

**MOTION BY SUPERVISORS HOLLY J. MITCHELL  
AND HILDA L. SOLIS**

July 11, 2023

**Establishing Right to Counsel and Sustainably Expanding Eviction Defense Services in Los Angeles County**

On May 21, 2019, the Los Angeles County (County) Board of Supervisors (Board) approved the motion, “Expanding Eviction Defense Services in Los Angeles County.” The motion directed the Department of Consumer and Business Affairs (DCBA) and the Chief Executive Officer (CEO) to create a program providing legal representation to tenants in the County who are facing eviction. DCBA and CEO prepared a report that recommended expansion of the Eviction Defense Program (EDP) over time. In response to the DCBA/CEO report, on September 10, 2019, the Board allocated \$2 million in Measure H dollars for Fiscal Year (FY) 2019-2020 and directed DCBA and the CEO to report back with a plan to implement and evaluate an initial phase of the County’s EDP. In September 2020, with the \$2 million Measure H funds and an additional \$8.7 million allocation in Net County Cost (NCC) dollars from the Affordable Housing Trust Fund, DCBA, in partnership with Liberty Hill Foundation and the Legal Aid Foundation of Los Angeles, formally launched the Stay Housed LA County (SHLA) program. SHLA became the County’s comprehensive EDP that incorporates outreach, education, limited and full-scope legal services, and short-term rental assistance, which continues to help County residents today.

On September 27, 2022, the Board approved the motion, “Sustainably Expanding Eviction Defense Services in Los Angeles County,” which directed DCBA to engage

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property owners, tenants, and other relevant stakeholders, and report back with an implementation plan to make SHLA a permanent DCBA program that meets the growing need for Countywide eviction defense services over the next seven years. On April 8, 2023, DCBA submitted a report in response to the motion that provided two recommendations to provide legal representation to tenants. The first recommendation is for the adoption of a Right to Counsel (RTC) ordinance for the unincorporated areas of the County by FY 2024-2025 to guarantee legal representation to eligible tenants when facing eviction. The RTC ordinance would make the SHLA program permanent and allow the County to strengthen its prevention strategies to minimize tenant displacement and in-flow into homelessness. DCBA's second recommendation is to use a phased-in approach for the SHLA program to achieve universal access to legal representation for all tenants across the County by FY 2030-2031. Universal access means that any tenant who lives in unincorporated Los Angeles or in a non-City of Los Angeles (LA) incorporated city, regardless of income, would have access to legal services when facing eviction. For tenants who meet eligibility requirements, these services would be available to them at no-cost. To reach this goal, DCBA would need to expand partnerships with cities across the County to implement a coordinated program at scale.

Since the launch of the first iteration of the program in July of 2020, SHLA has reached several critical implementation milestones and demonstrated success at achieving key goals. The SHLA program has reached more than 700,000 individuals or households via direct outreach and education efforts, including 974 virtual "Know Your Rights" workshops, webinars, legal clinics, and in-person outreach events. Furthermore, the SHLA program has provided limited legal services and assessments to over 15,720 tenant households, and full-scope legal representation to over 2,401 tenant households. Finally, the SHLA program has distributed about \$1.2 million in short-term rental assistance to over 143 tenant households.

According to DCBA, in calendar year 2022, the average number of unlawful detainers filed per month in the County Superior Court system grew to 2,867, up from 1,054 average filings per month during calendar year 2021. Between 2013 and 2022, an average of 40,000 unlawful detainers were filed per year in the County. This number is likely skewed lower, due to the COVID-19 Emergency Tenant Protections in place in

2020-2021. The Center for American Progress estimates that nationally, only 10 percent of tenants facing eviction in the County have legal representation, compared to 90 percent of landlords. Furthermore, according to the recently released, "State of Black Los Angeles County" report, Black and Latino people are more likely than every other racial group in the County to be rent-burdened, at 62% and 56% respectively, compared to White Angelenos at 51%. Additionally, Black, and Latino Angelenos experience the highest rates of eviction compared to other racial groups. Providing access to legal representation for tenants facing eviction in unlawful detainer cases is critical to ensuring that they have equitable access to justice and would promote the fair and efficient resolution of legal disputes.

SHLA is the first line of defense for tenants facing eviction, but it is currently oversubscribed. In other words, demand is higher than the service capacity. DCBA projects that in FY 2023-24, 15,300 residents who live in the unincorporated County and in non-City of LA incorporated cities will seek SHLA services. However, the County will only have capacity to serve 2,450 individuals. The expiration of the emergency tenant protections resolution with the end of the COVID-19 emergency, will undoubtedly have additional impact on the rate of evictions filed in the County, which have already surged back to pre-pandemic levels.

A permanent SHLA program would allow the County and its partners to develop multiyear planning and build the requisite capacity to meet demand. For example, this would enable contracted legal service providers to intentionally scale their workforce with a clear projection of funding and need. Additionally, a permanent SHLA program would allow for consistent communications with landlords and tenants to improve awareness of resources available. Finally, a permanent SHLA program could deter bad actor landlords, who might otherwise pursue frivolous or illegal evictions if they know their tenants would have legal representation.

The DCBA report also obtained feedback from small mom-and-pop landlords. Small mom-and-pop landlords provide opportunities for community centered housing options, tend to be the landlords with the strongest relationship with their tenants, and provide fair rent increases to sustain their property. Many small landlords lack the support and technical knowledge to navigate complex housing laws and require assistance.

Therefore, it is important that DCBA and the Department of Economic Opportunity collaborate to provide resources for outreach and legal assistance for mom-and-pop landlords as well.

DCBA's April 8, 2023, report includes cost projections of \$22 million for the first year of RTC implementation for all eligible unincorporated County residents, as well as for serving a small number of eligible, non-City of LA incorporated city residents. The projection includes the cost of providing necessary wraparound services. The CEO and DCBA will need to identify an ongoing source of funding to effectively implement RTC and SHLA. DCBA identified the newly formed County Affordable Housing Solutions Agency as a potential key partner in developing funding mechanisms for a codified RTC for the unincorporated areas. Additionally, the Care First Community Investment stakeholders have raised housing as a top issue they wish to support with allocated funding – so there may be opportunities for greater coordination of homelessness prevention resources.

In addition to supporting RTC as part of the County's tools to sustain housing, it is important to sustain and fully fund the Public Defender (PD) and Alternate Public Defender (APD) whose work is critical in supporting our County residents who face criminal charges. Every person living in the United States has a right to receive effective assistance from an attorney when their life or liberty is at stake. According to an APD report submitted on April 5, 2023, public defense services continue to be understaffed, despite the County's legal obligation, inherent in our Constitution, to provide indigent defense services. The County Budget may be further strained with Care Court where our PD and APD may be obligated to represent individuals who are being evaluated for a grave disability and as a result are being held involuntarily. Increasing access to legal representation for tenants with unlawful detainer cases must not come at the cost of reduction or rerouting of funding for constitutionally required representation or other critical legal programs.

Given the significant challenges that low-income tenants face in unlawful detainer cases, it is essential to establish an RTC program in the County to ensure that all tenants have access to legal representation. By doing so, the County can promote equal access to justice, protect vulnerable communities, and ensure that our legal system works for

everyone.

**WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:**

1. Direct County Counsel, in coordination with the Director of the Department of Consumer and Business Affairs (DCBA) to return to the Board within 10 months with a Right to Counsel ordinance for adoption that will codify legal representation to eligible tenants who have received an unlawful detainer in unincorporated Los Angeles County, to be fully effective for all eligible tenants by Fiscal Year (FY) 2024-25, contingent upon securing the funding. The ordinance should determine eligibility criteria, and provision of legal services based on eligibility (per Recommendation 1a as outlined in DCBA's April 8, 2023 report).
2. Direct the Director of DCBA to return to the Board in 180 days with a written reassessment and plan to phase in the implementation of a Universal Access to Legal Representation program for eviction services to expand coverage of legal representation services and wraparound services to additional non-City of Los Angeles (LA) incorporated cities as DCBA scales up program capacity, to achieve universal access Countywide by FY 2030-31.
  - a. DCBA should work with non-City of LA incorporated cities to develop funding models for cities to contribute to Stay Housed LA (SHLA) in order to support standing up services within each jurisdiction interested in providing the SHLA program to their residents.
  - b. DCBA should continue to engage key stakeholders such as incorporated cities, tenants, private and nonprofit housing providers/landlords, and community-based organizations to inform this plan. (per Recommendation 1b as outlined in DCBA's April 8, 2023 report)
3. Instruct the Director of the Department of Economic Opportunity, and County Counsel in collaboration with the Director of DCBA, to provide a written report back in 180 days that includes resources and programs available to mom-and-pop rental property owners and recommendations for a policy defining mom-and-pop rental property owners, including potential eligibility criteria for a legal advice and representation program, and the feasibility of expanding and/or implementing new

programs for mom-and-pop rental property owners who do not have the means or resources for legal advice and representation.

4. Direct the Chief Executive Officer (CEO), in consultation with the Director of DCBA, Los Angeles County Development Authority, and Los Angeles County Affordable Housing Solutions Agency, to report back within 120 days on the feasibility of identifying a sustainable funding source to implement the RTC ordinance and Universal Access program under the SHLA umbrella, starting as early as FY 2024-25, to eligible tenants Countywide.
5. Direct the CEO's division of Legislative Affairs and Intergovernmental Relations, in collaboration with the Director of DCBA to support State and Federal level legislative budget proposals that would support funding sources for RTC and/or expansion of SHLA.
6. Authorize the Director of DCBA to enter into agreements, partnerships, and seek funding opportunities, including but not limited to philanthropic entities, as necessary to execute the directives of this motion, all in a form to be approved by County Counsel.

**WE FURTHER MOVE THAT THE BOARD OF SUPERVISORS:**

1. As recommended by the CEO in their June 26, 2023, report to the Board, direct the CEO, as part of the 2023-24 Supplemental Budget phase, to allocate \$5 million from the Affordable Housing Trust Fund in the Affordable Housing Programs budget unit to DCBA to supplement the SHLA budget and other eviction prevention services to address service delivery gaps.

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MOTION BY SUPERVISORS SHEILA KUEHL AND  
MARK RIDLEY-THOMAS

May 21, 2019

**Expanding Eviction Defense Services in Los Angeles County**

Legal representation for low income tenants threatened with eviction is a critical component of securing justice in housing, and a necessary pillar in the Board of Supervisors' historic efforts to combat homelessness and displacement in the County of Los Angeles (County). This motion directs the Chief Executive Officer (CEO) and the Director of the Department of Consumer and Business Affairs (DCBA) to study and report back on a program to provide legal representation for low-income tenants who are facing eviction.

We have learned many lessons since the launch of the Homeless Initiative in August of 2015. Among those lessons is the fact that, while more than a quarter of people experiencing homelessness in the County have some form of mental illness, this fact, alone, does not explain why the greatest number of people in the County find themselves without housing. Economics, the rising cost of housing and financial uncertainty play a much larger role than previously believed. Current research is showing that over half of County residents are liquid asset poor and living paycheck to

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paycheck. These residents can easily find themselves unable to pay rent, evicted and without a home.

On September 11, 2018, the Board of Supervisors voted to implement an interim rent stabilization ordinance for unincorporated areas to prevent rent increases over three percent per year and help tenants stay housed. On April 9, 2019, the Board of Supervisors voted to extend the interim rent stabilization ordinance through December 31, 2019, and adopted rules expanding just cause eviction protections to all rental units in unincorporated areas. In addition, on May 14, 2019, the Board of Supervisors officially took a position to support two State Bills; AB 1481 (Bonta), which would help curb unjust evictions by prohibiting landlords from evicting tenants without just cause, and AB 1482 (Chiu) which would prohibit residential property owners from raising a rental rate in an amount more than five percent plus a change in the cost of living (CPI) over 12 months.

But rent stabilization and just cause eviction protections have their limits. The State Costa-Hawkins Rental Housing Act prevents cities and counties from applying rent stabilization to housing built after February 1, 1995 (or earlier in some cities based on their local ordinances), and requires vacancy decontrol, incentivizing landlords to push rent- stabilized tenants out of housing in order to allow them to increase the rents.

The costs of evictions to tenants are well- documented. Places with the highest eviction rates can experience community instability on a widespread scale. Evictions not only disrupt school and work schedules, evicted tenants often leave with damaged credit scores, affecting their ability to rent again or access quality financial products and loans. Evictions may also lead to homelessness for some tenants, temporarily or long-term.

Evictions place significant costs on counties and cities as well. Costs include education, juvenile justice, and benefits associated with children experiencing



homelessness; social services for tenants who are unable to maintain employment following an eviction; law enforcement and incarceration costs; and homeless services.<sup>1</sup>

In Matthew Desmond's groundbreaking book, *Evicted*, he documents the disparities across the country for those facing eviction. African Americans and Latinos are disproportionately the subject of eviction proceedings. Most appear without lawyers, which startlingly increases their chances of experiencing a disruptive eviction.

Cities and counties throughout the country have taken note of these inequities and the vast harms to tenants and communities stemming from evictions, and have launched innovative programs to level the playing field in court. These programs, often referred to as universal representation for low-income tenants, provide free lawyers for tenants facing eviction. Notably, the City of New York established the Office of Civil Justice in 2014 in part to foster equity between landlords and low-income tenants, and launched a universal representation program in 2017.<sup>2</sup> The results have been dramatic. In 2018, the legal representation rate for low-income tenants facing eviction in New York City's housing courts rose to 30 percent, a substantial increase from one percent in 2013, and residential evictions subsequently declined by more than 37 percent since 2013.<sup>3</sup>

Perhaps unsurprisingly, universal representation programs that keep tenants housed can save cities and counties money. The Philadelphia Bar Association commissioned a report in November 2018 which found that an investment of approximately \$3.5 million to provide a lawyer to tenants who could not afford one in the City of Philadelphia could save the city over \$42 million. The report also found that,

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<sup>1</sup> <https://psmag.com/economics/giving-tenants-lawyers-for-housing-court>

<sup>2</sup> [http://furmancenter.org/files/UAC\\_Policy\\_Brief\\_12\\_11-18.pdf](http://furmancenter.org/files/UAC_Policy_Brief_12_11-18.pdf)

<sup>3</sup> <https://www1.nyc.gov/assets/hra/downloads/pdf/services/civiljustice/OCJ-Annual-Report-2018.pdf>

when represented by a lawyer, tenants avoid disruptive displacement, such as forcible removal from the premises or vacating the premises without negotiating the terms of departure, in approximately 95 percent of cases.<sup>4</sup>

The County cannot afford to ignore disparities and inequities that exist here in our own unlawful detainer courts. We must work with our network of partners, including cities, nonprofit legal service providers, the philanthropic community, and others, along with the Los Angeles Superior Court, to explore the establishment of a universal representation program that will help address disruptive evictions which lead to homelessness and displacement.

