



*"Great Apartments Start Here!"*

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January 14, 2021  
**Via Electronic Mail**

Hon. Mayor Lindsey P. Horvath and Members of the City Council  
West Hollywood City Hall  
8300 Santa Monica Boulevard  
West Hollywood, California 90069

**Re:** Update on Response to COVID-19 Pandemic as It Relates to Business Assistance and  
Commercial and Residential Eviction Moratorium Extension (Agenda Item 4.A.)

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Dear Hon. Mayor Horvath and Members of the West Hollywood City Council:

At the January 19, 2021 City Council meeting, the Council will consider extension of the City's temporary residential eviction moratorium, currently set to expire on January 31, 2021, through March 31, 2021. The Apartment Association of Greater Los Angeles (AAGLA or Association) is extremely concerned with the proposed Council action and urges the City Council to consider the issues and recommendations contained herein.

The COVID-19 pandemic has been ongoing for nearly eleven months with no clear end date. The pandemic and the related impacts will have enduring consequences to housing providers and renters and necessitates thoughtful lasting solutions, not stop-gap measures that act as a band-aid but fail to address the underlying issues. It is imperative that the City Council begin to seek a path forward, thoughtfully evaluate the moratorium's provisions and not simply continually advance moratorium extensions.

The City's current eviction moratorium is extremely broad-based with expansive limitations prohibiting nearly all "just cause" evictions regardless of the existence of a direct correlation to COVID-19. The moratorium precludes all tenancy terminations except for those based on non-payment of rent unrelated to financial impacts of COVID-19, where the renter is using the rental unit for an illegal purpose, where the renter is creating or maintaining a dangerous or unsanitary condition and where the eviction is necessary to address an imminent and objectively verifiable threat to health and safety.

Aside from evictions for non-payment of rent that are unrelated to COVID-19, the remaining exceptions impose notice requirements on housing providers requiring that the renter be put on notice of the issue and provided with an opportunity to cure the situation, whether curable or not. The housing provider is also required to provide the steps taken to avoid eviction. Where the renter has engaged in illegal activity, created a dangerous and unsanitary condition or an imminent threat to health and safety, all of which have serious and potentially detrimental implications to the quiet enjoyment and well-being of the other renters in the building why is it incumbent on the housing provider to go to such lengths to allow the problematic renter



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to remain in the building? Moreover, the provision allowing the City to "order suspension of the eviction process" is unconstitutional and improper. It is over-reaching the City's authority by attempting to usurp the Judiciary and the Court's authority over evictions and litigation, as well as infringing on rental property owners' right to access the courts.

While the City's expansive eviction moratorium has been in place since June 2020, the City's staff report provides no local information or data to support the continual extension of these broad-based prohibitions. Such provisions serve to protect renters who are choosing to engage in disruptive if not potentially egregious behavior affecting the other renters in the building and limiting the housing provider's ability to resolve the matter.

The Association remains strongly opposed to the scope of the City's residential eviction moratorium. The proposal is overreaching the City's authority and one we believe to be a violation of property owners' fifth amendment constitutional rights.

Throughout the pandemic, AAGLA has consistently urged the Council to take a comprehensive and balanced approach in recognition of the detrimental impact of COVID-19 on rental housing providers and renters, all of whom need support during these challenging times. It is equally important to recognize that rental housing providers are in the business of providing people with housing and filling vacancies as efficiently as feasible, and not engaging in the eviction process. Evictions run counter to good rental business practice.

At this juncture, it is vital that the City Council recognize that the eviction moratorium is an interim measure and cannot and should not be a replacement for long-term solutions. The contemplated extension would result in a yearlong moratorium. It is time to consider a way forward that serves to assist everyone facing financial hardships during the pandemic and limits future economic instability after the emergency has concluded, not merely continually advancing interim remedies that will have potentially severe negative ramifications in the foreseeable future.

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*

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