COUNTY OF LOS ANGELES

COVID Tenant Protections Roundtable

PUBLIC MEETING · NOVEMBER 18, 2021

Agenda

I. **Welcome** (CEO)

II. **Policy/Program Updates**
- County's Eviction Moratorium and COVID Renter Protections (DCBA)
- Stay Housed LA County (DCBA)
- CA COVID-19 Rent Relief Program and Eviction Prevention (CA-HCD)

III. **Public Comment**

The LA County COVID-19 Tenant Protections Resolution: *Overview & Updates*

NOVEMBER 18, 2021

LOS ANGELES COUNTY
CONSUMER & BUSINESS AFFAIRS

LA County COVID-19 Tenant Protections Resolution

- What is it?
  - Countywide protections that serve as an affirmative defense for residential and commercial tenants facing eviction who are impacted by COVID-19
- Who's covered?
  - Residential tenants
  - Commercial tenants
  - Mobilehome space renters
- The County's protections apply to unincorporated areas and all incorporated cities within the County
- How long does it last?
  - The protections are effective March 4, 2020, to January 31, 2022, unless extended by the Board of Supervisors

What protections are included for Residential Tenants?

Provides an Affirmative Defense for Evictions Related to:

- COVID-19 related **violations** for temporarily housing unauthorized occupants or pets.
- Nuisance.
- A **No Fault** eviction reason, including but not limited to substantial remodels or demolitions.
- Reasonably denying entry to a landlord.

Additional Protections Include:

- Rent freeze on rent stabilized units in unincorporated areas of L.A. County.
- Landlords cannot harass or intimidate tenants who exercise their rights.

Can a Landlord Evict a Tenant to move into a Property?

Yes, as of July 1, 2021, a Landlord can evict a tenant and all members of their household in order to move into a single-family home, mobilehome space, condominium unit, and/or two unit(s) in a duplex, or triplex home under certain conditions:

- The Landlord purchased the home or unit on or before **June 30, 2021;**
- The Landlord intends to use the home or unit as their own principal residence, or the residence of a qualifying family member(s), for at least **36 consecutive months**;
- The tenant(s) occupying the home or unit must be current on rent payments and not financially impacted by the COVID-19 pandemic;
- The Landlord or Landlord's family member moving into the home or unit must be **similarly situated** to the tenant(s) being displaced;
- The Landlord must give the tenant(s) at least **60 days notice to move out** of the home or unit, provide notice to DCBA, and allow additional time if any of the parties moving in or out of the home have been diagnosed with COVID-19 within 14 days of the final date of tenancy; and
- The Landlord must also provide relocation assistance as required by the County's Rent Stabilization Ordinance or the incorporated city's applicable ordinance or regulation.

What protections are included for Commercial Tenants?

Provides an Affirmative Defense for Evictions Related to:

- **Nonpayment of rent** if the Tenant can show an inability to pay rent and/or related charges due to COVID-19 related financial hardship.

Additionally, Landlords:

- Cannot harass or intimidate tenants who exercise their rights under the Protections.
- Must provide a notice to tenants with 9 or fewer employees of their rights under the County's Protections within 10 days of issuing a notice of nonpayment
- Are prohibited from applying a payment to any other rental obligation except the current month's rent, unless the tenant agrees otherwise.
- Are precluded from evicting a tenant on a holdover or month-to-month lease.
- Are precluded from evicting a tenant for failure to pay back rent under the terms of a repayment plan, if the Commercial tenant has 9 or fewer employees.

What Did the Extension on September 28 Include?

Extension of Protection Period

- Protections extended locally through **January 31, 2022**

Renaming of Ordinance

- From "LA County Temporary Eviction Moratorium" to "LA County COVID-19 Tenant Protections"

Expand Owner & Family Member move-ins to include duplexes and triplexes

- Allow an Owner or their Family Member to occupy **two** units if the owner owns **100 %** of the duplex or triplex;
- Owner must first seek to occupy a **vacant unit** on the property (triplex), and if no such unit is available, displace the most recently occupied unit.

Repayment of Unpaid Rent: Residential Tenants

March 4, 2020 – September 30, 2020

- Tenants are protected from eviction if they submit a declaration to their landlord, verbally or in writing
- Tenants have until **September 30, 2021,** to repay unpaid balance accrued during this time

October 1, 2020 – September 30, 2021

- Tenants are protected from eviction if they send a written declaration to their landlord **and** pay at least 25% of unpaid balance by September 30, 2021
- Tenants must start paying full rent on **October 1, 2021**

Repayment of Unpaid Rent: Commercial Tenants

March 4, 2020 – January 31, 2022:

- Will have twelve (12) months following the end of the COVID-19 Tenant Protections if the tenant has nine (9) or fewer employees.
- Will have six (6) months following the end of the COVID-19 Tenant Protections if the tenant has between 9 and 100 employees.