**WE, THEREFORE, MOVE that the Board of Supervisors:**

1. Direct the Chief Executive Officer (CEO) and the Director of the Department of Consumer and Business Affairs (DCBA) to report in writing within 90 days on the following:
  - A. Available data regarding unlawful detainer filings within the County, including but not limited to the number of filings, locations where low-income tenants are more likely to face eviction, the demographics of individuals most affected, and associated trends over time.
  - B. An analysis of existing universal representation programs for low-income tenants and related strategies in other jurisdictions, including but not limited to programs and strategies being implemented by the Cities of New York and Philadelphia, the City and County of San Francisco, and Montgomery County, Maryland, and how those programs and strategies could inform the

development of a universal representation program for low-income tenants in the County.

- C. An analysis and recommendations regarding how tenant eligibility under a County universal representation program for low-income tenants should be limited by income and other factors, such as geography.
- D. An analysis and recommendations regarding the design of a County universal representation program for low-income tenants, including but not limited to a discussion of needed wraparound services and other activities, such as pre-eviction or related services, financial education, mediation, landlord assistance, financial and rental assistance, rent relocation benefits, rent stabilization enforcement, code enforcement, criminal expungement and resentencing, homeless prevention services, credit reporting for tenants making rental payments to increase their credit scores, adult protective services, and domestic violence support.
- E. Potential partnerships with County cities, including opportunities to leverage County and City of Los Angeles funding to create a universal representation program serving low-income tenants countywide.
- F. Recommended outreach strategies and partnerships to support the implementation of a universal representation program, including but not limited to partnerships with the State of California (State), County cities, school districts, the Los Angeles Superior Court, faith-based organizations, legal service providers, philanthropy, and law schools and universities.
- G. The level of staff and infrastructure, either in-house or through external partners, needed to support a universal representation program for low-

income tenants, and an analysis of new or additional resources needed to operate the program.

- H. Potential costs and benefits associated with a universal representation program for low-income tenants and available funding sources, including but not limited to an analysis of the availability of Measure H funding, State and federal funding, and consumer civil penalties.
2. Direct the CEO and the Director of DCBA to collaborate with representatives from, County Counsel, the Department of Public Social Services, the Department of Public Health, the Department of Mental Health, Public Defender and Alternate Public Defender, the Los Angeles County Development Authority, the Los Angeles County Superior Court, the City of Los Angeles, the Los Angeles Homeless Services Authority, and nonprofit legal service providers representing low-income tenants in unlawful detainer proceedings to inform the development of the written report identified above.
  3. Authorize the CEO and DCBA to hire consultants and collaborate with philanthropy, as deemed appropriate, to implement these directives with the objective of setting up a Universal Representation Program for low-income tenants by the fall of 2020 in coordination with the County's Supplemental Budget Proceedings, provided any agreements are approved as to form by County Counsel.



BOARD OF SUPERVISORS

Hilda L. Solis  
Mark Ridley-Thomas  
Sheila Kuehl  
Janice Hahn  
Kathryn Barger

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COUNTY OF LOS ANGELES  
**DEPARTMENT OF CONSUMER  
AND BUSINESS AFFAIRS**

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*"To Enrich Lives Through Effective and Caring Service"*



Joseph M. Nicchitta  
Director

Joel Ayala  
Chief Deputy

Rafael Carbajal  
Chief Deputy

August 26, 2019

To: Supervisor Janice Hahn, Chair  
Supervisor Hilda L. Solis  
Supervisor Mark Ridley-Thomas  
Supervisor Sheila Kuehl  
Supervisor Kathryn Barger

From: Joseph M. Nicchitta  
Director

Sachi A. Hamai  
Chief Executive Officer

**REPORT ON EXPANDING EVICTION DEFENSE SERVICES IN LOS ANGELES  
COUNTY (ITEM NO. 3, OF MAY 21, 2019 AGENDA)**

On May 21, 2019, the Board directed the Department of Consumer and Business Affairs (DCBA) and the Chief Executive Officer (CEO), in collaboration with County Counsel; the departments of Public Social Services, Public Health, and Mental Health; the Public Defender and Alternate Public Defender; the Los Angeles County Development Authority; the Los Angeles Superior Court; the City of Los Angeles; the Los Angeles Homeless Services Authority; nonprofit legal service providers; and other departments and agencies as appropriate to:

- Report on available data regarding unlawful detainer filings within Los Angeles County (County);
- Analyze existing universal representation programs for low-income tenants and other related strategies;
- Provide recommendations regarding how tenant eligibility under a County universal representation program should be limited by income and other factors;
- Provide recommendations regarding the design of a County universal representation program;
- Examine potential partnerships with County cities;
- Recommend outreach strategies and partnerships to support the implementation of a universal representation program;

- Determine the level of staff and infrastructure necessary to support a universal representation program;
- Analyze the potential costs and benefits associated with a universal representation program;
- Collaborate with representatives from departments, cities, legal service providers, and other organizations to inform the development of this report; and
- Hire a consultant, as deemed appropriate, to implement these directives.

The enclosed report summarizes options available to your Board to expand eviction defense and related services for tenants within the County.

In the report:

- We analyze the rate of evictions in the County and its effect on County neighborhoods and conclude that evictions cause some County households to become homeless, and have lasting negative impacts on individuals, households, and neighborhoods where evictions are common. We also identify neighborhoods where households are most likely to suffer evictions based on income levels and percentage of household income spent on housing costs.
- We summarize the outcomes from two existing programs providing legal representation for tenants in New York City and in Los Angeles County. We conclude that programs providing full-scope legal representation for tenants can be an effective strategy, along with other strategies, to decrease housing instability that leads to homelessness.
- We summarize our discussions with County departments and external agencies, including the Los Angeles Superior Court and the City of Los Angeles, and offer options and eligibility requirements for a phased-in legal representation program for tenants in Los Angeles County.

In the report, we recommend that a legal representation program for County tenants be phased-in and initially limited by geography and household income level. We do not recommend that tenant characteristics other than geography and income affect eligibility for services under the program. We recommend that all eligible households receive full-scope legal representation and related services, such as short-term rental assistance and available wraparound services. We also recommend the County develop a branded outreach campaign to notify tenants of available services, and potentially fund prelitigation intervention services in partnership with neighborhood nonprofits and community-based organizations to conduct outreach at the community level. Lastly, we identify staffing and infrastructure needs to develop, launch, and monitor the program appropriately.

For fiscal year 2019-20, we recommend that your Board allocate approximately \$2 to \$3 million in available Measure H revenues to cover startup and operational costs for this fiscal year. We also identify potential funding options for fiscal year 2020-21 to create a sustainable program with braided funding sources.

We also highlight other County investments in legal representation programs, including programs providing legal services for individuals at imminent risk of homelessness, immigrant families, and foster youth. The Board could consider creating a strategic plan for legal services to guide, evaluate, and measure the global impact and efficacy of the County's investment in legal services for our constituents.

Should you have any questions concerning this matter, please contact Joseph M. Nicchitta, Director of Consumer and Business Affairs, at (213) 974-9750 or [jnicchitta@dcba.lacounty.gov](mailto:jnicchitta@dcba.lacounty.gov), or Phil Ansell, Director of the Los Angeles County Homeless Initiative, at (213) 974-1752 or [pansell@ceo.lacounty.gov](mailto:pansell@ceo.lacounty.gov).

JMN:SAH:FAD:JA  
PA:DP:RF:rld

#### Attachments

- c: Executive Office, Board of Supervisors
- Alternate Public Defender
- County Counsel
- Health Agency
- Los Angeles County Development Authority
- Los Angeles Superior Court
- Mental Health
- Public Defender
- Public Health
- Public Social Services



# EXPANDING EVICTION DEFENSE SERVICES IN LOS ANGELES COUNTY

**August 21, 2019**

**Prepared by:**

**Los Angeles County Department of Consumer and Business Affairs  
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## **Background and Summary**

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On May 21, 2019, the Board of Supervisors directed the Department of Consumer and Business Affairs (DCBA) and the Chief Executive Officer (CEO) to collaborate with other County departments, regional agencies, and cities to analyze and propose a program providing legal representation to tenants in Los Angeles County who are facing eviction.

In the first section of this report, we analyze the rate of evictions in Los Angeles County, and its effect on County neighborhoods. Utilizing available data, we conclude that evictions cause some County households to become homeless, and have lasting negative impacts on individuals, households, and neighborhoods where evictions are common. Although data on evictions is limited and does not tell us where evictions are occurring most, we identify neighborhoods where households are most likely to suffer evictions based on income levels and percentage of household income spent on housing.

In the second section, we detail two existing programs providing legal representation for tenants, the New York City Housing Help Program, and the Sargent Shriver Civil Counsel Act pilot program in Los Angeles County. We conclude that programs providing full-scope legal representation for tenants can be an effective strategy, along with other strategies, to decrease housing instability that leads to homelessness.

In the third section, we describe our discussions with County departments and external agencies, including the Los Angeles Superior Court and the City of Los Angeles, and offer options and eligibility requirements for a phased-in legal representation program for tenants in Los Angeles County.

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## **SECTION 1**

### **The Rate of Evictions and Its Impact on Los Angeles County Households**

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#### ***I. Instability Can Lead to Homelessness***

#### ***A. Evictions Impact the Emotional, Mental, and Financial Wellbeing at the Individual, Family, and Neighborhood Levels***

An "eviction" occurs when a tenant is removed from her or his residence involuntarily, or voluntarily upon receipt of an eviction notice or threat of an eviction. An eviction results in a "disruptive displacement" when the tenant is unable to secure comparable housing

immediately following the eviction, loses money or property as the result of the eviction, is unable to maintain existing work or school hours because of the eviction, or is similarly affected.

Research demonstrates that evictions and disruptive displacements have significant short- and long-term societal costs, and can be a destabilizing force for families, neighborhoods, schools, and businesses. These costs include:

- **Negative impacts to one's job security and mental health.** Evictions can have long-term negative health outcomes, regardless of age.<sup>1</sup> One study has shown that 88% of those who suffer an eviction experience anxiety, and 91% experience depression,<sup>2</sup> and the uncertainty of not knowing if one will be able to acquire consistent housing can have effects similar to that of post-traumatic stress disorder.<sup>3</sup> Tenants who are forcibly removed from their homes are up to 22% more likely to lose their job than those who are not evicted, and job loss has been significantly linked to homelessness, with one study finding that 69% of households reported that a job loss occurred before a shelter stay.<sup>4</sup>
- **Financial harm to the individual, including a reduced credit score, difficulties securing subsequent housing because of a past eviction, and an increased reliance on high-cost loan products.** Although the outcome of the legal proceedings of evictions and the results of eviction-related court cases are often sealed for a period of 60 days,<sup>5</sup> an eviction can have both immediate and lasting financial impacts. The costs of court fees and the loss of deposits can immediately reduce a tenant's liquidity. Under normal circumstances, evictions can negatively affect a tenant's credit score for seven years,<sup>6</sup> and a reduced credit score can limit the locations where a tenant is able to rent in the future or eliminate their ability to rent entirely.
- **Neighborhood instability and reduced health outcomes in communities where evictions and disruptive displacements are common.** Neighborhoods with a high rate of evictions experience constant turnover and instability, resulting

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<sup>1</sup> Bartlett, Sheridan. "Children's Experience of the Physical Environment in Poor Urban Settlements and the Implications for Policy, Planning, and Practice," 11 *Environment & Urbanization* 11, No 2. (1999): 63-70

<sup>2</sup> Robles-Ortega et al. "Post-Traumatic Stress Disorder Symptomatology in People Affected by Home Eviction in Spain," *Spanish Journal of Psychology* 20, e.57 (2017). <https://doi.org/10.1017/sjp.2017.56>

<sup>3</sup> Ibid.

<sup>4</sup> Seedco. *Housing Help Program: Homelessness Prevention Pilot Final Report*. New York, 2010.

<sup>5</sup> Scheinin, Richard. "New Law Protects California Tenants from Blacklists," *The Mercury News*, 2016.

<sup>6</sup> "How Long Does an Eviction Stay on Your Record?" *My rental History Report*.

<https://www.myrentalhistoryreport.com/blog/your-prior-rental-history-and-renting/how-long-does-your-rental-history-stay-with-you/>

in lower civic engagement and empowerment.<sup>7</sup> Communities where civic engagement and empowerment are limited are also more likely to experience higher rates of crime, health disparities, and lower educational attainment.<sup>8</sup>

- **Reduced developmental outcomes to children in families that suffer eviction and disruptive displacements.** Moving frequently and being subject to an eviction can delay a child's educational advancement.<sup>9</sup> For example, in 2018, the Urban Institute reported that evictions can have a lasting impact on a child's educational achievement and increase health risks.<sup>10</sup> Evictions have also been linked to juvenile delinquency, which is estimated to decrease a child's average future earnings by up to 22%.<sup>11</sup> Frequent moves during childhood, which may result from an eviction, increase school dropout rates by as much as 30%.<sup>12</sup>
- **Increased costs to local government.** Evictions and disruptive displacements are associated with decreased tax revenues from falling incomes and stymied economic growth, and an increased burden on social services, the courts, schools, and hospitals.<sup>13</sup>

#### **B. Evictions Disproportionately Affect People of Color, Women and Children, and Low-Income Households**

Eviction rates do not occur in all communities at an equal rate, and evictions have been shown to disproportionately affect people of color, women and children, and low-income households. In one analysis, it was determined that people of color make up nearly 80% of evictions, a result validated across numerous studies.<sup>14</sup>

In various cities for which data is available, women, and specifically women of color, are at the greatest risk of facing eviction. In Milwaukee, during a period of time from 2003 to 2007, women made up 60.6% of those facing eviction.<sup>15</sup> Also in Milwaukee, Black women facing eviction outnumbered White women by six to one, and Black men outnumbered

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<sup>7</sup> Jacobs, Jane. *The Death and Life of Great American Cities* (1961). 31-32; Sampson, Robert. *Great American City: Chicago and the Enduring Neighborhood Effect*. Chicago: The University of Chicago Press Books, 2012. 127, 146-47, 151, 177, 231-32

<sup>8</sup> Lee, Matthew R. "Civic Community in the Hinterland: Toward a Theory of Rural Social Structure and Violence," *Criminology* 46, 2. (2008): 447-448. <https://doi.org/10.1111/j.1745-9125.2008.00115.x>; Lee, Matthew R. "The Protective Effects of Civic Communities Against All-Cause Mortality." *Social Science & Medicine* 70, no. 11. (2010): 1840-1846. doi: 10.1016/j.socscimed.2010.02.020.

<sup>9</sup> Hartman, Chester & Robinson, David. "Evictions: The Hidden Housing Problem," *Housing Policy Debate* 14, 4. (2003): 461-501; Bartlett, Children's Experience, 63 & 70.

<sup>10</sup> Brennan, Maya. "Evictions are More than a Landlord-Tenant Issue." (Statement, Housing and Neighborhood Revitalization Public Hearing, District of Columbia, September 24, 2018).

<sup>11</sup> Robinhood. "Metrics Inform Every Grant We Make." <https://www.robinhood.org/what-we-do/metrics/>

<sup>12</sup> Beatty, Alexandra. "Student Mobility: Exploring the Impact of Frequent Moves on Achievement: Summary of a Workshop," Washington D.C.: The National Academies Press, 2010.

<sup>13</sup> Hartman & Robinson, *Housing Policy Debate*, 469.

<sup>14</sup> *Ibid.*, 467.

<sup>15</sup> Desmond, Matthew. "Eviction and the Reproduction of Urban Poverty," *Journal of American of Sociology* 118, no. 1 (2012): 88-133.

