



*"Great Apartments Start Here!"*

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

213.384.4131; Ext. 309

April 13, 2021  
**Via Electronic Mail**

City of Los Angeles Housing Committee  
City Hall  
200 North Spring Street  
Room 1010  
Los Angeles, California 90012

Re: 14-0268-S13: City Attorney Report and Ordinance Relative to the Los Angeles Municipal Code to Establish an Anti-Harassment of Tenants Ordinance, Adding Section 151.33 to Incorporate These Protections in the Rent Stabilization Ordinance, and Amending Section 151.10(B) Relating to Penalties (Agenda Item 3)

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Dear Housing Committee Members:

At the April 14<sup>th</sup> Housing Committee meeting, the Committee will consider a draft citywide Tenant Anti-Harassment ordinance and additional amendments. As the Committee reviews the draft ordinance and the related amendments, the Apartment Association of Greater Los Angeles (AAGLA or Association) requests that our concerns and recommendations set forth in this letter be taken into consideration.

One of the primary missions of the Association is to increase professionalism among rental housing providers and to promote compliance with applicable laws and regulations. The Association does not condone nor tolerate any form of renter harassment by its members under any circumstances. It is equally important to recognize that the issue of harassment is not isolated to renters as rental housing providers also experience harassment by renters. An equitable anti-harassment ordinance should be inclusive and provide a right of action to all affected parties, renters and rental housing providers, as both may be subjected to harassment.

The Association continues to advocate for and stress the importance of the proposed ordinance clearly defining "harassment" by removing any ambiguities and minimizing opportunities for misinterpretation in order to facilitate compliance. Section 45.33 of the draft ordinance sets forth the definition of harassment as derived from the California Civil Code Section 527.6(b)(3), which should be maintained. The Association is strongly opposed to Amendment 1 advanced by Council Member Raman which would significantly alter the definition of harassment. Moreover, we strongly urge that the Housing Committee ensure that its previous instruction, as set forth in a transmittal



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letter dated May 17, 2019 submitted by the Housing Committee to the Budget and Finance Committee regarding inclusion of State Civil Code language into the ordinance stating: "The course of conduct must be that which would cause a **reasonable person** to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner" be included.

We appreciate the Committee's inclusion of a notice and right to cure provision under Section 45.35(E) and request its expansion to cover all alleged violations. The inclusion of written notice and a right to cure all alleged violations is beneficial to all involved parties as it facilitates communication, minimizes misunderstandings, and informs the housing provider of the alleged issue so that the situation may be rectified without the need for costly and potentially lengthy litigation or prosecution. We also urge the Committee to reject Amendment 10 and maintain the requirement that the notice to the rental housing provider be in writing. Requiring written notice serves to diminish disputes related to whether proper notice was given.

With regard to the amendments being proposed by Council Member Raman, as the Committee contemplates these revisions, we urge the Committee to reject Amendment 6 which would provide that "an aggrieved tenant under this article, or any other person, organization, or entity who will fairly and adequately represent the interests of an aggrieved tenant(s) under this article, may institute civil proceedings". The proposed language as written is extremely broad based and would likely invite litigation and potentially effectuate a cottage industry for unscrupulous lawyers whereby litigation could be initiated on behalf of a renter or multiple renters without the need of such renter's involvement.

Furthermore, we oppose Amendments 7 and 8, which would preclude the Court from evaluating the particular facts and circumstances of each case in determining the appropriate penalties. Such judicial discretion is essential as the court is best situated to assess these matters. Additionally, the awarding of reasonable attorney's fees should be to the prevailing party whether it be the rental housing provider or renter. We also urge the Committee to seek legal guidance relative to Amendments 11 and 12, imposing rent restrictions on rental units that become vacant based on ordinance violations as they certainly raise state law implications.

The Association urges the Committee to continue its review of the draft ordinance, all proposed amendments, and allow for continued stakeholder engagement on these key issues prior to advancing the draft ordinance to the full City Council.

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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