What Should Landlords & Tenants Know After September 30?

These emergency tenant protections are **not** a cancellation of rent.

- Landlords can begin requesting unpaid rent on **October 1, 2021**
  - Beginning **November 1, 2021,** Landlords may file in Small Claims Court to recover COVID-19 Rental Debt
- After October 1, 2021, tenants can file for rent relief within 15 days of receiving a notice of nonpayment and use it as an affirmative defense if facing an eviction action
- Landlords must first apply for rent relief before they proceed with an Unlawful Detainer

Questions? Contact Us:

(800) 593-8222

rent@dcba.lacounty.gov

RENT.LACOUNTY.GOV

LOS ANGELES COUNTY
CONSUMER & BUSINESS AFFAIRS

www.StayHousedLA.org

1-888-694-0040

Stay Housed LA County Program

www.stayhousedla.org

Stay Housed LA is a partnership between the County of Los Angeles, tenant-led community organizations, and legal services providers. Together, we provide tenants with the support needed to exercise their rights so that they can remain safely in their homes, specifically:

- Public Awareness: Informing tenants about their rights through mass digital ads and media stories to reach millions of tenants in multiple languages.
- Outreach & Education: Direct engagement of hundreds of thousands of tenants by phone & text; virtual workshops; educating tenants about their rights and connecting them to tenant advocates to support them as they exercise their rights.
- Legal Services:
  - Full representation for unlawful detainers and subsidized housing terminations;
  - Limited legal services for notice issues, COVID-related declarations, habitability, harassment, and other housing related issues

How Stay Housed L.A. Works

- If you have general questions: 1) Read about your rights on the website, 2) Sign up for a Workshop
- If you have specific questions but no written notice: Sign up for a workshop- you can ask specific questions after the general workshop and speak with a legal worker.
- If you received any of the following: 1) A Written Notice, 2) Summons and Complaint (eviction lawsuit), 3) Sheriff's Notice to Vacate, 4) Termination Letter for Section 8/Public Housing, or 5) You have been Locked Out or Threatened with Lockout:

Go to "Get Legal Help" on www.StayHousedLA.org to enter your information or call our Stay Housed LA hotline at (888) 694-0040

When Should You Talk To A Lawyer?

- If your landlord gave you a written notice to pay rent or quit or notice to quit based on nuisance or breach of lease agreement
- If you have an eviction lawsuit and received a summons and complaint
- If your landlord harasses you to the point it’s impossible to live in your home
- For other inquiries: If you have general questions you can go to workshop or look at tenant information. You can ask for legal help through Stay Housed LA, but we prioritize by urgency so it may take us a while back to you for general counsel and advice.

CA COVID-19 RENT RELIEF

State of California's COVID-19 Rent Relief Program

November 18, 2021

Thumbnail Sketch: CA COVID-19 Rent Relief Program

- State program application portal launched March 15, 2021.
- Program Focus: Stabilize low-income households through the payment of rental arrears to landlords and tenants.
- Over 135 organizations in our Local Partner Network with “boots on the ground” to assist people in their communities.
- As of 11/16, over $1.28 billion in rental assistance and utilities assistance has been paid to 108,100 households.

Help is available for landlords and tenants.

Visit HousingIsKey.com to learn more.

CA Rent Relief Program Parameters

- Landlord and tenant applicants are compensated 100% for:
  - Unpaid rent accrued on or after April 1, 2020 (for a maximum of 18 months)
  - Current and Prospective rent (in 3-month increments)
  - Utilities (past)

- Non-Occupancy Payments: Allows rental assistance to be paid in situations where tenant has vacated the premises but still owes rental arrears.

- Payments to Landlords or Tenants: Requires tenants that receive direct payments to remit the payment to the landlord within 15 business days or face a penalty.

Eligibility, Prioritization & Eligible Uses

- Eligibility
  - Income must be below 80% AMI.
  - Risk of experiencing homelessness or housing instability.
  - Experienced financial hardships due, directly or indirectly, to COVID-19.
  - No proof of citizenship or immigration status required.

- Prioritization to those most at risk of eviction and impacted by COVID-19.

- Eligible uses to include rental arrears, prospective rent, utility arrears, and other housing related services.