White men by nearly two to one.<sup>16</sup> In Philadelphia, women of color made up 70% of evicted tenants.<sup>17</sup> Although not all evictions will result in an eviction-related court case, this pattern is also apparent in court filings in Chicago, where 62% of tenants in eviction cases were women.<sup>18</sup>

Families with children are also more likely to experience evictions as compared to other tenant households.<sup>19</sup> Families with children are also more likely to receive an unfavorable eviction judgement in court even after all other factors are controlled.<sup>20</sup> Data suggest that the presence of children in the household is more important to understanding who is at risk of eviction than race, gender or class.<sup>21</sup>

### **C. Evictions and Disruptive Displacements Contribute to Homelessness**

Data have shown that evictions are not only caused by economic hardships, but are themselves a root cause of poverty and homelessness.<sup>22</sup> In Santa Cruz, California, the most frequently reported cause of homelessness among families was eviction,<sup>23</sup> and in New York City, shelter applications indicated that the top reason for families to seek shelter was eviction (29%).<sup>24</sup> Also in New York City, 23% of sheltered families indicated that an eviction was a direct cause of their shelter stay, and 38% indicated that they had experienced a formal eviction within 5 years prior to entering a shelter.<sup>25</sup>

After a tenant is evicted, securing housing may be more difficult. Eviction court decisions that are unfavorable to the tenant may result in the tenant's inability to secure public housing or subsidies, such as Section 8, and landlords may refuse to rent to potential tenants who have been evicted or have poor credit scores due in part to an eviction.<sup>26</sup> Tenants facing housing instability after an eviction may be more likely to move into a disadvantaged neighborhood or into a difficult or untenable housing situation.<sup>27</sup> Even if housing is secured, lease terms or housing conditions may be unfavorable.<sup>28</sup> When tenants are low-income, this can create a cycle in which an eviction can increase the risk

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<sup>16</sup> City of Philadelphia. *Mayor's Taskforce on Eviction Prevention and Response*. Philadelphia, PA, 2018 8.

<sup>17</sup> Hartman & Robinson, *Housing Policy Debate*, 467.

<sup>18</sup> *Ibid.*, 467

<sup>19</sup> Desmond, Matthew. "Unaffordable America: Poverty, Housing, and Eviction," *Fast Focus*, no. 22-2015 (2015); Desmond, Matthew, et al. "Evicting Children," *Social Forces* 92, no.1 (2013): 303.

<sup>20</sup> Desmond et al., *Social Forces*, 304

<sup>21</sup> *Ibid.*, 304

<sup>22</sup> Desmond, *Fast Focus*, 91; Hartman & Robinson, *Housing Policy Debate*, 468-69.

<sup>23</sup> City of Philadelphia. *Mayor's Taskforce*, 8.

<sup>24</sup> *Ibid.*, 8.

<sup>25</sup> Stout Risius Ross. *Report of Stout Risius Ross, INC: The Financial Cost and Benefits of Establishing a Right to Counsel in Eviction Proceedings Under Intro 214-A*. New York, New York: 2016 17.

<sup>26</sup> Desmond, *Sociology*, 118-119.

<sup>27</sup> Desmond, Matthew et al., "Forced Relocation and Residential Instability among Urban Renters," *Social Service Review* 89, no. 2 (2015): 227-233.

<sup>28</sup> Desmond, *Sociology*, 118.

of displacement long after the eviction has concluded.<sup>29</sup> In fact, nearly 50% of homeless adults list evictions or rent-related issues as a contributor to their homelessness.<sup>30</sup>

## **II. Many Los Angeles County Households Are “Rent Burdened” and Are More Likely to Suffer Eviction**

According to 2017 U.S. Census data, there are approximately 3.3 million housing units in Los Angeles County, approximately 54% of which are rental units. The median income for renter households Countywide is \$42,647, as compared to \$90,774 for owner households. More than 56% of County renter households make less than \$50,000 annually, and 56.1% are “rent burdened,” meaning they pay more than 30% of their monthly income toward monthly housing costs. Applicable U.S. Census data is included in **Attachment 1**.

Data published by Neighborhood Data for Social Change,<sup>31</sup> a project of the University of Southern California’s Price Center for Social Innovation, show some communities in the City of Los Angeles and in unincorporated areas are disproportionately rent burdened, including Rancho Dominguez, Agua Dulce, South Park, Florence, Broadway-Manchester, Westmont, Vermont-Slauson, Vermont Knolls, Hyde Park, Green Meadows, Van Nuys and Central-Alameda. Among the other 87 smaller cities in the County, El Monte, Palmdale, and Inglewood are among the most rent burdened.

Other demographic indicators can be understood as proxies for neighborhood wealth and rent burden. For example, data compiled by the Chief Executive Office-Chief Information Office on the number of CalFresh recipients by zip code show concentrations in the Antelope Valley, the northern San Fernando Valley, central and eastern Los Angeles, and in the east San Gabriel Valley. Countable household income generally must be at or below 130% Federal Poverty Level (FPL) to be eligible for CalFresh benefits, although some households may be eligible at or below 200% FPL if they qualify for benefits under modified categorical eligibility or broad-based categorical eligibility. For a family of four, 130% FPL is \$2,720 per month (\$32,640 annually) and 200% FPL is \$4,184 per month (\$50,208). A map of CalFresh recipients by zip code is included as **Attachment 2**.

Evictions are likely to be concentrated in areas experiencing rent burden.<sup>32</sup> The impacts of evictions at the individual and family levels are described above. As also described above, neighborhoods experiencing high rates of eviction may suffer destabilizing effects at a community-level.

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<sup>29</sup> Desmond, Matthew et al., *Social Service Review*, 232-233.

<sup>30</sup> Lindblom, Eric N. *Homelessness in America*, (Phoenix: Oryx Press, 1996) 187-189; Hartman & Robinson, *Housing Policy Debate*, 468-469.

<sup>31</sup> Neighborhood Data for Social Change’ rising rent burden in Los Angeles data can be accessed at: <https://usc.data.socrata.com/stories/s/Rising-Rent-Burden-in-Los-Angeles/4wjy-s7d9/>.

<sup>32</sup> Desmond, Matthew & Kimbro, Rachel Tolbert, “Eviction’s Fallout: Housing, Hardship, and Health,” *Social Forces*, 94, no. 1 (Sept. 2015), at 297-298.

**III. Los Angeles Superior Court Data Does Not Provide Details About the Geographic Location of Evictions or the Outcome of Unlawful Detainer Proceedings**

A landlord wishing to evict a tenant in California must file a complaint for unlawful detainer in State Superior Court; self-help evictions, when a landlord retakes possession of a property without using the eviction process, are prohibited. Common allegations include the failure to pay rent when due, a material breach of the lease terms, such as an unauthorized occupant living in the property, and using the property to maintain a nuisance or illegal activity, among other allegations. Generally, State law requires the landlord to serve all tenants with notice of the allegations prior to filing the unlawful detainer complaint. For a failure to pay rent, State law requires landlords to serve tenants with a three-day notice to pay rent or quit.

According to the available data on unlawful detainer filings from the Los Angeles Superior Court there were 42,472 unlawful detainer filings in Los Angeles County in 2018, 45,602 in 2017, and 49,178 in 2016. Unlawful detainer filings have trended downward since 2008. Court data only captures unlawful detainer filings. The data does not show how many people were ultimately evicted as a result of the unlawful detainer filing, and does not show the number of people who were evicted prior to the filing of an unlawful detainer proceeding, including tenants who voluntarily vacated a unit following the threat of an eviction.

Court data on unlawful detainer filings are recorded by courthouse. The table below shows the number of unlawful detainers processed in each of the 12 courthouses accepting unlawful detainer filings Countywide.

| <b>Unlawful Detainer Filings by Courthouse<br/>2018</b> |                          |
|---|--------------------------|
| <b>Courthouse</b>                                       | <b>Number of Filings</b> |
| Central   | 13,281                   |
| Pasadena  | 3,928                    |
| Van Nuys  | 3,698                    |
| Long Beach  | 3,372                    |
| Norwalk   | 3,002                    |
| West Covina   | 2,906                    |
| Santa Monica  | 2,825                    |
| Inglewood   | 2,728                    |
| Compton   | 2,605                    |
| Lancaster   | 2,151                    |
| Chatsworth  | 1,975                    |
| Catalina  | 1                        |



Each courthouse is part of a judicial district covering multiple zip codes and communities. A map of judicial districts is included in **Attachment 3**. While unlawful detainer filings are tracked by courthouse, court data does not track the number of filings by zip code.

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## SECTION 2

### Legal Representation for Tenants as a Tool to Combat Housing Instability and Homelessness

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- I. *Existing Programs Providing Legal Representation for Tenants Show Such Services Can Be Cost-Effective Ways to Reduce Evictions Overall and Prevent Disruptive Displacements*
  - A. *The New York City Model Combines Full-Scope Legal Representation and Supportive Services to Keep Tenants Housed and Address Root Causes of Eviction and Displacement*

One way to prevent or limit the impacts of an eviction is by providing full scope legal representation and other supportive services to tenants before and after an unlawful detainer case is filed. Without an attorney, tenants are likely to misunderstand the requirements and expectations of the eviction case. Cases often proceed rapidly, sometimes within a few minutes, and tenants are at a severe disadvantage if they do not have the prerequisite legal understanding or representation. According to New York City data, absent programs to provide tenants with attorneys, as many as 90% of low-income tenants will not have legal representation during eviction hearings, while 97.6% of landlords are represented by an attorney.<sup>33</sup> Only 22% of self-represented tenants are able to avoid eviction, but the percentage is much higher for those with full representation.<sup>34</sup>

Partly in response to the above data, in 2005, New York City established the Housing Help Program (HHP), within the Department of Homeless Services, in partnership with the courts, nonprofit legal services providers, and philanthropy, which offered legal representation and other services for tenants facing eviction. During an initial trial, New York City showed that targeting those struggling to avoid eviction with holistic services, including eviction defense, can reduce homelessness. The first pilot served an area with some of the highest rates of residents entering shelters within the city, and the area also had a high poverty and unemployment rate. The city partnered with the Legal Aid Society of New York City, a nonprofit legal services organization, to act as the legal

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<sup>33</sup> "Housing Court, Evictions, and Homelessness: The Costs and Benefits of Establishing a Right to Counsel," Community Training Resource Center, 1993

<sup>34</sup> Knight, Rachel. "The Impact of Legal Counsel on Outcomes for Poor Tenants in New York City's Housing Court: Results of a Randomized Experience," *Law and Society Review* (2001).



service provider for the HHP and offered additional wraparound services by partnering with other agencies. During a three-year period, HHP served 1,388 families, or about 76% of all eligible families facing an eviction case, and about six percent of all residents in the target area.<sup>35</sup>

The trial program was successful for those who utilized HHP services. HHP offered legal services for tenants in eviction proceedings regardless of merit, and 91% of clients achieved a positive housing or legal outcome, including eviction prevention (86%), relocation to permanent housing (4.3%), and restored possession of the original apartment (1.4%).<sup>36</sup>

HHP provided specialists in several disciplines and offered some legal services through paralegals to increase efficiency and reduce overall operational costs. Clients received frequent monitoring, consultation, and guidance from social workers and paralegal staff to demonstrate the advantages of counseling and advocacy.<sup>37</sup> For cases where an attorney provided full-scope legal representation, the attorney would continue to represent the client until the court case was resolved through judgment, dismissal, or settlement.<sup>38</sup> The client flow process for HHP is included in **Attachment 4**.

HHP also provided additional services for tenants to address housing instability and displacement. Over 90% of families within HHP were identified as having at least one social service need, and 88% of all clients received at least one hour of social services, with some receiving over 10 hours.<sup>39</sup> About 15% of clients were referred to an external social services agency for assistance, highlighting the need for intra- and interagency cooperation.<sup>40</sup>

HHP offices were located within civil courthouses to aid in accessibility to clients. This also sped up the processing of cases and helped identify cases where tenants had not sought services or assistance designed to help them avoid having to go to court. According to one study, 75% of families in New York City do not seek assistance before entering a shelter.<sup>41</sup> Because of the close relationship between housing court judges and HHP, judges immediately referred qualifying tenants to HHP staff.

In New York City, approximately \$331 million is spent annually on family shelters.<sup>42</sup> In 2009, the average cost to shelter one family for one day was \$105.22, and during fiscal year 2008, the average length of stay was 292 days.<sup>43</sup> Ignoring the broader social costs, the average cost to shelter a family in New York City was \$30,724 based on fiscal year

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<sup>35</sup> Seedco. *Housing Help Program: Homelessness Prevention Pilot Final Report*. New York, 2010: 2.

<sup>36</sup> *Ibid.*, 31.

<sup>37</sup> *Ibid.*, 2.

<sup>38</sup> *Ibid.*, 13.

<sup>39</sup> *Ibid.*, 2.

<sup>40</sup> *Ibid.*, 2.

<sup>41</sup> Vera Institute of Justice. *Understanding Family Homelessness in New York City: An In-Depth Study of Families' Experiences Before and After Shelter*. New York, 2005.

<sup>42</sup> Seedco. *Housing Help Program: Homelessness Prevention Pilot Final Report*. New York, 2010: 6.

<sup>43</sup> *Ibid.*, 6

2008 data.<sup>44</sup> HHP served a population at risk of homelessness and received a positive court case outcome for 91% of clients, and prevented shelter entry for 94.3% of clients.<sup>45</sup> The average cost for HHP services was about \$986 per client, which represents a significant cost savings over providing shelter for families, and saved New York City money overall.<sup>46</sup> According to one estimate, HHP saved the city \$737,376 annually in shelter costs, with a return on investment of 64%, not including the increased social benefits.<sup>47</sup>

In 2018, the mayor of New York City signed a bill requiring the creation of a universal representation program for tenants citywide, initially in target zip codes, to be administered through the Office of Civil Justice within the Human Resources Administration. The Office of Civil Justice partners with approximately 20 legal service providers, including the Legal Aid Society of New York City, which was integral to the success of the HHP. To qualify for legal representation under the program, a tenant must live in one of the zip codes identified for the pilot program and be at or below 200% FPL.<sup>48</sup>

During the first year of expanded implementation, 87,419 individuals and 33,058 families were referred to the program for some form of assistance. Of the 21,955 households which required legal representation in court, 84% were able to remain in their homes.<sup>49</sup> The number of individuals who received services from an administration-funded legal assistance program since inception, not just those who received legal services, was nearly 250,000.<sup>50</sup>

The program has already begun to affect the number of eviction proceedings being filed in New York City. Total evictions declined by 27% in 2018 as compared to 2013, and 30% of tenants facing an eviction case were represented by a lawyer, up from 1% in 2013.<sup>51</sup>

The consultant for New York City's expanded program, Stout Risius Ross, found the full program could save the city nearly \$320 million in the form of reduced shelter costs, affordable housing costs, and unsheltered homeless costs.<sup>52</sup> The program is expected to cost between \$153 and \$256 million annually.<sup>53</sup> These estimates fluctuate based on the cost to provide counsel, the success rate of the program, and the factors being considered as a cost to the city.

