



*"Great Apartments Start Here!"*

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March 23, 2020  
**Via Electronic Mail**

Hon. Mayor Samuel Kang and  
Members of the Duarte City Council  
City Council Chambers  
1600 Huntington Drive  
Duarte, California 91010

**Re:** Urgency Ordinance Temporarily Prohibiting Evictions of Any Residential Tenant Who Suffers  
A Substantial Loss of Income or Substantial Increase in Expense Related to COVID-19  
(Agenda Item 9.C.)

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Dear Hon. Mayor Samuel Kang and Members of the Duarte 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 24<sup>th</sup> meeting, the Council will consider adoption of an urgency ordinance prohibiting evictions of residential renters for non-payment of rent, if the renter "can demonstrate that he, she, or they, have suffered one or more financial impacts related to COVID-19". The order also sets forth the applicable financial impacts such as a substantial loss of household income due to COVID-19 related workplace closure or extraordinary out-of-pocket medical expenses due to COVID-19 illness. Additionally, it explicitly states that renters are not relieved of their obligation to pay the rent and have up to six months following the expiration of the local emergency to make-up rent payments, unless the rental housing provider agrees to a longer repayment period.

As the City evaluates the details of the proposed urgency ordinance, we urge you to provide specific parameters relative to the eviction moratorium to improve the City's renters and rental housing providers understanding of their rights and responsibilities. We urge the Council to 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. The proposed ordinance allows a renter to submit as supporting documentation "a statement signed under penalty of perjury outlining the specific details of the COVID-19 related financial impact the tenant has suffered". To minimize the likelihood of fraud and disputes related to the basis for the non-payment of rent, it is essential that reasonable, verifiable supporting documentation be provided to the rental housing provider. 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.

Further, 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 appreciate the City Council's establishment of a 30-day emergency moratorium period 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 Duarte 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. 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](mailto:danielle@aagla.org).

Very truly yours,

Danielle Leidner-Peretz