How and where to apply: HousingIsKey.com

CA.GOV | Select Language | Settings

BCSH | HOUSING IS KEY

Search this website

CA COVID-19 RENT RELIEF | Apply Now | Program Overview | Get Help | Resources | Local Governments/Tribes

Qualifying renters and landlords are now eligible for 100% of rent and utilities owed.

CA COVID-19 RENT RELIEF | AYUDA CON LA RENTA DE COVID-19 DE CALIFORNIA | 加州新冠病毒租房援助 | 가주 코로나-19 임대료 지원 | Chương trình trợ giúp thuê nhà trong đại dịch Covid-19 của California | COVID-19 PALUWAGAN SA RENTA SA CA

Need help with unpaid rent or utilities?

The CA COVID-19 Rent Relief program provides financial assistance for unpaid and/or future rent and utilities to income-eligible California renters and their landlords who have been impacted by COVID-19.

Both renters and landlords can apply for assistance.

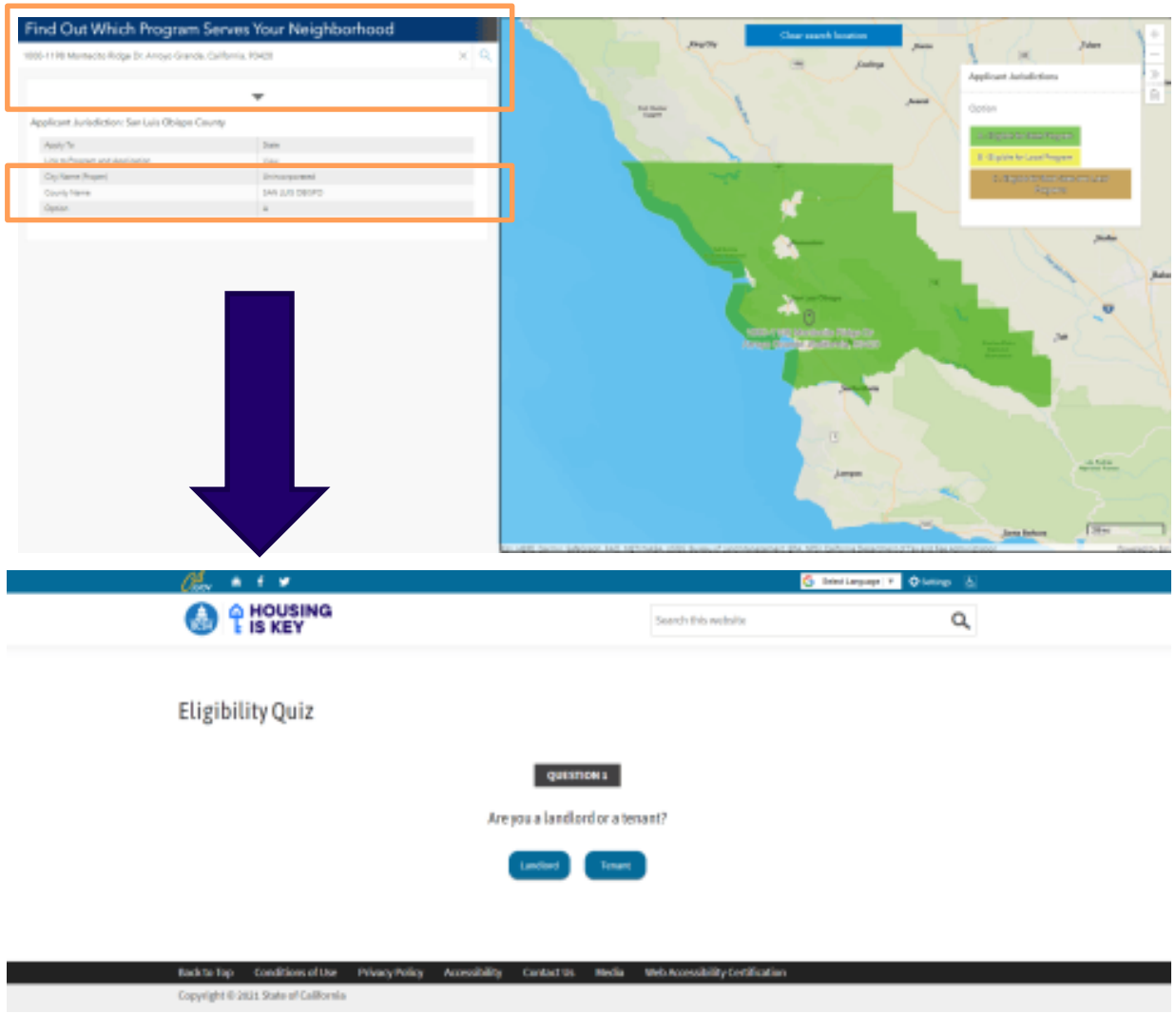
Depending on the address of your rental property, you may be eligible for a local program. Click **Apply Now** to determine which program is right for you.