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<sup>44</sup> Ibid., 7.

<sup>45</sup> Ibid., 28.

<sup>46</sup> Ibid., 36.

<sup>47</sup> Ibid., 37.

<sup>48</sup> New York City Administrative Code §26-1301.

<sup>49</sup> New York City Human Resources Administration: Office of Civil Justice. *Universal Access to Legal Service: A Report on Year One of Implementation in New York City*. New York, 2018: 2.

<sup>50</sup> Ibid., 1.

<sup>51</sup> Ibid., 4.

<sup>52</sup> Stout Risius Ross, INC. *The Financial Cost and Benefits of Establishing a Right to Counsel in Eviction Proceedings Under Intro 214-A*. New York, 2016: 3.

<sup>53</sup> Ibid., 5.

**B. *The Sargent Shriver Civil Counsel Act, Assembly Bill (AB) 590, Provides Legal Services for Tenants in Los Angeles County on a Pilot Basis and Has Improved Housing Outcomes for Those Receiving Services***

The Sargent Shriver Civil Counsel Act (AB 590) required that the California Judicial Council identify and fund, on a pilot basis, legal representation and improved court services for low-income parties on critical legal issues affecting basic human needs, such as housing, child custody disputes, and domestic violence, among others.<sup>54</sup>

The pilot projects are operated by legal services nonprofit corporations across the State, who work in collaboration with local superior courts. Six of the pilot programs provided assistance with housing and unlawful detainer actions, including a pilot program in Los Angeles County.

On July 31, 2017, the Judicial Council released a supplemental report evaluating the Sargent Shriver Civil Right to Counsel Act pilot programs. The report concluded that, among housing cases receiving representation by Shriver counsel:

- Significantly fewer Shriver cases ended by default;
- Representation by Shriver counsel helped tenants avoid evictions;
- Most cases settled, providing more certainty for landlords and tenants; and
- Shriver services supported longer-term housing stability. The higher rate of settlement agreements among Shriver clients, and the terms of those agreements supported longer-term housing stability.

In Los Angeles County, the Shriver housing pilot project is a collaboration between the Los Angeles Superior Court and four non-profit legal services providers: Neighborhood Legal Services of Los Angeles (NLSLA), Inner City Law Center (ICLC), Legal Aid Foundation of Los Angeles (LAFLA), and Public Counsel. The Shriver pilot is operated out of an eviction assistance center in the Stanley Mosk Courthouse in downtown Los Angeles, which is the largest court in the Los Angeles Superior Court system and serves many of the County's most rent burdened neighborhoods, including Skid Row, South Los Angeles, and Pico-Union.<sup>55</sup> NLSLA is the lead legal-services provider for the County's Shriver pilot.

To be eligible for Shriver counsel, litigants must have an active unlawful detainer case, have an income at or below 200% FPL, face an opposing party represented by legal counsel, and have a complaint filed at the Stanley Mosk Courthouse. After an initial screening, cases which have sufficient merit or where the litigant exhibits certain

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<sup>54</sup> Judicial Council of California. *Evaluation of the Sargent Shriver Civil Right to Council Act (AB 590)*. San Francisco, 2017.

<sup>55</sup> Ibid., 55-56

vulnerabilities, including disability or language barriers, are referred to full-scope legal representation. Other eligible cases may receive “unbundled services,” including assistance filing a complaint or answer, technical assistance, or limited scope representation.<sup>56</sup>

From 2011 through fall 2015, the Shriver pilot in Los Angeles County served 10,182 clients, with 52% receiving full representation and 48% receiving unbundled services. Shriver attorneys worked an average of 11 hours per full representation case and two hours per unbundled services case. The majority of Shriver clients were female (57%). Forty-five percent were Latino and 30% were Black or African American.<sup>57</sup> The median monthly income was \$1,000, and the median rental amount was \$850. Fifty-two percent of cases served by Shriver counsel had at least one minor living in the home, and 41% received CalFresh benefits.<sup>58</sup>

Among cases where Shriver counsel provided full representation, no default judgments were entered because the tenant failed to respond to the unlawful detainer complaint. About two-thirds of cases were resolved by settlement, and an additional 22% dismissed by plaintiffs. Outcomes favored longer-term housing stability. At the end of their court cases, 22% of clients were able to remain in their homes. In cases where tenants moved, 89% resulted in some positive outcomes supporting tenants’ longer-term housing stability, including:

- 71% had their move-out dates adjusted;
- 79% had their rental debts reduced or waived;
- 45% retained their housing subsidies;
- 86% had their unlawful detainer case masked from public view; and
- 54% had their credit protected.<sup>59</sup>

Regarding credit, tenants who received full representation were about three times more likely not to have the unlawful detainer action reported to credit agencies, receive a neutral credit reference from a landlord, or have their unlawful detainer record sealed.<sup>60</sup>

The average cost per full representation case in Los Angeles County was \$1,425, and the average cost for unbundled services was \$169.<sup>61</sup>

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<sup>56</sup> Ibid., 57.

<sup>57</sup> Ibid., 58.

<sup>58</sup> Ibid., 61.

<sup>59</sup> Ibid., 62-63.

<sup>60</sup> Ibid., 128.

<sup>61</sup> Ibid., 173.

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### **SECTION 3**

## **Legal Representation for Tenants in Los Angeles County**

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#### ***I. Summary of Consultation with County Departments and Agencies, Los Angeles Superior Court, Non-Profit Legal Service Providers, and the City of Los Angeles***

##### ***A. County Departments and Agencies***

Pursuant to the Board's directive, we met with representatives from the Departments of Public Health, Mental Health, and Public Social Services, the Public Defender and Alternate Public Defender, and the Los Angeles County Development Authority. We also consulted with the Los Angeles Homeless Services Authority.

Each of the departments and agencies above provided us with key data collected by the departments on program utilization which may be used to inform a discussion about the geographic requirements for a pilot program and the current initiatives which could benefit from the implementation of an eviction defense program. Although each department has a unique mission and vision, many of the client populations overlap for the involved departments. Many of these clients would benefit from improved wraparound services offered by an eviction defense program, and these services would directly improve the eviction defense program overall.

##### ***B. Los Angeles Superior Court***

Consistent with the Board's motion, we met with Los Angeles Superior Court representatives to discuss opportunities to collaborate on the development of a legal representation program for tenants. In addition to providing us the unlawful detainer data described above, court representatives indicated that, while they are not able to participate in such a program without compromising the court's neutrality among litigants, they wished to continue to dialogue with the County about the operational design of a legal representation program for tenants to ensure litigants are able to access the program without unduly impacting court services.

##### ***C. Non-Profit Legal Services Providers***

To aid in the development of a framework for an expanded eviction defense program for the City of Los Angeles, the Los Angeles Housing and Community Investment Department (HCIDLA), the Office of Councilmember Paul Koretz, and landlord and tenant advocates, under the direction of the Office of Mayor Eric Garcetti, convened a "Right to Counsel" working group. The Right to Council Coalition (RTCC) proposed a framework

for an expanded eviction defense program and provided details of the program to DCBA and CEO/Homeless Initiative as recommendations for a Countywide program.

RTCC recommends a program be implemented through:

- **Education and Outreach.** RTCC recommends the creation of a public information campaign which targets tenants and landlords by expanding existing education relating to rent stabilization. Existing branding could be built upon and leveraged, and public spaces could be utilized for display. Community-based organizations are also identified as being able to provide information to tenants, as well as landlords upon inception of a new lease agreement.
- **Eviction Prevention Interventions.** The purpose of the Right to Counsel program is not only to provide eviction defense services to tenants, but to also provide services which stabilize the leasing arrangement and inhibit eviction proceedings initially. Eviction prevention strategies include referring all tenants, regardless of program eligibility, to resource service centers to coordinate assistance among many providers, landlord/tenant mediation, referrals to HCID and the County's Department of Public Health, rent stabilization assistance, negotiation services, rental assistance based on eligibility, referrals to other legal services, requests for reasonable accommodations, and other services which would stabilize housing.
- **Full Representation in Eviction Proceedings for Eligible Tenants.** RTCC recommends providing free legal representation for tenants who are at or below 80% of the Area Median Income (AMI). Individuals above 80% of the AMI will be referred to outside providers and services but are not recommended to have the cost of legal representation subsidized by the program. RTCC recommends phasing services in by zip code, but not by prioritizing any subpopulations in those areas. Tenants will be first eligible for full representation from the moment they receive a termination notice up until 1 day before the trial, and attorneys will represent tenants through the trial, including for settlement negotiations.
- **Rental Assistance.** The RTCC recommends that both long- and short-term rental assistance be provided at all stages of the intervention process. RTCC recommends prioritizing certain tenant households including those who live in affordable housing and those with young children. Rental assistance should be paired with case management to ensure effective administration.
- **Ongoing Tenant Support.** By utilizing case management, RTCC recommends connecting tenants with supportive services and assisting with other housing resources should their current living situation not be sustainable. This would also include educational and job training resources.

- **Program Evolution.** A successful eviction defense program will need to utilize data to ensure efficient program administration. RTCC recommends evaluating the number and demographics of people served, the eviction prevention outcomes by intervention, the distribution of evictions filed, the client feedback, anonymous assessment, and interviews with service providers. Data will be collected during intake, but clients should have the option to refuse to have their data utilized.

A copy of the complete proposal prepared by the RTCC is included in **Attachment 5**. As part of the development of this report, we met numerous times with RTCC members and will continue to engage the RTCC on program design and development, to the extent consistent with subsequent direction from the Board.

#### ***D. City of Los Angeles***

We met with representatives from the City of Los Angeles to discuss their approach to legal representation for tenants. City staff expressed a willingness to discuss collaborating with the County to design a legal representation program for tenants. We recommend continuing to discuss these opportunities with the City of Los Angeles.

### ***II. Options for a Legal Representation Program for Tenants in Los Angeles County***

As detailed above, legal representation programs can play a role in preventing homelessness, reducing displacement of tenants from their homes and communities, help stabilize housing outcomes for tenants, and reduce costs to local governments associated with evictions. As additionally shown in the New York model, legal representation for tenants can alter landlord behavior, resulting in fewer eviction proceedings filed and an increased rate of negotiated outcomes, which are often better for tenants and may be less costly for landlords.

In Los Angeles County, a legal representation program for tenants can complement other homeless prevention efforts already underway, including rent stabilization and “just cause” ordinances in effect in unincorporated areas and some cities, efforts to provide permanent supportive housing to homeless individuals and families, and the construction of new affordable housing units throughout the County.

Pursuant to the Board’s May 21, 2019, motion and the research above, we have identified the following objectives to guide the development and implementation of a legal representation program for tenants:

- Support longer-term housing stability for tenants, including by allowing tenants to stay in their homes longer and avoid negative impacts to their credit;
- Reduce costs to the County associated with evictions, and in particular evictions that lead to homelessness, neighborhood housing instability, and negative health outcomes for families and children; and

- Decrease the rate of evictions filed in favor of negotiated outcomes that provide landlords and tenants more certainty and stability.

To achieve these purposes, we recommend establishing programming in phases. This will ensure that program costs and outcomes can be carefully measured, and allows adjustments to program design, before bringing the program to scale. We also recognize the significant complexity and investment to develop programming, even in phases, and recommend leveraging existing programs and partnerships to extend limited resources.

Options for the first phase of a legal representation program are described below.

#### ***A. Program Components in the First Phase***

Program components in the first phase of the legal representation program for tenants should include:

- **Full-scope legal representation.** Full-scope legal representation is the hallmark of a legal representation program for tenants and should be provided to all individuals eligible to receive services under the program to achieve program objectives. Providing the most comprehensive and cost-effective services can be achieved by contracting with legal service providers already providing legal representation in eviction proceedings and increasing their capacity. Although the Shriver Civil Counsel pilot program provides full-scope legal representation only for those with meritorious cases or identified vulnerabilities, we believe limiting representation only to cases with perceived merit or vulnerabilities will not achieve the goal of reducing evictions overall in favor of negotiated outcomes.
- **Eviction assistance centers in courthouses where services are provided.** Many tenants will be first engaged in courthouses where eviction proceedings are taking place. Legal services providers and other caseworkers participating in the program should have office space and staff within those courthouses to conduct client intake and counseling, prepare and file pleadings, motions, and other filings, and offer collocated services. Having staff and capacity onsite in courthouses will also increase the operational efficiencies of the program. The County has existing space within courthouses which will have to be reviewed and analyzed for this purpose. In addition, NLSLA maintains an eviction assistance center in the Stanley Mosk Courthouse, Central District, which should be evaluated for use in connection with the County's programming.
- **Related services, which can be collocated at eviction assistance centers in courthouses.** Existing County services should be available for tenants at eviction assistance centers where tenants engage legal services providers. For example, tenants eligible for legal services may be eligible for CalWORKs (if they are families) and CalFresh benefits, homelessness prevention services, and/or wraparound services for immigrant families. Tenants should also be made aware of anti-poverty efforts such as the availability of the earned income tax credit and



alternatives to high-cost loan products. County staff can be collocated at eviction assistance centers to provide these services. Alternatively, the program can include funding for ambassadors who are trained to identify, counsel, and potentially enroll tenants for eligible benefits.

- **Outreach.** We concur with the RTCC that outreach is essential to ensure tenant households who are eligible receive available services and reduce the overall number of evictions in eligible areas. We recommend the County create and launch a branded outreach campaign to alert tenants to the availability of program services, and identify outreach partners such as community benefit organizations, nonprofits, faith-based partners, and other cities and agencies. As an additional option, the County could set aside funding to contract with community benefit organizations and neighborhood nonprofits to conduct direct outreach at the street level.
- **Short-term rental assistance.** Monetary rental assistance for rent that is past due or coming due can allow tenants to remain housed while their eviction case is resolved, and their long-term housing stability evaluated. We recommend allowing up to three months' short-term rental assistance, which can include first and last month's rent and a security deposit for new housing.
- **Case management following eviction proceeding (optional).** Case management for up to six months following the eviction proceeding is an optional component of the first phase but would help achieve the program objectives of supporting longer-term housing stability for tenants and reducing costs to the County associated with the effects of evictions. Case management services can include status checks, continued monitoring of tenants for available services, and financial coaching to reduce debt and build wealth, among other services.

Additionally, during our consultation with the Public Defender and Alternate Public Defender staff and leadership, those departments identified unique needs their clients and their clients' families face following an arrest. In many cases, the fact of an arrest or period of incarceration will result in loss of income to the family and can lead to housing instability or eviction. Moreover, the Public Defender reports that there are inherent impediments which arise regarding communication with justice-involved individuals who have open criminal cases. Inquiries relating to housing instability will often tangentially touch upon matters material to criminal adjudications, such as substance abuse, mental health, probation or parole conditions. Because client communications with Public Defenders are protected by the Sixth Amendment to the U.S. Constitution, justice-involved indigent persons can feel secure disclosing this sensitive information to their attorneys. This information can be put through legal analyses to best assess if it can be utilized in the civil arena or whether confidentiality in the criminal case is the prevailing concern.

