

REVISED MOTION BY SUPERVISORS SHEILA KUEHL AND
HILDA SOLIS

May 12, 2020

**Tenant Protections During the COVID-19 Crisis to Preserve and Increase Housing
Security and Stability and Prevent Further Homelessness**

On March 4, 2020, the Los Angeles County (County) Board of Supervisors (Board) declared the existence of a local health emergency due to the novel coronavirus (COVID-19 emergency). Subsequently, the Chair of the Board issued an Executive Order, which, among other actions, placed a temporary moratorium on evictions for non-payment of rent by residential or commercial tenants in unincorporated areas impacted by COVID-19, and a ban on rent increases in the unincorporated County to the extent permitted by State law and consistent with Chapters 8.52 and 8.57 of the County Code (Moratorium), which will be in effect from March 4, 2020 through May 31, 2020 (Moratorium Period), unless extended further. This Moratorium provides timely and necessary relief to tenants who are struggling due to the economic repercussions of the COVID-19 emergency.

~~Given the severe consequences to public health and safety Countywide that would result from rent increases imposed on residential tenants during the COVID-19~~

MOTION

SOLIS _____

RIDLEY-THOMAS _____

KUEHL _____

HAHN _____

BARGER _____

~~emergency, the County found and determined that the Moratorium on rent increases would apply to all areas of the County. Housing instability poses a severe threat to public health and safety as eviction from one's home can lead to homelessness; loss of community; stress and anxiety caused by the experience of displacement; interruption of the education of children in the home; increased incidents of families moving into overcrowded conditions which creates a greater risk of the spread of COVID-19; as well as increased difficulty in complying with the Health Officer's Safer at Home Order for control of COVID-19. Residential tenants who are struggling to pay rents at current levels while attempting to meet other basic needs may be especially harmed by rent increases during the COVID-19 emergency.~~

Consequently, this Board finds that additional policies and modifications should be adopted to preserve and increase housing and commercial security and stability and prevent Los Angeles County residents from falling into homelessness across the County due to this crisis, for the preservation of life and property.

WE, THEREFORE MOVE that the Board of Supervisors:

1. Direct County Counsel, in consultation with the Department of Consumer and Business Affairs, to report back in ten (10) business days on whether unpaid rent, due to the COVID-19 emergency, can be classified as consumer debt in order to prevent unpaid back rent from being a cause for eviction after the end of the 12-month repayment period, and whether existing harassment protections allow tenants a private right of action;
2. Direct County Counsel, in consultation with the Department of Consumer and Business Affairs, to report back in ten (10) business days with an analysis of how the County could amend the eviction moratorium to help ensure that tenants in the

County are protected with the same or similar basic protections of our moratorium, including self-certification, extended repayment periods, and other critical protections.

3. Approve, and delegate authority to the Chair to execute, an Amended and Restated Executive Order that incorporates the following provisions, subject to approval as to form by County Counsel:
 - a. Extend the Moratorium Period through August 31, 2020 unless further extended or repealed by the Board. ~~For cities that have applicable rent stabilization ordinances in place, this prohibition would apply to units subject to the respective city's local rent stabilization ordinance. In cities where there are no applicable rent stabilization ordinances in place, this prohibition would apply to units that are subject to the County's rent stabilization ordinances;~~
 - b. Extend the County's Moratorium to evictions of residential and commercial tenants who are affected by COVID-19 and located in incorporated cities within the County whose local eviction moratoria does not address either residential or commercial evictions;
 - c. Clarify that the repayment period(s), as specified in the Moratorium, for unpaid rent due to a COVID-19 qualifying reason begins after August 31, 2020, unless the Moratorium is further extended or repealed by the Board;
 - d. Authorize the Department of Consumer and Business Affairs' Director, or his designee, to ~~implement policies and procedures~~ adopt guidelines to aid in the implementation of the Moratorium.