APPLY NOW

Have you already started an application? **Click here to continue** or refer to the email you received when you started your application.

Checking Unique Addresses

- GIS Map to enter address and check program option: https://www.arcgis.com/apps/instant/lookup/index.html?appid=f32435102af34d24a7420ffc432a33a6
- Also accessible via the Pre-Application Eligibility Quiz
- Designed as a “no wrong door” system. The state program will re-direct an applicant to either state or the correct local program website, depending on where they live.



State Program Pre-Application Checklist: What Information Do Tenants and Landlords Need to Apply?

RENTERS:

ONE of the following:

- Your 2020 Tax Return
- 2020 W2 and 1099G if you were unemployed
- Current pay stubs
- Proof of participation in a state or federal subsidy program such as CalFresh or CalWORKS (your 2020 or 2021 acceptance or renewal letter is preferred).

AND — IF YOU ARE APPLYING FOR HELP WITH UTILITY BILLS:

- Utility invoices or statements for any unpaid utility, water, trash, and internet bills after April 1, 2020.

LANDLORDS:

ONE of the following:

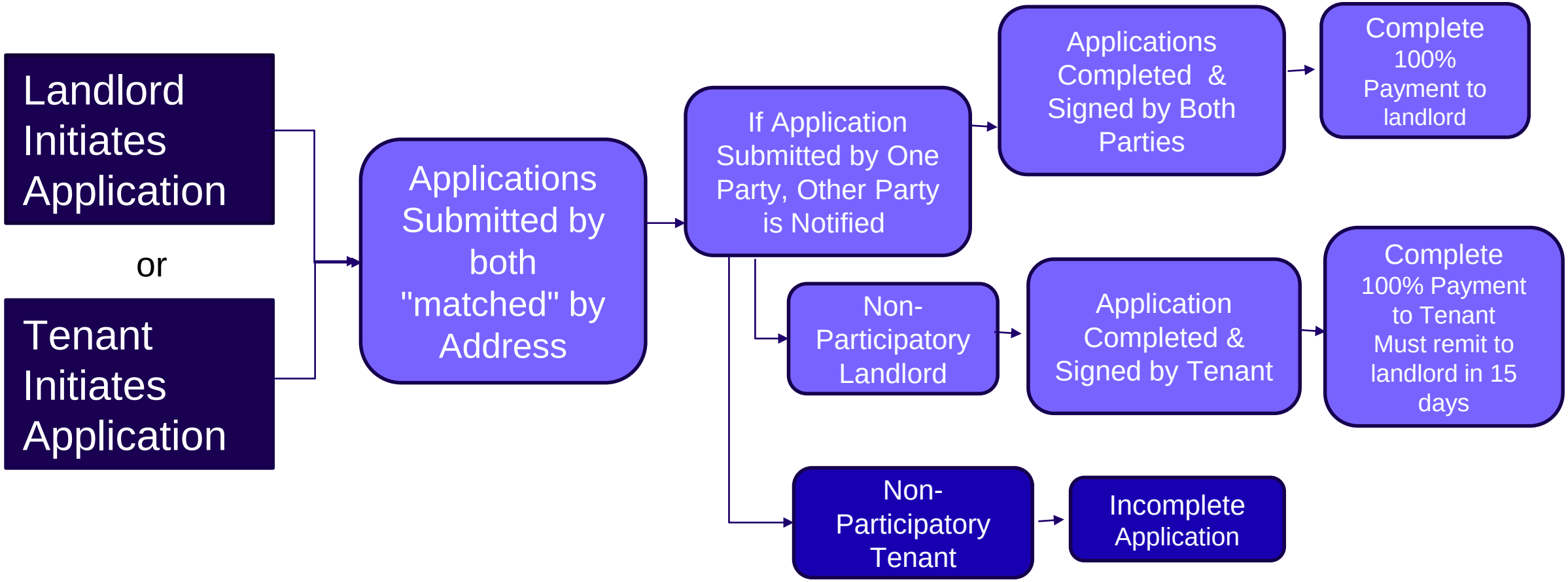
- Lease or rental agreement reflecting renter's name, residence address, and monthly rent due
- Rent ledger or rent statement showing the balance of unpaid rent from April 1, 2020
- W-9 (for tax purposes)

The Application is designed to give flexibility in HOW a tenant or landlord can meet these requirements.