Based on these considerations, the Public Defender and Alternate Public Defender expressed interest in building in-house capacity, including potential civil legal services, to

provide clients with housing-related and other wraparound services. With additional staff, both Departments would create small units to assist the justice-involved indigent population with housing instability and eviction defense needs. Attorneys in this new unit would draw upon their specialized knowledge of and experience working with indigent, justice-involved clients to advocate for their unique needs and the needs of their families and represent those interests in civil legal proceedings where appropriate. Attorneys in these new units would complement existing community legal service groups and would assess the needs of justice-involved clients to determine which clients would be best served by referral to a legal aid organization through the program, and which clients should have their interests represented by Public Defenders to ensure civil litigation does not impact the criminal case. Depending on the level of funding, the services provided by the Public Defender and Alternate Public Defender could be implemented countywide or only in the zip codes that will initially be served through the universal representation program.

The extent to which the Public Defender and Alternate Public Defender can provide the above-described services should be evaluated by the County Counsel, in consultation with the Public Defender and Alternate Public Defender.

## **B. Eligibility for Services in the First Phase**

Eligibility for services in the first phase should be based on the following criteria:

- **Income Eligibility.** We recommend that all households with verified income at or below 80% Area Median Income (AMI)<sup>62</sup> who are defendants in an unlawful detainer action be eligible for full-scope representation under the first phase of the program, unless they are otherwise eligible for full-scope representation under the Shriver housing pilot program in the Stanley Mosk Courthouse (Central District). As explained above, Shriver is limited to tenants at or below 200% Federal Poverty Level with an unlawful detainer case filed in Stanley Mosk Courthouse, among other eligibility criteria. In fiscal years 2013 and 2014, an average 16,364 unlawful detainer cases were filed annually in the Stanley Mosk Courthouse, and the Shriver pilot project provided legal aid services to an average 3,068 cases per year.<sup>63</sup> Just over half received full-scope representation.<sup>64</sup> To avoid duplication and maximize funding sources, the County's program should complement, not compete with, the existing Shriver program.

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<sup>62</sup> A family of four at or below 80% of AMI has an annual income of \$77,500 or less. Compare that to a family of four at or below 200% Federal Poverty Level, which has an annual income of \$51,500 or less. We recommend using AMI as the standard for eligibility under the County program because it better accounts for the cost of living in Los Angeles County. Further, providing full-scope representation only to those at or below 200% Federal Poverty Level could encourage landlords to avoid renting to very low-income individuals and families. A chart showing the AMI for federal fiscal year 2018 in the Los Angeles-Long Beach-Glendale HUD Metro FMR Area is included in **Attachment 6**.

<sup>63</sup> Judicial Council of California. *Evaluation of the Sargent Shriver Civil Right to Council Act (AB 590)*. San Francisco, 2017: 57.

<sup>64</sup> *Ibid.*, 59.

- **Geographic Eligibility.** In the first phase of the program, we recommend that each Board office identify a zip code or cluster of zip codes within its district which contains a significant number of renter households and a large percentage of rent burdened households, a concentration of CalFresh recipients, or both. Because judicial districts cross supervisorial districts and span multiple zip codes, we further recommend that zip codes chosen consolidate services in the fewest number of courthouses to reduce startup costs in the initial phase. We recommend that the Board offices work closely with us to identify appropriate zip codes that meet these criteria and serve the greatest need in your respective districts.

Other than income and geographic eligibility, we do not recommend that tenants be prioritized for eligibility because of additional factors, such as the presence of minor children in a household, those with a disability, or other characteristic. Including additional limiting characteristics could incentivize landlords not to lease to tenants with these factors or characteristics.

### ***C. Partnerships with Cities***

As explained above, City of Los Angeles staff expressed a willingness to collaborate with the County to design a legal representation program for tenants. Following the identification of target zip codes eligible for services in the first phase of the program, we recommend engaging any cities whose residents may be eligible for service. Collaboration with these cities could include joint funding, enhanced services and outreach, and/or in-kind support such as the use of city facilities.

### ***III. Staffing and Resource Needs***

We recommend that responsibility to administer a legal representation program for tenants be housed within DCBA. DCBA has recently established a tenant protections program consisting of rent stabilization staff serving tenants and mobilehome residents in unincorporated areas, in addition to existing State-funded foreclosure prevention and real estate fraud services. DCBA also has a longstanding relationship with the Los Angeles County Superior Court and currently provides small claims advisory services and mediation in courthouses and at DCBA office locations, and funds self-help legal access centers in nine courthouse locations. A legal representation program for tenants will be incorporated into DCBA's tenant protections programming, and DCBA will leverage existing programs to reduce startup and ongoing operational costs for the program.

Beginning with the launch of a legal representation program for tenants, DCBA will require new administrative staff to prepare, monitor, and audit contracts with legal services providers and others, and new program staff to develop and supervise substantive program functions, and track and measure program outcomes.

We further recommend that the Board allocate funding to support an education and outreach campaign and contracts with nonprofits and community benefit organizations and provide funds to allow the Chief Executive Officer to contract with an evaluator to

study and monitor the cost and outcomes of a legal representation program for tenants. Ongoing study, monitoring, and evaluation will be critical to developing a mature and cost-effective program in subsequent phases.

Upon direction from the Board, DCBA will work with the Chief Executive Officer to identify the number and cost of new DCBA staff required to administer and monitor the program properly, and will finalize the cost to develop, launch, and operate the first phase of the program based on the specific direction which the Board provides.

#### ***IV. Funding Options***

The cost of the first phase of the program, including legal representation and related services, staffing, and infrastructure, will depend on the Board's direction regarding the design and scope of the program.

For fiscal year 2019-2020, we recommend allocating approximately \$2 to \$3 million in startup funding from available Measure H sales tax revenues, with an anticipated program launch in the third quarter of fiscal year 2019-20. These funds will likely cover the initial launch and operation of the tenant representation program for the target zip codes. Experience from other County legal services programs, such as the Los Angeles Justice Fund, a public-private partnership to provide deportation defense to immigrants at imminent risk of removal, indicates that funds allocated for legal services are likely to be drawn down more slowly initially as legal service providers build capacity.

For fiscal year 2020-21, upon direction from the Board, DCBA will work with the Chief Executive Officer to cost-out the program. The following potential funding sources should be considered to develop sustainable, braided funding. Additional detailed review of each possible funding source and consultation with involved departments and agencies is needed to determine the eligibility and availability of funding.

- **Senate Bill (SB) 2, Building Homes and Jobs Act.** SB2 created the Building Homes and Jobs Trust Fund to generate new housing opportunities in California through the imposition of a \$75 fee on certain real estate transactions. SB 2 is expected to generate approximately \$250 million in revenue per year, providing local governments with the ability to apply for 50% of the money collected in 2018 and 70% of the money collected year 2 and ongoing to assist persons experiencing or at risk of homelessness. This funding can potentially be used for Rental Assistance.
- **Mental Health Service Act (MHSA).** MHSA provides funding, personnel, and other resources to support county mental health programs consistent with local mental health plans for children, transition age youth, adults, older adults, and families through the imposition of a 1% income tax on personal income in excess of \$1 million. The Department of Mental Health's Housing Assistance Program provides rental assistance, security deposits, household goods and eviction prevention with an overall budget of approximately \$1.9 million.

DMH's Housing Assistance Program is available as an in-kind resource that can be leveraged by a program providing legal representation for eligible tenants in Los Angeles County served through the Department's network of mental health providers.

- **California Work Opportunity and Responsibility to Kids (CalWORKs).** CalWORKs is a public assistance program that provides cash aid and services to eligible families that have a child or children in the home. CalWORKs funding is potentially available on an ongoing basis to fund legal representation and related support services for certain CalWORKs families with children 18 years or younger.
- **Community Development Block Grant (CDBG) program.** The CDBG Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The federal Department of Housing and Urban Development determines the amount of each grant by using a formula comprised of several measures of community need, including the extent of poverty, population, housing overcrowding, age of housing, and population growth lag in relationship to other metropolitan areas. CDBG grants are administered by states to smaller units of general local government to develop and preserve decent affordable housing, provide services to vulnerable communities, and create and retain jobs. CDBG is potentially available to fund all components of a legal representation program for tenants.
- **Homeless Housing, Assistance, and Prevention Program (HHAPP).** HHAPP originated from AB 101, the FY 2019-20 Housing Development and Financing Trailer Bill, and provides local governments with funding to address homelessness through a one-time investment of \$650 million. HHAPP is administered by the Homeless Coordinating and Financial Council within the California Business, Consumer Services and Housing Agency. Applications for the program must be submitted by February 15, 2020. Eligible applicants in Los Angeles County are the County, the Los Angeles Homeless Services Authority, the Cities of Los Angeles and Long Beach, and Glendale, Long Beach and Pasadena Continuums of Care. HHAPP award recipients are expected to be identified by April 1, 2020. While it is one-time funding, it may be spread across multiple years. HHAPP funding can be used for rental assistance.
- **Measure H sales tax revenue.** For this fiscal year, the Board approved \$460 million to fund services, rental subsidies, and housing to combat homelessness across multiple strategies. Of this amount, \$23 million has been dedicated to the homeless prevention programs for individuals and families, including outreach and education, rental assistance, and legal representation. Legal services are provided by Inner City Law Center and its subcontractors.

Measure H revenues could legally be used to fund all components of the program.

- **Consumer protection civil penalties.** Pursuant to the State Unfair Competition Law, the County receives civil penalties paid in lawsuits against violators of applicable unfair business practices laws. These civil penalties must be used by the County Counsel or the District Attorney to enforce consumer protection laws. To the extent the program is potentially eligible for funding, civil penalties could only fund those components of the program that enforce consumer protection laws.
- **Additional State revenue.** Additional State revenue not identified above could become available to fund some or all program components.

## **V. *Strategic Plan for Legal Services***

As part of the research for this report, we have identified multiple programs funded by the Board providing legal services to County residents. These programs include legal representation for persons in housing court who are at imminent risk of experiencing homelessness, funded as part of the strategies adopted under Measure H; the Los Angeles Justice Fund, which provides deportation defense to immigrants at imminent risk of removal; and legal services to address immigration issues for foster youth, provided by Bet Tzedek under contract with the Department of Children and Family Services, among others.

These programs support low-income County residents and other residents in need and represent substantial investment and significant impact. In June 2015, New York City established its Office of Civil Justice to monitor and study newly- expanded legal services for New York City residents, including in housing and immigration court. Similarly, here, a centrally -monitored strategic plan for legal services could increase economies of scale for these programs and allow the County to measure impacts and effectiveness of services more accurately across the multiple programs. In addition, a global review of County-funded legal services could better evaluate the need for existing and new services.

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## **CONCLUSION**

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A program providing legal representation for tenants in Los Angeles County is a potential tool which, in combination with other strategies, can reduce housing instability, displacement, and homelessness resulting from the rate of evictions in certain County neighborhoods and communities. If successful, such a program will change landlord-tenant behavior by leading to less eviction filings, more negotiated outcomes, and overall cost reductions to the County. Program implementation should be monitored carefully to ensure that program design is appropriate, that services are accessible and effective, and that the purposes of the program are met.

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# ATTACHMENT 1

## APPLICABLE CENSUS DATA 2013-2017

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S2503

## FINANCIAL CHARACTERISTICS

2013-2017 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Technical Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.

| Subject   | Los Angeles County, California |                 |                                |                 |                              |
|---|--------------------------------|-----------------|--------------------------------|-----------------|------------------------------|
|   | Occupied housing units         |                 | Percent occupied housing units |                 | Owner-occupied housing units |
|   | Estimate                       | Margin of Error | Estimate                       | Margin of Error | Estimate                     |
| Occupied housing units  | 3,295,198                      | +/-5,018        | 3,295,198                      | +/-5,018        | 1,512,364                    |
| HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2017 INFLATION-ADJUSTED DOLLARS)     |                                |                 |                                |                 |                              |
| Less than \$5,000   | 114,173                        | +/-2,500        | 3.5%                           | +/-0.1          | 27,137                       |
| \$5,000 to \$9,999  | 87,690                         | +/-2,055        | 2.7%                           | +/-0.1          | 18,580                       |
| \$10,000 to \$14,999  | 178,737                        | +/-2,595        | 5.4%                           | +/-0.1          | 34,182                       |
| \$15,000 to \$19,999  | 156,089                        | +/-2,589        | 4.7%                           | +/-0.1          | 36,590                       |
| \$20,000 to \$24,999  | 162,639                        | +/-2,601        | 4.9%                           | +/-0.1          | 43,563                       |
| \$25,000 to \$34,999  | 294,264                        | +/-3,486        | 8.9%                           | +/-0.1          | 87,959                       |
| \$35,000 to \$49,999  | 395,400                        | +/-3,930        | 12.0%                          | +/-0.1          | 140,231                      |
| \$50,000 to \$74,999  | 539,888                        | +/-4,637        | 16.4%                          | +/-0.1          | 233,771                      |
| \$75,000 to \$99,999  | 387,502                        | +/-4,162        | 11.8%                          | +/-0.1          | 205,141                      |
| \$100,000 to \$149,999  | 477,403                        | +/-4,824        | 14.5%                          | +/-0.1          | 300,336                      |
| \$150,000 or more   | 501,413                        | +/-4,116        | 15.2%                          | +/-0.1          | 384,874                      |
| Median household income (dollars)   | 61,015                         | +/-262          | 61,015                         | +/-262          | 90,774                       |
| MONTHLY HOUSING COSTS   |                                |                 |                                |                 |                              |
| Less than \$300   | 103,787                        | +/-1,872        | 3.1%                           | +/-0.1          | 63,497                       |
| \$300 to \$499  | 162,954                        | +/-2,565        | 4.9%                           | +/-0.1          | 118,145                      |
| \$500 to \$799  | 279,735                        | +/-3,173        | 8.5%                           | +/-0.1          | 146,274                      |
| \$800 to \$999  | 293,834                        | +/-3,144        | 8.9%                           | +/-0.1          | 69,646                       |
| \$1,000 to \$1,499  | 812,218                        | +/-4,771        | 24.6%                          | +/-0.2          | 179,384                      |
| \$1,500 to \$1,999  | 596,985                        | +/-5,790        | 18.1%                          | +/-0.2          | 231,389                      |
| \$2,000 to \$2,499  | 381,112                        | +/-3,384        | 11.6%                          | +/-0.1          | 214,593                      |
| \$2,500 to \$2,999  | 238,600                        | +/-3,211        | 7.2%                           | +/-0.1          | 168,724                      |
| \$3,000 or more   | 380,991                        | +/-3,466        | 11.6%                          | +/-0.1          | 320,712                      |
| No cash rent  | 44,982                         | +/-1,284        | 1.4%                           | +/-0.1          | (X)                          |
| Median (dollars)  | 1,482                          | +/-4            | 1,482                          | +/-4            | 1,889                        |
| MONTHLY HOUSING COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS |                                |                 |                                |                 |                              |
| Less than \$20,000  | 467,107                        | +/-4,552        | 14.2%                          | +/-0.1          | 103,729                      |
| Less than 20 percent  | 11,105                         | +/-710          | 0.3%                           | +/-0.1          | 7,673                        |

