

MOTION BY SUPERVISORS SHEILA KUEHL AND  
HILDA L. SOLIS

September 11, 2018

**Interim Ordinance to Temporarily Limit Rent Increases**

Los Angeles County (County) rents are continuing to rise as the stock of affordable and available housing diminishes. According to the California Housing Partnership Corporation (CHPC), the County needs 568,255 additional affordable homes that would house lower-income individuals and families in order to meet current needs.

Housing unaffordability harms renters, their families, and the regional economy. In May of 2018, CHPC found that more than 800,000 County renter households would qualify for affordable housing, were it available. But fewer than 300,000 units are available across the entire County at rents that would be affordable to these residents. Additionally, housing prices in the County have grown four times faster than incomes since 2010. Inflation-adjusted median rent in Los Angeles County grew by nearly 25% between 2000 and 2012, while inflation adjusted incomes declined by 9%, according to CHPC. The effect of rising rents, coupled with decreasing income, has generated an increase in “rent-burdened” households. Rent burdened households are households that pay more than 30% of their income on rent. Many households earning less than

MOTION

SOLIS	_____
RIDLEY-THOMAS	_____
HAHN	_____
BARGER	_____
KUEHL	_____

half the median income, spend more than 70% of their income on rent, leaving little money for essential needs like food and healthcare.

This year's Homeless Count revealed a startling 22% jump in people 62 years and older experiencing homelessness. Many studies have demonstrated that rent stabilization is especially helpful for longtime renters who are disproportionately likely to be older adults.

The Board of Supervisors (Board) has taken action, beginning with the creation of the Affordable Housing Coordinating Committee and the Affordable Housing Budget Unit in October of 2015 and the passage of Measure H in March 2017, to stem the tide of the housing affordability crisis, but more must be done.

Therefore, on May 16, 2017, the Board, recognizing the need to preserve existing tenancies, explore methods to protect tenants from displacement and afford them stability in their homes, directed the Chief Executive Officer to convene a Tenant Protections Working Group (Working Group). On August 15, 2018, the Working Group submitted a report to the Board with recommendations for potential tenant protection measures, including a rent stabilization program.

While the Board reviews the Working Group's recommendations, rents continue to spiral upward, making it necessary for us to take action to protect tenants from unreasonable rent increases and evictions without just cause before we have had the opportunity to fully deliberate on and adopt permanent tenant protection policies, such as a rent stabilization program.

Some jurisdictions contemplating the adoption of a rent stabilization program have chosen to temporarily limit rent increases above a designated threshold amount

while evaluating the issues. This can be accomplished through adoption of an interim ordinance to limit rent increases for certain types of dwelling units for a limited period of time. Most recently, temporary moratoriums have been imposed in jurisdictions considering rent stabilization, such as the cities of Alameda, Santa Cruz, and Santa Rosa.

**WE, THEREFORE, MOVE** that the Board of Supervisors, also acting as the Board of Commissioners for the Community Development Commission, take the following actions:

1. Instruct the Executive Director of the Community Development Commission (CDC) and the Interim Director of the Department of Consumer and Business Affairs (DCBA), in consultation with the Chief Executive Officer (CEO) and County Counsel, to return to the Board in 60 days with an interim ordinance to place a temporary limit on rent level increases and evictions without just cause. This ordinance should at a minimum:
  - a. Establish a maximum rent increase amount of 3% annually for rental properties in the unincorporated areas of Los Angeles County, except for those properties that are statutorily exempt from rent control;
  - b. Have a term of 6 months from the date of adoption with options to extend the interim ordinance as necessary;
  - c. Provide due process to ensure that property owners are entitled to a fair and reasonable return on their property;
  - d. Establish as base rent, rent levels as they exist on September 11, 2018, for purposes of determining a fair and reasonable return;

- e. Include a provision requiring just cause for tenant evictions;
  - f. Define “small property owner” to mean a person or entity with common ownership of 50 rental units or fewer within the County; and
  - g. Permit small property owners to pass through to their tenants the direct cost of the Measure W parcel tax, as applicable, should such parcel tax be approved by the voters. This means the cost of the parcel tax would not be counted as part of rent for purposes of determining a small property owner's compliance with the interim rent increase limitation ordinance.
2. Instruct the Executive Director of CDC and the Interim Director of DCBA, in consultation with the CEO and County Counsel, to report back to the Board in writing in 60 days with recommendations for an interim administrative structure, including a cost estimate, for a temporary rent limitations program and an analysis on how these recommendations may help form the creation of a permanent administrative structure for permanent tenant protections programs that the Board may wish to adopt in the future.
  3. Instruct the CEO, in consultation with the Executive Director of CDC and the Interim Director of DCBA, to identify available funding for the preparation of the ordinance referenced in item 1 above.
  4. Instruct the Director of the Department of Beaches and Harbors, in consultation with County Counsel, to return to the Board in 120 days with recommendations regarding how rental units located on County-owned

property in Marina del Rey should be addressed in a permanent rent stabilization ordinance, should such an ordinance be adopted at a future date.

S:MR/Interim Ordinance to Temporarily Limit Rent Increases final