The Pre-Application Checklist lists recommended documents, but an Applicant may also work with a Case Manager to find alternatives if necessary.

State Program: How Does the Application Process Work?

- Landlords and Tenants May Both Apply



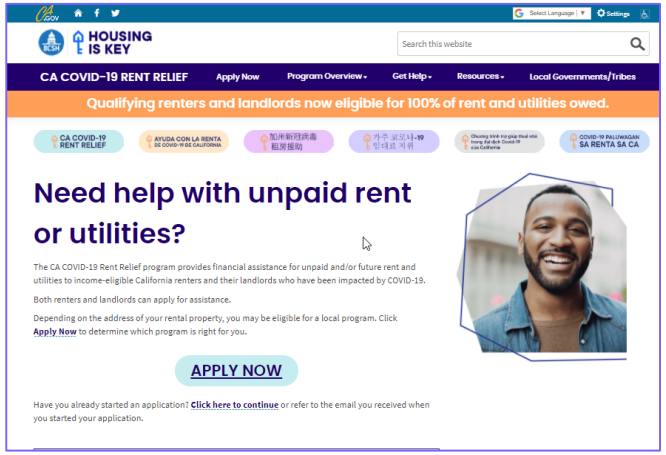
Program Improvements

- New simplified application
  - Uptick in applications submitted
  - Less time to complete
  - Quicker to review
- Website fully translated in six languages
- Easier to navigate website

How is the State Communicating with Landlords and Tenants?

- **Housing is Key Covid 19 Rent Relief communications and education campaign**
  - Statewide multilingual program awareness, eligibility and access.
  - Partnered with Urban Footprint to use eviction risk indices and focus paid advertising toward communities with higher eligibility rates.
- **Local Partner Network (LPN)**
  - Managed by state partner LISC, a national CDFI with a large CA presence.
  - +/- 100 organizations within Option A and Option C jurisdictions.
  - Ground effort via paid and unpaid partnerships to increase awareness and support access to the program.
- **United Way 211**
  - 211 Call capability for multilingual basic information on the program.
  - 211-211 “Rent” SMS/Text functionality across the state for basic program information.

Excerpt from Program Flyer



Landing Page

New Landlord Obligations
October 1, 2021 – March 31, 2022

CCP Part 3, Title 3, Chapter 6 (commencing with Section 1179.08)

AB 832 Overview

- Extends same tenant and property owner protection provisions provided by AB 3088 and SB 91 until September 30, 2021.
- Implements a modified process for unlawful detainer actions based on nonpayment of rent between October 1, 2021, and March 31, 2022.
- Updates and expands the state's Emergency Rental Assistance Program.

AB 832 Temporary Court Process

- After September 30, 2021, a modified civil procedure will be in effect from October 1, 2021, until March 31, 2022.

- <u>Key Components are:</u>
  - End of the state eviction protections
  - Return to 3-day “Pay or Quit” Notices
  - Requires landlords to apply for rental assistance before proceeding with unlawful detainer

End of the State's Eviction Protections

- Tenants can no longer submit a “Declaration of Covid-19 Related Financial Distress” in lieu of paying rent

- Tenants who did not pay 25% of their total rent due between Sept 1, 2020 and Sept 30, 2021 by September 30th may be evicted for failure to pay their rent

- Most pre-AB 3088 eviction laws go back into effect

Quick Reference: Links & Phone Numbers

- COVID 19 Rent Relief Call Center: 1-833-430-2122
- Local Partner Appointment Center: 1-833-687-0967
- Address Look Up: which program serves where you live – https://www.arcgis.com/apps/instant/lookup/index.html?appid=f32435102af34d24a7420ffc432a33a6
- Rent Relief Program Stats Dashboard – https://housing.ca.gov/covid_rr/dashboard.html
- Local Partner Organization Look Up – https://housing.ca.gov/covid_rr/get_help.html#lpn

Questions / Comments?

Landlord / Tenant / AB 832 Information
Housingiskey.com

Facebook/Twitter: @HousingIsKey

Public Comment

Questions & Comments

To access prior meeting recordings, presentations, and Frequently Asked Questions (FAQs), please visit the County's Economic Development website at:

https://economicdevelopment.lacounty.gov/

Please submit questions and comments to: EconomicDevelopment@ceo.lacounty.gov

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CA COVID-19 Rent Relief: Go to: https://housing.ca.gov/ or Call: 833-430-2122

County of Los Angeles Department of Consumer and Business Affairs,
Office Immigrant Affairs: 1-800-593-8222; Housing/Tenant Protections (833) 223-RENT (7368)