| Subject                 | Los Angeles County, California |                 |                                |                 |                              |
|-------------------------|--------------------------------|-----------------|--------------------------------|-----------------|------------------------------|
|                         | Occupied housing units         |                 | Percent occupied housing units |                 | Owner-occupied housing units |
|                         | Estimate                       | Margin of Error | Estimate                       | Margin of Error | Estimate                     |
| 20 to 29 percent        | 28,920                         | +/-1,124        | 0.9%                           | +/-0.1          | 8,886                        |
| 30 percent or more      | 427,082                        | +/-4,573        | 13.0%                          | +/-0.1          | 87,170                       |
| \$20,000 to \$34,999    | 449,005                        | +/-4,088        | 13.6%                          | +/-0.1          | 131,522                      |
| Less than 20 percent    | 33,638                         | +/-1,165        | 1.0%                           | +/-0.1          | 27,176                       |
| 20 to 29 percent        | 34,569                         | +/-999          | 1.0%                           | +/-0.1          | 17,932                       |
| 30 percent or more      | 380,798                        | +/-3,999        | 11.6%                          | +/-0.1          | 86,414                       |
| \$35,000 to \$49,999    | 390,169                        | +/-3,909        | 11.8%                          | +/-0.1          | 140,231                      |
| Less than 20 percent    | 48,631                         | +/-1,462        | 1.5%                           | +/-0.1          | 38,936                       |
| 20 to 29 percent        | 72,137                         | +/-1,829        | 2.2%                           | +/-0.1          | 15,998                       |
| 30 percent or more      | 269,401                        | +/-3,536        | 8.2%                           | +/-0.1          | 85,297                       |
| \$50,000 to \$74,999    | 533,691                        | +/-4,539        | 16.2%                          | +/-0.1          | 233,771                      |
| Less than 20 percent    | 112,745                        | +/-2,188        | 3.4%                           | +/-0.1          | 69,662                       |
| 20 to 29 percent        | 167,450                        | +/-2,633        | 5.1%                           | +/-0.1          | 40,564                       |
| 30 percent or more      | 253,496                        | +/-3,565        | 7.7%                           | +/-0.1          | 123,545                      |
| \$75,000 or more        | 1,357,076                      | +/-7,151        | 41.2%                          | +/-0.2          | 890,351                      |
| Less than 20 percent    | 725,695                        | +/-5,714        | 22.0%                          | +/-0.2          | 468,204                      |
| 20 to 29 percent        | 407,304                        | +/-4,339        | 12.4%                          | +/-0.1          | 250,113                      |
| 30 percent or more      | 224,077                        | +/-3,292        | 6.8%                           | +/-0.1          | 172,034                      |
| Zero or negative income | 53,168                         | +/-1,725        | 1.6%                           | +/-0.1          | 12,760                       |
| No cash rent            | 44,982                         | +/-1,284        | 1.4%                           | +/-0.1          | (X)                          |

| Subject   | Los Angeles County, California |                                      |                 |                               |                 |
|---|--------------------------------|--------------------------------------|-----------------|-------------------------------|-----------------|
|   | Owner-occupied housing units   | Percent owner-occupied housing units |                 | Renter-occupied housing units |                 |
|   | Margin of Error                | Estimate                             | Margin of Error | Estimate                      | Margin of Error |
| Occupied housing units  | +/-10,252                      | 1,512,364                            | +/-10,252       | 1,782,834                     | +/-7,178        |
| HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2017 INFLATION-ADJUSTED DOLLARS)     |                                |                                      |                 |                               |                 |
| Less than \$5,000   | +/-1,117                       | 1.8%                                 | +/-0.1          | 87,036                        | +/-2,265        |
| \$5,000 to \$9,999  | +/-905                         | 1.2%                                 | +/-0.1          | 69,110                        | +/-1,986        |
| \$10,000 to \$14,999  | +/-1,021                       | 2.3%                                 | +/-0.1          | 144,555                       | +/-2,676        |
| \$15,000 to \$19,999  | +/-1,100                       | 2.4%                                 | +/-0.1          | 119,499                       | +/-2,442        |
| \$20,000 to \$24,999  | +/-1,135                       | 2.9%                                 | +/-0.1          | 119,076                       | +/-2,440        |
| \$25,000 to \$34,999  | +/-2,111                       | 5.8%                                 | +/-0.1          | 206,305                       | +/-2,937        |
| \$35,000 to \$49,999  | +/-2,002                       | 9.3%                                 | +/-0.1          | 255,169                       | +/-3,504        |
| \$50,000 to \$74,999  | +/-2,959                       | 15.5%                                | +/-0.2          | 306,117                       | +/-4,172        |
| \$75,000 to \$99,999  | +/-2,954                       | 13.6%                                | +/-0.2          | 182,361                       | +/-2,934        |
| \$100,000 to \$149,999  | +/-4,056                       | 19.9%                                | +/-0.2          | 177,067                       | +/-2,735        |
| \$150,000 or more   | +/-3,864                       | 25.4%                                | +/-0.2          | 116,539                       | +/-2,219        |
| Median household income (dollars)   | +/-515                         | 90,774                               | +/-515          | 42,647                        | +/-337          |
| MONTHLY HOUSING COSTS   |                                |                                      |                 |                               |                 |
| Less than \$300   | +/-1,592                       | 4.2%                                 | +/-0.1          | 40,290                        | +/-1,314        |
| \$300 to \$499  | +/-2,036                       | 7.8%                                 | +/-0.1          | 44,809                        | +/-1,460        |
| \$500 to \$799  | +/-2,273                       | 9.7%                                 | +/-0.1          | 133,461                       | +/-2,275        |
| \$800 to \$999  | +/-1,683                       | 4.6%                                 | +/-0.1          | 224,188                       | +/-2,786        |
| \$1,000 to \$1,499  | +/-2,765                       | 11.9%                                | +/-0.2          | 632,834                       | +/-4,570        |
| \$1,500 to \$1,999  | +/-3,308                       | 15.3%                                | +/-0.2          | 365,596                       | +/-4,394        |
| \$2,000 to \$2,499  | +/-2,971                       | 14.2%                                | +/-0.2          | 166,519                       | +/-2,707        |
| \$2,500 to \$2,999  | +/-2,704                       | 11.2%                                | +/-0.2          | 69,876                        | +/-1,873        |
| \$3,000 or more   | +/-3,189                       | 21.2%                                | +/-0.2          | 60,279                        | +/-1,698        |
| No cash rent  | (X)                            | (X)                                  | (X)             | 44,982                        | +/-1,284        |
| Median (dollars)  | +/-7                           | 1,889                                | +/-7            | 1,322                         | +/-4            |
| MONTHLY HOUSING COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS |                                |                                      |                 |                               |                 |
| Less than \$20,000  | +/-1,910                       | 6.9%                                 | +/-0.1          | 363,378                       | +/-4,500        |
| Less than 20 percent  | +/-552                         | 0.5%                                 | +/-0.1          | 3,432                         | +/-381          |
| 20 to 29 percent  | +/-494                         | 0.6%                                 | +/-0.1          | 20,034                        | +/-953          |
| 30 percent or more  | +/-1,790                       | 5.8%                                 | +/-0.1          | 339,912                       | +/-4,335        |
| \$20,000 to \$34,999  | +/-2,297                       | 8.7%                                 | +/-0.1          | 317,483                       | +/-3,735        |
| Less than 20 percent  | +/-1,016                       | 1.8%                                 | +/-0.1          | 6,462                         | +/-526          |
| 20 to 29 percent  | +/-808                         | 1.2%                                 | +/-0.1          | 16,637                        | +/-769          |
| 30 percent or more  | +/-1,879                       | 5.7%                                 | +/-0.1          | 294,384                       | +/-3,656        |
| \$35,000 to \$49,999  | +/-2,002                       | 9.3%                                 | +/-0.1          | 249,938                       | +/-3,463        |
| Less than 20 percent  | +/-1,190                       | 2.6%                                 | +/-0.1          | 9,695                         | +/-715          |
| 20 to 29 percent  | +/-674                         | 1.1%                                 | +/-0.1          | 56,139                        | +/-1,919        |
| 30 percent or more  | +/-1,592                       | 5.6%                                 | +/-0.1          | 184,104                       | +/-2,972        |
| \$50,000 to \$74,999  | +/-2,959                       | 15.5%                                | +/-0.2          | 299,920                       | +/-4,093        |
| Less than 20 percent  | +/-1,658                       | 4.6%                                 | +/-0.1          | 43,083                        | +/-1,263        |
| 20 to 29 percent  | +/-1,161                       | 2.7%                                 | +/-0.1          | 126,886                       | +/-2,503        |
| 30 percent or more  | +/-2,094                       | 8.2%                                 | +/-0.1          | 129,951                       | +/-2,705        |
| \$75,000 or more  | +/-7,648                       | 58.9%                                | +/-0.2          | 466,725                       | +/-4,368        |
| Less than 20 percent  | +/-5,239                       | 31.0%                                | +/-0.2          | 257,491                       | +/-3,453        |
| 20 to 29 percent  | +/-3,568                       | 16.5%                                | +/-0.2          | 157,191                       | +/-2,711        |
| 30 percent or more  | +/-2,539                       | 11.4%                                | +/-0.2          | 52,043                        | +/-1,927        |
| Zero or negative income   | +/-669                         | 0.8%                                 | +/-0.1          | 40,408                        | +/-1,610        |
| No cash rent  | (X)                            | (X)                                  | (X)             | 44,982                        | +/-1,284        |

| Subject   | Los Angeles County, California        |                 |
|---|---------------------------------------|-----------------|
|   | Percent renter-occupied housing units |                 |
|   | Estimate                              | Margin of Error |
| Occupied housing units  | 1,782,834                             | +/-7,178        |
| HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2017 INFLATION-ADJUSTED DOLLARS)     |                                       |                 |
| Less than \$5,000   | 4.9%                                  | +/-0.1          |
| \$5,000 to \$9,999  | 3.9%                                  | +/-0.1          |
| \$10,000 to \$14,999  | 8.1%                                  | +/-0.1          |
| \$15,000 to \$19,999  | 6.7%                                  | +/-0.1          |
| \$20,000 to \$24,999  | 6.7%                                  | +/-0.1          |
| \$25,000 to \$34,999  | 11.6%                                 | +/-0.2          |
| \$35,000 to \$49,999  | 14.3%                                 | +/-0.2          |
| \$50,000 to \$74,999  | 17.2%                                 | +/-0.2          |
| \$75,000 to \$99,999  | 10.2%                                 | +/-0.2          |
| \$100,000 to \$149,999  | 9.9%                                  | +/-0.2          |
| \$150,000 or more   | 6.5%                                  | +/-0.1          |
| Median household income (dollars)   | 42,647                                | +/-337          |
| MONTHLY HOUSING COSTS   |                                       |                 |
| Less than \$300   | 2.3%                                  | +/-0.1          |
| \$300 to \$499  | 2.5%                                  | +/-0.1          |
| \$500 to \$799  | 7.5%                                  | +/-0.1          |
| \$800 to \$999  | 12.6%                                 | +/-0.1          |
| \$1,000 to \$1,499  | 35.5%                                 | +/-0.2          |
| \$1,500 to \$1,999  | 20.5%                                 | +/-0.2          |
| \$2,000 to \$2,499  | 9.3%                                  | +/-0.1          |
| \$2,500 to \$2,999  | 3.9%                                  | +/-0.1          |
| \$3,000 or more   | 3.4%                                  | +/-0.1          |
| No cash rent  | 2.5%                                  | +/-0.1          |
| Median (dollars)  | 1,322                                 | +/-4            |
| MONTHLY HOUSING COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS |                                       |                 |
| Less than \$20,000  | 20.4%                                 | +/-0.2          |
| Less than 20 percent  | 0.2%                                  | +/-0.1          |
| 20 to 29 percent  | 1.1%                                  | +/-0.1          |
| 30 percent or more  | 19.1%                                 | +/-0.2          |
| \$20,000 to \$34,999  | 17.8%                                 | +/-0.2          |
| Less than 20 percent  | 0.4%                                  | +/-0.1          |
| 20 to 29 percent  | 0.9%                                  | +/-0.1          |
| 30 percent or more  | 16.5%                                 | +/-0.2          |
| \$35,000 to \$49,999  | 14.0%                                 | +/-0.2          |
| Less than 20 percent  | 0.5%                                  | +/-0.1          |
| 20 to 29 percent  | 3.1%                                  | +/-0.1          |
| 30 percent or more  | 10.3%                                 | +/-0.2          |
| \$50,000 to \$74,999  | 16.8%                                 | +/-0.2          |
| Less than 20 percent  | 2.4%                                  | +/-0.1          |
| 20 to 29 percent  | 7.1%                                  | +/-0.1          |
| 30 percent or more  | 7.3%                                  | +/-0.1          |
| \$75,000 or more  | 26.2%                                 | +/-0.2          |
| Less than 20 percent  | 14.4%                                 | +/-0.2          |
| 20 to 29 percent  | 8.8%                                  | +/-0.2          |
| 30 percent or more  | 2.9%                                  | +/-0.1          |
| Zero or negative income   | 2.3%                                  | +/-0.1          |
| No cash rent  | 2.5%                                  | +/-0.1          |

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data).

The effect of nonsampling error is not represented in these tables.

While the 2013-2017 American Community Survey (ACS) data generally reflect the February 2013 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

Explanation of Symbols:

1. An "''" entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
2. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
3. An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
4. An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution.
5. An "''" entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.
6. An "\*\*\*\*\*" entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
7. An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
8. An '(X)' means that the estimate is not applicable or not available.

