



"Great Apartments Start Here!"

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

August 1, 2022
Via Electronic Mail

Hon. Mayor Tim Sandoval, and
Members of the Pomona City Council
Council Chambers
505 South Garey Avenue
Pomona, California 91766

Re: Adoption of Urgency Ordinance Regarding Rent Stabilization and Just Cause Eviction Protections For Residents Facing Housing Instability (Agenda Item 17)

Dear Hon. Mayor Sandoval and Members of the City Council;

At today's City Council meeting, the Council will consider and potentially vote on a draft urgency ordinance establishing local rent stabilization and just cause eviction regulations. The Apartment Association of Greater Los Angeles (Association) continues to strongly oppose the proposed urgency ordinance and urges the Council to reject its adoption in favor of seeking targeted solutions and strategies that work in addressing the City's affordability issues, and that foster rather than hinder the availability of affordable housing, encourage further housing production, and enhance community education and outreach efforts on existing state and local laws and resources.

The Association continues to question the existence of an urgency for this ordinance, as no evidence of an emergency has been demonstrated. From the onset of the City's discussions, we have highlighted the comprehensive statewide law, Assembly Bill 1482 "The Tenant Protection Act of 2019," and the significant protections it affords to renters in the City of Pomona and throughout the state of California, including placing limitations on annual rent increases, institutes "Just Cause" eviction requirements, and requires relocation fees for no-fault tenancy terminations. This State law was the result of extensive negotiations and input from key stakeholders, including both housing providers and renter groups.

In addition, the Los Angeles County "COVID-19 Tenant Protections," which the County has stated applies countywide, has been and continues to provide renters in Pomona with protections against evictions for nuisance, no-fault reasons with limited exceptions for owner move-in, unauthorized occupants and pets, and as of July 1, 2022, has reinstated such protections to cover non-payment of rent for renters financially impacted by COVID-19 with household incomes at 80% or below area median income (AMI). The Los Angeles County eviction moratorium is currently to remain in place through the end of 2022 with some protections to continue potentially through June 30, 2023.

Accordingly, there is simply no justification to warrant adoption of the proposed urgency ordinance. Again, we strongly urge the City Council to reject the advancement of the urgency ordinance and allow for the State law to operate for a sufficient period of time following the end of the countywide moratorium,



“Great Apartments Start Here!”

in order to properly evaluate the overall impact and effectiveness of the State law within the city of Pomona and only then determine, what if any, additional local regulation is needed.

Notwithstanding, if the City Council continues along the re-treaded, rent control path, we urge the Council to advance a measured approach that provides for equity among renters and housing providers and minimizes the inevitable negative consequences. As the Council deliberates adoption of the proposed urgency ordinance, the Association urges the Council to consider the specific concerns and recommendations set forth in this letter.

The Council has indicated that the intention in adopting the proposed urgency ordinance is an interim measure to allow for City Staff “to further study and analyze whether a permanent rent control program is warranted,” yet the urgency ordinance does not have an expiration date. We urge the City Council to amend the ordinance to include a specific sunset date upon which the ordinance will expire.

In addition, Section 6 “Evictions”, subsection (b)(4) requires the owner to submit to the City, within five (5) calendar days after service of notice of termination on the renter, a copy of said notice and proof of such service to the City. This requirement is both unreasonably burdensome on owners and we believe **illegal as case law has determined that localities are preempted from modifying the unlawful detainer process, including the service of notices, as established under state law**. In addition, there is no basis for collecting and maintaining such information.

Rent control measures only provide a benefit to a small number of individuals that are in place at the time of their passage who then have no incentives to relocate from their lower-cost apartments even after their financial earnings significantly increase to the detriment of lower-income residents in need of affordable housing who must now locate elsewhere. Studies have shown that rent control approximately triples the expected duration of residency, as renters, who would otherwise have moved to smaller or larger homes or closer to their jobs do not do so because they do not want to lose the subsidy. This factor becomes costly to families whose job opportunities are geographically or otherwise limited and who may have to travel long distances to reach jobs available to them.

Rent control is an ineffective policy that will fail to address the City’s housing affordability challenges. It will only lead to further reductions in the City’s housing supply and reduce the quality of the City’s housing, as small business rental housing providers who have already suffered devastating financial impacts for the last two plus years, are compelled to sell their properties decreasing already scarce affordable housing or reduce further investment in building upgrades and rehabilitation because they can no longer afford to do so. Inevitably, investors will also contemplate developing housing in other areas not subject to such regulations. These policies, which have now existed for more than four decades, have only led to the severe housing shortages, affordability issues, and the homelessness crisis we are experiencing today throughout Southern California, including in cities such as Los Angeles and Santa Monica. In the end, the limited short-term benefits of today, will be far outweighed by the devastating consequences of tomorrow.

Our Association urges the Council to contemplate the matters set forth in this letter and welcomes the opportunity to continue this important dialogue towards the advancement of targeted solutions that directly benefit Pomona residents in need. 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

Danielle Leidner-Peretz