impacts of COVID-19 on **both** the City's residents and businesses, all of whom need support during this most challenging time.

On March 14, 2020, the Culver City Manager issued a proclamation of a local emergency due to the COVID-19 pandemic which was followed by public orders and a supplemental order on March 16th and March 20th respectively, instituting health and safety measures to protect the community and a temporary eviction moratorium prohibiting residential and commercial evictions for non-payment of rent where a renter is able to show an inability to pay rent due to financial impacts

of COVID-19 and "no-fault" evictions.

At tonight's Special City Council meeting, the Council will consider a number of agenda items related to COVID-19, including adoption of an urgency ordinance confirming the supplemental order issued, extension and expansion of the temporary eviction moratorium, financial relief for rental property owners and various tax and utility waivers, reductions and delayed payments. As the Council discusses and considers all the above matters, we urge the Council to consider the concerns and recommendations set forth herein:

- Of paramount importance, during these uncertain and difficult times is a balanced approach that assists all individuals and businesses that are severely impacted by the COVID-19 pandemic.
- Renters and rental housing providers should be encouraged to make best efforts to find workable solutions related to rental payments. Many of AAGLA's members are small owners and retirees who are dependent on their modest rental income to support themselves, their families, and maintain the building for their renters. Accordingly, rental housing providers should be permitted to request and accept partial rental payments from renters without modification of lease agreements or limitation on their ability to later seek payment of unpaid rent.
- The public order requires renters to provide written notice to rental housing providers or their representatives within thirty (30) days after the date that rent is due. We urge the City Council to provide for a shorter notification period similar to that which is provided in Los Angeles County's Emergency Order which specifies that a renter provide written notice within seven (7) days after the date that rent is due, absent extenuating circumstances. By having renters provide rental housing providers with written notification and related supporting documentation of their inability to pay rent as soon as the circumstances set forth in the ordinance arises, rental housing providers **and renters can avoid unnecessary court filings, as well as allowing owners** to make financial adjustments, if and where possible.
- Deferred payment of rent has sweeping financial implications on rental housing as well as the small businesses that rental housing providers support. Without rent revenue, housing providers will have no other option but to significantly reduce all non-essential building services and will have difficulty paying their property taxes and other financial obligations.
- It is important to emphasize that eviction moratoriums will not replace a renter's lost wages or cover the cost of food, medical prescriptions and related essentials. It is critical that the City Council establish an emergency assistance fund to provide essential financial support to all impacted residents and businesses struggling during these uncertain and turbulent times. In addition, we urge the City to provide interim relief to housing providers by deferring or reducing certain city-imposed fees and expenses such as utility and trash hauling fees.
- As the pandemic and related government interventions are continuously evolving, we urge



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the City Council to maintain the current April 19th public order expiration date and postpone further extension at this time in order to allow for further evaluation of the present circumstances and conditions.

In addition to the above, we are also very concerned about certain provisions of the Rules and Implementation Measures Regarding Residential Tenant Eviction Moratorium issued on March 20, 2020. **Rules which expand the earlier order, not implement it.** Within the rules, under section 3B it states that "the Housing Division may request additional documentation and may order suspension of the eviction process if it determines, in its reasonable discretion, that the eviction is unnecessary." This provision is overreaching the City's authority, by allowing the City's Housing Division to usurp the Judiciary and the Court's authority over evictions and related disputes.

In addition, under section 6 "Documentation", the rules require owners to retain all records, such as medical and financial records related to a renter's claim for a period of at least one year and "shall permit inspection and copying by the Housing Division." This raises Health and Insurance Portability and Accountability Act (HIPAA) compliance issues and medical record confidentiality. Accordingly, we urge the Council to modify the rule to require that the Housing Division seek inspection and/or copies of such documentation directly from the renter.

During the continuation of the pandemic, it is essential that we all work together to develop effective and balanced solutions that serve to assist all those impacted and prevent further economic instability. Thank you for your time and consideration of these matters. If you have any questions, please call me at (213) 384-4131; Ext. 309 or contact me via electronic mail at danielle@aacla.org.

Very truly yours,

Danielle Leidner-Peretz