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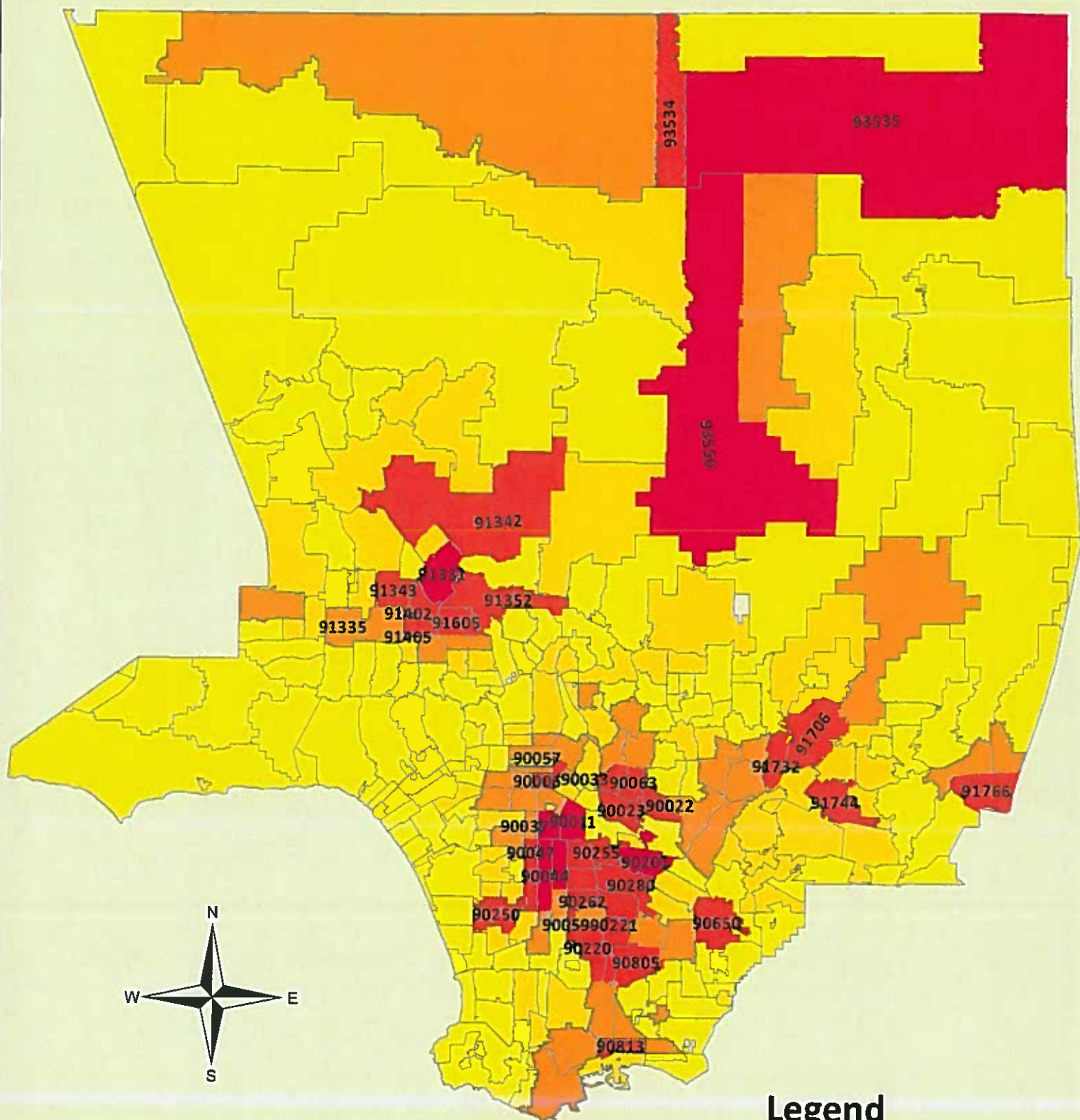
## ATTACHMENT 2

### CALFRESH RECIPIENTS BY ZIP CODE JUNE 2019

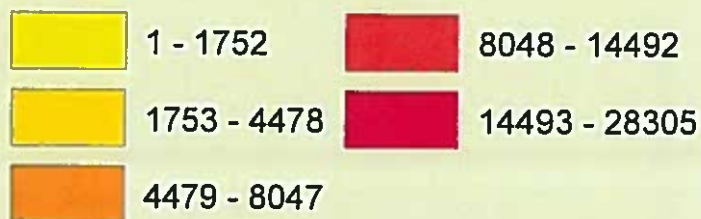
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# CalFresh Recipients by Zip Codes - One Month



## Legend



0 3 6 12 18 24 Miles

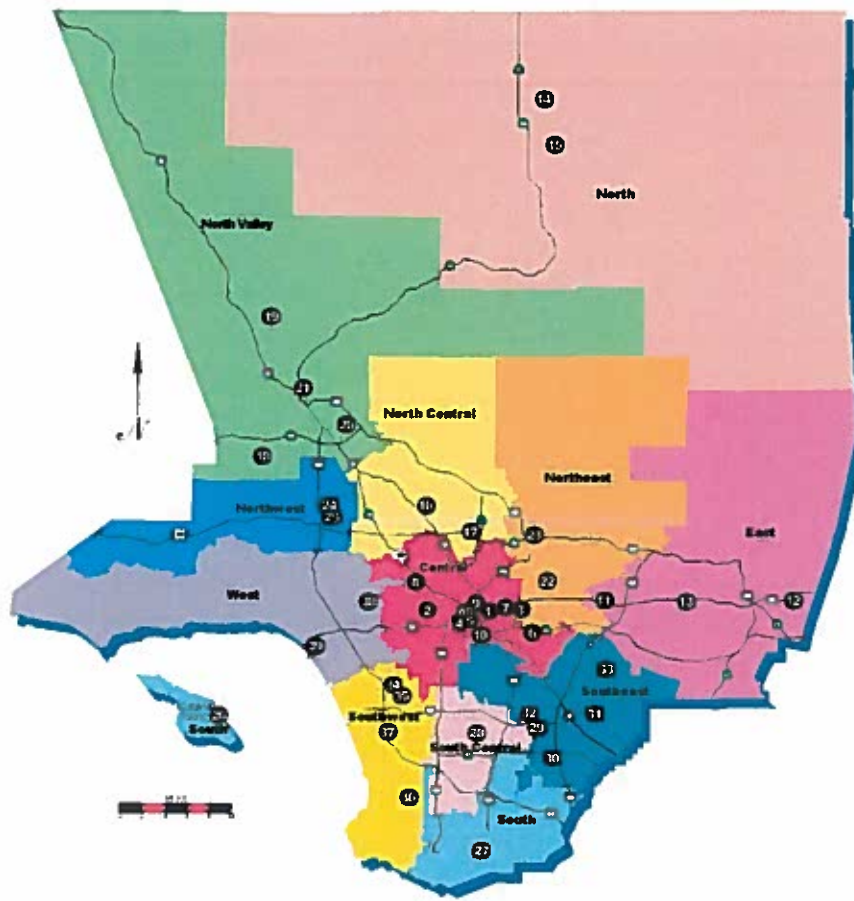
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## ATTACHMENT 3

# LOS ANGELES SUPERIOR COURT COURTHOUSES BY JUDICIAL DISTRICT

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## COURT DISTRICTS AND COURTHOUSE LOCATIONS

### CENTRAL DISTRICT

- 1 Central Arraignment Courthouse
- 2 Central Civil West Courthouse
- 3 Edmund D. Edelman Children's Courthouse
- 4 Stanley Mosk Courthouse
- 5 Clara Shortridge Foltz Criminal Justice Center
- 6 East Los Angeles Courthouse
- 7 Eastlake Juvenile Courthouse
- 8 Hollywood Courthouse\*
- 9 Spring Street Courthouse
- 10 Metropolitan Courthouse
- A Court Archives and Record Center
- B Hall of Records (Court Technology Services, Jury Services)

### EAST DISTRICT

- 11 El Monte Courthouse
- 12 Pomona Courthouse
- 13 West Covina Courthouse

### NORTH DISTRICT

- 14 Alfred J. McCourtney Juvenile Justice Center
- 15 Michael D. Antonovich Antelope Valley Courthouse

### NORTH CENTRAL DISTRICT

- 16 Burbank Courthouse
- 17 Glendale Courthouse

### NORTH VALLEY DISTRICT

- 18 Chatsworth Courthouse
- 19 Santa Clarita Courthouse
- 20 San Fernando Courthouse
- 21 Sylmar Juvenile Courthouse

\*Opening 2019

### NORTHEAST DISTRICT

- 22 Alhambra Courthouse
- 23 Pasadena Courthouse

### NORTHWEST DISTRICT

- 24 Van Nuys East Courthouse
- 25 Van Nuys West Courthouse

### SOUTH DISTRICT

- 26 Catalina Courthouse
- 27 Governor George Deukmejian Courthouse

### SOUTH CENTRAL DISTRICT

- 28 Compton Courthouse

### SOUTHEAST DISTRICT

- 29 Downey Courthouse
- 30 Bellflower Courthouse
- 31 Norwalk Courthouse
- 32 Los Padrinos Juvenile Courthouse
- 33 Whittier Courthouse

### SOUTHWEST DISTRICT

- 34 Inglewood Courthouse
- 35 Inglewood Juvenile Courthouse
- 36 Torrance Courthouse

### WEST DISTRICT

- 37 Airport Courthouse\*\*
- 38 Beverly Hills Courthouse
- 39 Santa Monica Courthouse

\*\*Geographically located in the Southwest District.

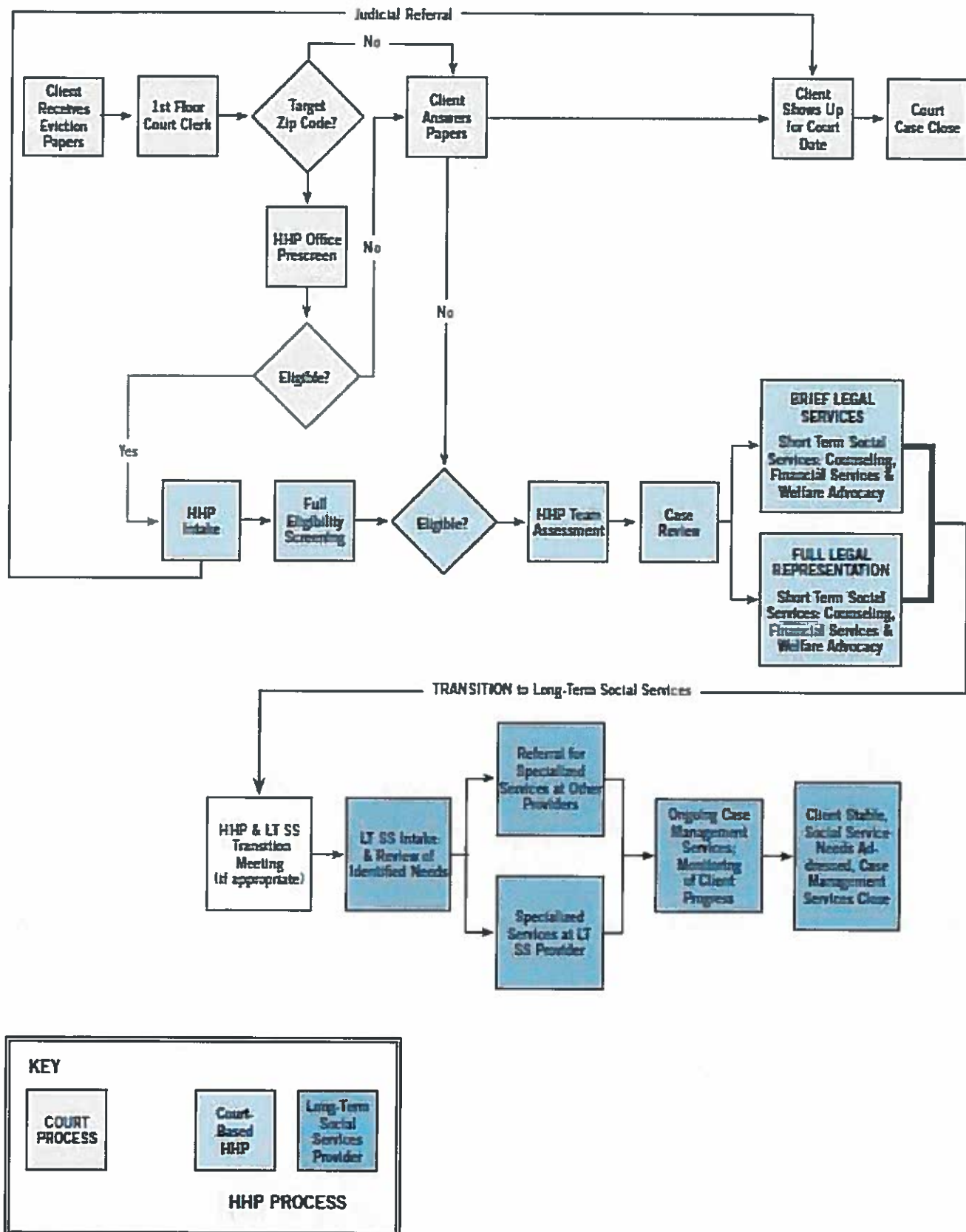
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## ATTACHMENT 4

# NEW YORK CITY – HOUSING HELP PROGRAM (HHP) CLIENT FLOW PROCESS

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## CLIENT FLOW



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## ATTACHMENT 5

### RIGHT TO COUNSEL WORKING GROUP PROPOSAL

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Right to Counsel Working Group  
**Right to Counsel Initiative: Goals and Framework**

In order to pursue Right to Counsel in Los Angeles, the Office of Mayor Eric Garcetti has convened a Right To Counsel working group comprised of the Office of Councilmember Paul Koretz, the Housing and Community Investment Department (HCID), in consultation with landlord and tenant advocates, to establish an agreed upon framework for a Right to Counsel in Los Angeles. HCID provided guidance based on existing programs, extensive research and input from landlord associations. The Renters' Right to Counsel Coalition provided a proposed framework for Right to Counsel in Los Angeles and input. HCID, Councilmember Koretz's office and the Mayor's office have come together to reach consensus on this significant initiative, as reflected below.

## **I. Background**

Los Angeles is facing an unprecedented affordable **housing and homelessness crisis that calls for immediate and comprehensive solutions**. Every day, thousands of low-income families in Los Angeles are displaced from their homes and communities, many through evictions. Many are displaced before the landlord ever files an eviction, even when the action of the landlord may be unlawful. When an eviction is filed, most tenants who do not have access to a lawyer lose, even where they have a legal right to stay. These evictions often result in homelessness. Indeed, 1 in 4 homeless families in Los Angeles report that their homelessness was caused by an eviction.

Right to Counsel is increasingly seen as the solution to displacement by eviction. For a low-income family facing eviction, legal representation often makes the difference between securing stable housing and becoming homeless. Many cities across the country that are facing a displacement crisis, are turning to Right to Counsel including Philadelphia, Newark, San Francisco, Denver, Detroit and New York City. The first city to implement Right to Counsel was New York and the results have been compelling. Data from 2018, the first year of New York City's Right to Counsel, shows that free legal representation for low-income families decreased eviction filings by 14% and 84% of families served were able to stay in their homes, 96% of these families were in subsidized housing. Where low-income families get legal representation, they are substantially more likely to sustain stable housing.

But it's not just evictions that displace low-income families who have the right to stay. Many more low-income families are displaced before an eviction is ever filed. These families often leave because they are unaware of their rights or unable to access resources to help assert those rights. A comprehensive Right to Counsel would include interventions before an eviction is filed to stabilize their housing so an eviction is never filed.

Right to Counsel should be a true right, codified through an ordinance, rather than a program. This is what is being done in cities like New York, San Francisco, Detroit, Philadelphia and others. Given the depth of the affordable housing crisis and the consequences from unjust evictions, it makes sense.

Rights are permanent, to address well-documented basic human needs while programs tend to be temporary, prone to fluctuate with political will and funding. The need to access legal representation in eviction is well-documented and long-standing. Data shows that it has always been true that tenants facing eviction who do not have legal representation almost always lose, even when they have a legal right to stay in their home. It is access to legal representation that gives value to the laws intended to protect tenants.

Moreover, the consequences of losing one's home to eviction has and will continue to have dire consequences for decades to come. A recent study in the County of Los Angeles documented that there are over 500,000 households earning at or below 80% of Area Median Income who lack housing they can afford. It will take

hundreds of billions of dollars and decades to increase the affordable housing supply sufficiently to address their needs. In the meantime, these households are at risk of displacement, eviction and homelessness. For low-income housing, this is a permanent crisis. Given its permanence and the dire consequences of not having legal representation, the Right to Counsel should be a right that is permanent.

