



"Great Apartments Start Here!"

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March 23, 2020
Via Electronic Mail

Hon. Mayor Blanca Pacheco and
Members of the Downey City Council
11111 Brookshire Avenue
Downey, CA 90241

Re: Temporary Moratorium on Evictions During the Statewide Emergency (Agenda Item 12)

Dear Hon. Mayor Blanca Pacheco and Members of the Downey City Council;

We are experiencing a global pandemic that has necessitated government action at all levels to curtail further advancement of the Coronavirus (COVID-19) and minimize the financial loss affecting a multitude of industries and the individuals whose livelihoods are dependent upon those industries. The Apartment Association of Greater Los Angeles (AAGLA) urges the City Council to take a holistic approach in recognition of the detrimental impacts of COVID-19 on the City's residents and businesses, all of whom need support during this most challenging time.

At the City Council's March 24th meeting, the Council will consider directing the City Attorney to draft a temporary moratorium on evictions. As referenced in the Staff Report, Governor Newsom's Executive Order No. N-28-20, provides guidelines for localities in establishing eviction moratoriums and notes that cities may establish an eviction moratorium on evictions due to non-payment of rent resulting from a substantial decrease in household or business income or substantial out-of-pocket medical expenses and where such decrease was caused by the COVID-19 pandemic or by any local, state, or federal government response to COVID-19, **with documentation**. Further, as noted in the Staff Report, the Governor's order explicitly states that a renter is not relieved of their obligation to pay the rent or the housing provider's ability to recover rent due.

As the City assesses the details of a temporary eviction moratorium, we urge you to consider the following recommendations:

- The City should provide specific parameters relative to the eviction moratorium to improve the City's renters and rental housing providers understanding of their rights and responsibilities.
- Any ordinance must require that renters provide written notice to rental housing providers of their inability to pay rent as soon as the circumstances related to COVID-19 arises and

prior to the rent due date, so that rental housing providers can make financial adjustments, if and where possible, to account for their loss in rental revenue.

- Of equal importance, renters should be required to provide specific, verifiable supporting employment or medical documentation reflecting that their loss of income is directly related to COVID-19. Verifiable supporting documentation is essential in minimizing the likelihood of fraud and disputes related to the basis for the non-payment of rent. Examples of supporting documentation could be a letter from an employer or medical doctor, pay stubs or bank statements depending on the individual's circumstances.
- The ordinance should explicitly state that renters are not relieved of their obligation to pay the rent and provide renters with up to six (6) months following the expiration of the local emergency or lifting of the eviction moratorium to complete rent repayments.
- 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. Rental housing providers and renters should make best efforts to find workable solutions regarding rental payments, including partial rent payments and scheduled repayments, where appropriate.
- As the pandemic and related government interventions are continuously evolving, we urge the City Council's to set an emergency moratorium period of 30 days with the option to extend the moratorium as necessary.

The Apartment Association of Greater Los Angeles (AAGLA) represents thousands of small rental housing providers, many of whom own properties in Downey and provide housing to the City's residents. Many of our members are retirees who rely on the modest rental income they receive to support themselves and maintain the building for their renters. During these extremely difficult times, rental housing providers are instituting more frequent and stringent building cleaning protocols in promotion of the health and safety of both residents and others entering their building which adds to their maintenance costs and makes it more challenging to pay for other financial obligations associated with rental property ownership including mortgage payments, property taxes, liability insurance, and contracts with service providers and vendors.

Deferred payment of rent has sweeping financial implications on not just the multifamily rental housing industry but also the small businesses that they support, including vendors, suppliers and trades. 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. Accordingly, 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. We also urge the City Council to direct financial institutions and lenders to extend grace periods, offer deferred payment plans and provide interim relief to rental housing providers who have reduced rental income resulting from local emergencies. Community outreach and education also plays a vital role in keeping residents informed of local resources and services available to individuals experiencing hardships resulting from COVID-19.



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During this 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@aagla.org.

Very truly yours,

Danielle Leidner-Peretz