



"Great Apartments Start Here!"

Danielle Leidner-Peretz
Director, Government Affairs &
External Relations
danielle@aagla.org
213.384.4131; Ext. 309

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Via Electronic Mail

Hon. Mayor Ross J. Maza
and Members of the Alhambra City Council
City Hall – Conference Room A
Alhambra, CA

Re: Consideration Of An Urgency Ordinance Repealing Ordinance NO. O2M20-4771 To Allow the County of Los Angeles Temporary Prohibition on Evictions of Residential And Commercial Tenants Arising From Financial Impacts of COVID-19 Pandemic To Supersede The City's Ordinance (Agenda Item 3)

Dear Hon. Mayor Ross J. Maza and Members of the Alhambra City Council;

At today's City Council meeting, an urgency ordinance will be considered for adoption which would repeal the City's current urgency ordinance in favor of superseding to the Los Angeles County Board of Supervisors revised Executive Order/Eviction Moratorium of April 14, 2020 as well as any future action taken by the County on this matter. As the City Council discusses and considers such action, we encourage the Council to recognize the value and importance of maintaining local authority over housing issues and the ability for the City Council to address the specific local needs and circumstances of all Alhambra residents and housing providers, today and in the future. Further, we urge the Council to evaluate each of the County amendments individually and assess whether they should be incorporated into the City's current urgency ordinance.

The global Coronavirus (COVID-19) pandemic has in an instant fundamentally changed all our lives. Alhambra, 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 entirely different from the one we lived in just a month ago, and it continues evolving daily. 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 comprehensive 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.

The Los Angeles County's temporary eviction moratorium, as recently amended by the Board of Supervisors, extends the repayment period for past-due rent from six (6) months following the termination of the Executive Order to twelve (12) months, prohibits evictions for unauthorized occupants, pets, or nuisance necessitated by or related to the COVID-19 emergency, and requires housing providers to accept a renter's "self-certification" of their inability to pay rent, among other revisions. The County's recent amendments raises several concerns, which we ask that the City Council take into consideration as you assess further action relative to the City's temporary eviction moratorium.

We urge the City Council to consider the concerns and recommendations set forth herein:

- The County's order prohibits evictions for "unauthorized occupants, pets or nuisance as necessitated by or related to the COVID-19 emergency." Where a mutually agreed-upon lease agreement included prohibitions against pets or additional occupants, for example, the City's urgency ordinance should specify that following its expiration, the lease terms shall again govern and owner's right to enforce the lease shall no longer be impaired.
- The County's order specifics that rental housing providers and their representatives are prohibited from harassing or intimidating renters "for acts or omissions expressly permitted under the Executive Order". Our Association does not condone any type of harassment or intimidation by anyone during this pandemic or during any other time. Accordingly, if the City Council adopts this provision of the County's order, it is important that further clarification be incorporated within the City's ordinance. In situations where a renter has not provided their rental housing provider the required notice of their inability to pay rent within seven (7) days after the rent was due, and if after the renter's failure to comply with the required 7-day notice period, the rental housing provider serves the renter with a three (3) notice to pay rent or quit, such 3-day notice should not be deemed as harassment.
- The County's Order extends the repayment period from six (6) months following the termination of the moratorium period to twelve (12) months and requires rental housing providers to accept "self-certification of tenants inability to pay rent" with no requirement to provide or retain verifiable documentation to support their inability to pay rent. As the pandemic continuously evolves, the duration of the emergency is unknown and as a result the date upon which the repayment period will begin remains unclear. The longer the repayment period, the greater the likelihood that the renter will move out of the unit prior to completing the rent repayment; leaving rental housing providers with limited remedies aside from costly litigation. Accordingly, if the City Council extends the repayment period to twelve (12) months, we urge Council to



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require that renters begin to make repayments of the unpaid rent during the second six (6) month period, to do otherwise may result in a situation where the renter does not make any repayment until the conclusion of the twelve (12) month period.

- Further, 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. Traditionally, government programs that provide financial and related assistance necessitate the provision of supporting documentation in assessing eligibility, similar requirements should be provided in these circumstances. At minimum, the City Council should require that renters retain verifiable documentation such as termination notices, payroll checks, or medical bills depending on the individual's circumstances which is in line with Governor Newsom's March 27th Executive Order/Eviction Moratorium N-37-20.
- With the recent enactment of the Federal "CARES Act," many individuals that have lost jobs or have experienced reductions in work hours may be entitled to significantly greater unemployment benefits, and in some cases up to four (4) months of their full compensation in addition to other direct subsidies for individuals earning less than \$99,000 per year. These Federal subsidies should be a factor in determining an individual's eligibility.

We also encourage the City Council to continue to seek additional ways to assist those in need and provide interim relief through the temporary suspension of all City fees for businesses and suspension or grace periods for payments of the City's trash and sewage services for those who are impacted by the COVID-19 pandemic. The totality of all these City actions will serve to assist everyone facing financial hardships during the pandemic and will limit future economic instability after the emergency has concluded.

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@aagla.org.

Very truly yours,

Danielle Leidner-Peretz

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