



"Great Apartments Start Here!"

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September 24, 2021
Via Electronic Mail

Los Angeles County Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Re: Convert the County's Eviction Moratorium to the County's COVID-19 Tenant Protections Resolution, and Update the Resolution to Extend, Clarify, and Gradually Phase Out the Temporary Emergency Protections that Serve as Affirmative Defenses for Commercial and Residential Tenants (Agenda Item 21).

Dear Hon. Board of Supervisors;

At the September 28th Board of Supervisors meeting, the Board of Supervisors will consider renaming the County's eviction moratorium to the County's COVID-19 Tenant Protections and further extending its provisions, set to expire on September 30, 2021 to January 31, 2022, with minor amendments. The Apartment Association of Greater Los Angeles (AAGLA or Association) is opposed to any extension of the moratorium and urges the Board of Supervisors to allow it to expire.

The County's eviction moratorium was established in March 2020, as an interim emergency measure necessitated by a global pandemic and government mandated stay at home orders that resulted in business shutdowns and escalating unemployment.

Today, the Centers for Disease Control's eviction moratorium (CDC) has expired, and the State of California's eviction moratorium is set to expire within a week, on September 30, 2021. How is the County uniquely situated to justify the continuation of the County's moratorium?

California is open and back to business. The number of new COVID-19 positive cases continues to drastically fall, in fact California has the lowest COVID-19 rate in the country. Residents are going out and enjoying all the activities that were long-awaited over the past year and a half. Businesses are engaging in regular operations, with individuals being hired and working, and employees are returning to work or finding new employment opportunities. The rental housing industry must now also be allowed to recover from the past 18 months and resume normal operations.

Moreover, the State Legislature has enacted laws providing renters with significant eviction protections and a COVID-19 Rent Relief Program that continues to assist qualified renters and rental housing providers. Renters who have been impacted by the pandemic and have been unable to pay rent will have over a year to pay back deferred rent, cannot be evicted during that time for the deferred rent owed and if they comply with State requirements cannot be evicted for back due rent ever.

Over the last 18 months, the County has extended and expanded upon the eviction moratorium but

has taken no action to set a clear timeline and criteria for the phasing out of the moratorium. The Board's motion provides no valid reason for the proposed four-month extension. Additionally, it does not reflect consideration of or reference to the previously advanced motion regarding establishing potential eligibility requirements for continued coverage under the moratorium.

At the June 22nd Board of Supervisors meeting, a motion was advanced by Supervisor Hahn, seconded by Supervisor Barger, requesting a report back in 30 days on the feasibility of requiring renters to document a financial impact due to COVID-19 in order to be protected from eviction under the moratorium; and of requiring renters to make a good-faith effort to apply for applicable local and State rent relief in order to continue to be protected from eviction under the moratorium. To date, the report has not been publicly posted.

While the Association is opposed to any extension of the eviction moratorium, it is disconcerting that the County has not sought to institute reasonable modifications tailored to the specific circumstances that exist today. We have repeatedly urged the Board of Supervisors to recognize that the moratorium is an interim measure and that the County must seek targeted long-term solutions for all residents in need.

As contemplated by the June 22nd motion, at this juncture, the moratorium's applicability must be limited to only renters who continue to be impacted by the COVID-19 pandemic and only if they provide supporting documentation. Such documentation should be available and is a requirement for renters to receive State and County rental assistance.

The proposed resolution maintains a rent increase freeze, prohibiting rental housing providers from issuing any rent increase regardless of whether the renter has been financially impacted by the pandemic. What is the rationale for such a broad-based policy, which in many instances also benefits wealthy renters and renters unaffected by COVID-19?

Small business rental housing providers have been and continue to experience severe financial impacts due to the pandemic and broad-based mandates that has resulted in many housing providers depleting their retirement savings, struggling to keep their building, with many now forced to sell their properties. Annual general adjustments are necessary for owners to maintain a fair return, guaranteed to them by the Federal and State constitutions.

Additionally, what is the basis for extending eviction prohibitions for renters creating a nuisance and unauthorized pets? Why should a problematic renter who is engaging in disruptive behavior negatively impacting the peace and quiet enjoyment of other renters in the building continue to be afforded coverage under the moratorium and leaving rental housing providers with no means of resolution to address the concerns of the other renters in the building?

We also continue to maintain that any extension at this time is prohibited by State law. "Any extension, expansion, renewal, reenactment, or new adoption of a measure, however delineated, that occurs between August 19, 2020, and March 31, 2022, shall have no effect before April 1, 2022." CCP Sect. 1179.05(a)(1).

We urge the Board of Supervisors to allow the moratorium to expire on September 30, 2021, in alignment with actions taken at the federal level and anticipated to be taken at the state level. At minimum, the County must institute modifications that are reflective of the current dynamics, limit eviction prohibitions and the resolution's overall applicability to those that continue to be impacted by the pandemic and establish a clear end date for the expiration of the moratorium.



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March 2020 will forever be remembered as a pivotal historical moment. From the onset of the pandemic and governments response, we have urged localities across Southern California to take a balanced and equitable approach that assists all those in need. In the time since, we have made best efforts to work with our renters during these ever evolving and challenging times. The interim emergency measures of 2020 and 2021 must be replaced with long-term targeted solutions based on current factors and identified need. The proposed resolution, regardless of its name, simply advances 2020-21 emergency measures into 2022. The time is now to make the shift and look towards the new year with a new perspective, renewed optimism and new solutions that will result in a bright future and economic stability for all the residents of Los Angeles County.

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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