## II. Goals

The goals of the Los Angeles Right to Counsel are to:

- Prevent and reduce homelessness;
- Affirmatively further fair housing;
- Create a more level playing field between tenants and landlords;
- Reduce eviction filings and default judgments;
- Preserve housing that is affordable to tenants;
- Reduce displacement and stabilize communities;
- Conserve public and private resources through cost-saving interventions and by leveraging existing programs and systems; and
- Educate tenants and landlords on their rights and responsibilities.

## III. Eligible Tenants

Legal representation will be free for individuals at or below 80% Area Median Income (AMI). Only legal representation for individuals at or below 80% AMI will be subsidized. All others in need of representation will be referred to agencies and providers who would provide fee-for-service legal representation with a sliding-scale.

In order to focus resources for providing services, eligibility screening should be minimal and straightforward so it is easy for tenants to understand and providers to implement. Straightforward eligibility criteria allows Right to Counsel to focus resources on providing services rather than on screening for eligibility. It also makes it easier for tenants to understand who is and who is not eligible. We know from past programs that when eligibility is complex, eligible people don't know to apply.

Therefore, eligibility for free legal representation will only be based on income and HCID will identify quality referrals for fee-for-service-eligible tenants. To further the goal of making services easy to access, Right to Counsel seeks to minimize the number of people to talk with and places to go before getting services. Therefore, the goal is that the tenant would only have to talk with one person/agency before being connected to the person/agency that will provide direct services.

**Do not prioritize tenants by subpopulations.** With limited resources, there is often a suggestion that those who are at the greatest risk or are the most in need be prioritized. That does not make sense for Right to Counsel. First, to be a true *right*, it needs to be available to all eligible tenants within the applicable zip code. Second, in this instance, prioritizing some subpopulations would lead to unintended negative consequences. Specifically, if only certain subpopulations were provided with free legal representation in evictions, it would have the unintended but predictable consequence of fewer landlords wanting to rent to these subpopulations. Given a choice of a tenant who is going to have an attorney and a tenant who will not have an attorney, it is rational for the landlord to choose the tenant without the attorney. Rather than helping these subpopulations, the prioritization would put them at a disadvantage.

#### **IV. Overview of the Proposed Program**

The Right to Counsel will be implemented through:

- education and outreach;
- eviction prevention interventions;
- full representation for eligible tenants in eviction proceedings;
- rental assistance;
- ongoing support for tenants; and
- evaluation.

This comprehensive framework will include contracted services provided by nonprofit legal service organizations, community-based organizations and Family Source Centers. Specific geographies within the City shall be phased in based on funding availability, until the entire City is included. Each phased-in geography will be saturated with eviction prevention and legal representation for all tenants residing in that geography, including free prevention services and representation for those at 80% area median income or below.

##### **A. Education and Outreach**

All tenants and all landlords should know their housing rights and responsibilities. As such, a Know Your Rights public education campaign will be established, and will include targeted outreach. The campaign should build/leverage/expand the existing RSO Awareness campaign, "Home for Renters," which was designed in collaboration with the Mayor's Innovations team to prevent displacement. This would include incorporating existing campaign branding and adding to written materials, brochures, banners, and posters at L.A. City sites (HCID, FSC, libraries, recreation centers and parks, senior centers, Council offices) and other facilities frequented by tenants. In addition, Right To Counsel and eviction prevention curriculum should be added as a component to existing landlord-tenant workshops.

Beyond leveraging existing efforts, RTC-specific materials should be designed and used across social media platforms and digital advertising to reach tenants in high-risk geographic areas. The materials should be translated into the top 10 most spoken languages in Los Angeles. Online videos/PSAs broadcasted on YouTube, Channel 35, Spectrum 1, other outlets (including radio) and social media can support the dissemination of easy to understand campaign messages. As resources are made available, advertisements in bus shelters, subway stations, radio, community newspapers, TV, and strategically placed "cross street" banners should be implemented. In addition, as in REAP contracts, agencies should be contracted and trained to outreach to buildings identified as at-risk and educate new landlords on their responsibilities.

Community based organizations will also do Know Your Rights trainings at a variety of community spaces, as well as targeted education and outreach to high risk buildings.

Landlords will educate tenants by providing information at the inception of a tenancy, by posting information in rentals, and by serving information with any termination notice.

##### **B. Eviction Prevention Interventions**

The Right to Counsel is intended to provide the right intervention at the right time to stabilize the landlord/tenant relationship so that it doesn't escalate towards eviction. In general, the earlier the intervention, the less costly and more effective the intervention is. Right to Counsel eviction prevention interventions will help affirmatively further fair housing for protected and vulnerable individuals. Prevention interventions include providing tenant-centered assistance that includes continuity and coordination of services.

Tenants who contact the City, a legal services provider, a community-based organization, an FSC, or any other participating program will be directed to a clinic, or directly to a legal service provider, based upon whether they are already in eviction or not. If the tenant's household income is below 80% AMI, they will be directed to a free legal service provider. If they are over that income, they will be given a list of sliding scale legal service providers. (No funds will be used for representation for those above the income threshold.)

The goal of Right to Counsel clinics is to quickly respond to 3-day notices and early eviction threats, rather than waiting until tenants receive an official unlawful detainer. These clinics will be held throughout the community, staffed by legal services lawyers and community-based organization staff. To the extent funding is available for rental assistance, it will be available to qualified households as early as possible to avoid displacement. Tenants will also be assessed for potential rental assistance needs at the clinics.

Specifically, they include regularly-scheduled networks of tenant clinics available in various locations in phased in geographies where tenants get advice and brief legal services including, where appropriate:

- Landlord/tenant mediation;
- Referrals to HCID/L.A. County Health Department/other relevant agencies about bad housing conditions;
- Assistance with RSO or other complaint process;
- Requests for reasonable accommodations;
- Negotiation;
- Targeted outreach (targeting based on landlord history of tenant complaints or noncompliance with enforcement);
- Rental assistance, based on eligibility and availability;
- Other activities that would help stabilize housing and/or rehabilitate the landlord/tenant relationship; and
- Referrals for other legal needs outside housing issues.

Whenever possible, tenants should be able to access prevention/direct legal representation in the same location. Referrals to HCID and other appropriate agencies will be included as part of the process and HCID's investigations will occur concurrently with the contracted prevention/defense process. HCID and contracted providers will work together to identify at-risk buildings to address rapid response needs, including targeted tenant outreach.

For the program to be successful there will need to be ongoing, coordinated and responsible information-sharing between partners.

### **C. Full Representation**

The bulk of the resources will be used for full representation of tenants in eviction proceedings. Tenants are eligible for full representation from when they first receive a termination notice up until one day before trial. Legal Services attorneys will represent these tenants in settlement negotiations through trial, if necessary. Full representation is essential in order for tenants to avoid falling into homelessness. Tenants living in subsidized housing would also have access to full legal representation for administrative hearings.

Representation includes access to full-scope legal representation - free to income-qualified households and as a fee-for-service for people with higher incomes. Only income qualified legal representation will be subsidized; there is no subsidy for legal representation for people above 80% of AMI.



Representation should be provided regardless of immigration status and be accessible to tenants with physical disabilities and tenants who speak a language other than English. The only eligibility requirements would be based on income and living in a phased-in geography within Los Angeles city limits to determine access to free legal representation.

#### **D. Rental Assistance**

Rental assistance is defined as funding provided to tenants to cover the whole or part of the cost of rental arrears and regular rental payments for a time-limited period. Rental assistance should be available at all stages of interventions to maintain housing stability. Rental assistance is to be considered for both rent control and non-rent control units. Protections will be added as a condition for landlords receiving rental assistance. Rental assistance prioritization should consist of:

- Tenants who live in affordable housing including long term rent control tenancy; and
- Tenant households that include young children and tenants at high-risk of displacement. High risk means those who need rental assistance prior to receiving a 3-day notice, but have received a “loss of benefits” letter (e.g., proof of benefit, income, or child support reduction), proof of outstanding balance, or rent ledger.

Rental assistance should be available to cover both rental arrears and rent going forward. A small percentage of the allocated rental assistance should be set aside to assist tenants with security deposits and move-in expenses when they have to be relocated due to loss of their unit. Rental assistance needed to prevent or resolve an eviction will be administered by legal services providers. Any longer term rental assistance will be administered by FSCs and accompanied by case management.

#### **E. Ongoing Support for Tenants**

To maintain housing stability, tenants must have access to additional support services beyond eviction prevention and legal services. For successful outcomes for tenants and landlords, there needs to be integration between case management services and legal service providers. Right to Counsel also connects people to additional supportive services besides legal assistance (i.e., LAHSA, County services, etc.) and support navigating people to other housing resources when their current housing is no longer sufficient.

Tenants will be referred to FSCs for any case management needs. This will include follow-up with tenants to offer long-term connections and evaluate outcomes. This can also include:

- Case management;
- Longer term rental assistance; and
- Access to FSC educational and job readiness programs.

#### **F. Evaluation**

A comprehensive initiative will include mechanisms to monitor and continuously improve. The purpose of data collection and evaluation is to (1) provide insight into the issue in order to inform policy implementation - for example, where formal and informal evictions are most frequently occurring and how different demographic populations and neighborhoods are impacted differently; and (2) assess outcomes of each intervention and identify best practices (e.g., clinics, reasonable accommodations).

Program evaluation will include:

- Number and demographics of people served;
- Eviction prevention outcomes, by intervention;
- Spatial distribution of evictions filed and households served;
- Client feedback survey;
- “Secret shopper” assessment; and
- Interviews with direct service providers.

While most data collection will be collected through an intake process, data collection is not meant to determine clients' eligibility and tenants seeking services should be able to opt out of providing demographic data and still be able to access services.

A Right to Counsel data entry system should involve the County and build off any existing systems. Program evaluation contractors should be identified through RFP. An advisory committee will be established to review program evaluation reports and make implementation recommendations based off the analyses.

## **V. Proposed Geographic Phase In**

Until there is sufficient funding for a robust citywide Right to Counsel, Right to Counsel will be phased-in by geography. The Right to Counsel phase-in will occur first in zip code(s) with the greatest need for the services. As more resources become available, additional zip codes will be added until Right to Counsel is available throughout the City.

During the phase-in, the entire scope of Right to Counsel interventions and strategies will be implemented in these zip codes. This is to ensure that Right to Counsel is able to have its intended impact. The Right to Counsel interventions are complementary - for example, the promise of attorneys at eviction creates pressure to resolve landlord/tenant disputes before it results in an eviction and is designed to provide the right intervention at the right time to ensure housing stability. Were only some of the interventions implemented, there would be tenants who would not be able to get the help they need when they first need it. Moreover, if not fully implemented in the phase in zip codes, the phase in would not function as a true test of the model.

Based on the initial funding level of \$3 million to \$5 million, the initial phase in should begin in one or two zip code. The criteria to determine which zip codes to start with would be based on three indexes: (1) Tenant Vulnerability Index; (2) Housing Condition Index; and (3) Displacement Pressure Index. These indices include several factors, listed below, that determine which zip codes score the highest:

- Economic Conditions (median income, poverty rate, number of black tenants, etc.);
- Housing Conditions (number of rental units, number of Rent Stabilization Ordinance (RSO) units, rent burden, RSO violations, etc.);
- Development Trends (Transit-Oriented Community (TOC) areas, Opportunity Zones, building permit/entitlement data, Ellis Act evictions, etc.);
- Displacement trends (RSO eviction complaints, Cash for Keys data, change in percent of White buyers, change income of home buyers, etc.); and
- Qualitative data from legal service providers and community organizations regarding need and capacity

The zip codes scoring the highest based on the three indexes will determine the selection of the first phase-in to be provided comprehensive Right to Counsel services. Subsequent phase-in selections will be based on the next highest scoring zip codes, community input and available funding.

## **VI. Proposed Budget Description Principles**

A robust Right to Counsel must prioritize providing lawyers to tenants. It is essential that funding is sufficient to provide full representation to tenants who are in the unlawful detainer legal process. It is anticipated that this priority may change in time, as the Right to Counsel results in fewer evictions filed.

## **VII. Ordinance**

A Right to Counsel *ordinance* is essential to codifying a right to legal representation. This is what has been done in New York City and Detroit and what is being pursued in San Francisco, Philadelphia and other cities adopting a Right to Counsel. An ordinance helps to ensure that the Right to Counsel survives the ups and downs of politics. An ordinance helps to define the scope and focus of the Right to Counsel to ensure continuity over time.

The proposed framework should include a draft ordinance which establishes the civil right to legal representation and would be comprised of the best examples from ordinances across the country. The right would extend to all tenants living within a phased in geography within the Los Angeles city limits.

Legal representation will include answering unlawful detainer complaints, motions, discovery and related full-scope eviction legal representation and representation at housing authority administrative hearings related to Housing Choice Vouchers or public housing. In addition to legal representation, a Right to Counsel ordinance shall include a requirement that:

- Upon tenants' move-in, landlords will provide tenants with "Know Your Rights" Materials;
- Landlords will post tenant rights onsite at building;
- Any termination or other notices be accompanied with "Know Your Rights" materials. Failure to do so would be a defense to an eviction; and
- In the event of the filing of an unlawful detainer with the court or issuance of termination notices to tenants the landlord also must notify the Housing and Community Investment Department (HCID) within 5 days of service and provide a copy of the notice and/or summons and complaint. Failure to do so would be a defense to an eviction.

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## ATTACHMENT 6

### FEDERAL FISCAL YEAR 2018 AREA MEDIAN INCOME (LOS ANGELES, LONG BEACH, AND GLENDALE)

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| FY 2018 Income Limit Area                              | Median Family Income<br>Explanation | FY 2018 Income Limit Category                    | Persons in Family |        |        |               |        |        |        |         |
|--|-------------------------------------|--|-------------------|--------|--------|---------------|--------|--------|--------|---------|
|  |                                     |  | 1                 | 2      | 3      | 4             | 5      | 6      | 7      | 8       |
| Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area | \$69,300                            | Very Low (50%) Income Limits (\$)<br>Explanation | 33,950            | 38,800 | 43,650 | <b>48,450</b> | 52,350 | 56,250 | 60,100 | 64,000  |
|  |                                     | Extremely Low Income Limits (\$)<br>Explanation  | 20,350            | 23,250 | 26,150 | <b>29,050</b> | 31,400 | 33,740 | 38,060 | 42,380  |
|  |                                     | Low (80%) Income Limits (\$)<br>Explanation      | 54,250            | 62,000 | 69,750 | <b>77,500</b> | 83,700 | 89,900 | 96,100 | 102,300 |

MOTION BY SUPERVISORS SHEILA KUEHL AND  
HOLLY J. MITCHELL

September 27, 2022

**Sustainably Expanding Eviction Defense Services in Los Angeles County**

On May 21, 2019, the Los Angeles County Board of Supervisors (Board) directed the Department of Consumer and Business Affairs (DCBA) and the Chief Executive Officer (CEO) to collaborate and propose a program providing legal representation to tenants in Los Angeles County who are facing eviction. DCBA and CEO prepared a report, which recommended that an expanded eviction defense program (EDP) be phased in and initially limited by geography and household income level. In response to the DCBA/CEO report, the Board, on September 10, 2019, allocated \$2 million in FY 2019-20 Measure H dollars and directed DCBA and CEO to report back with a plan to implement and evaluate an initial phase of the County's EDP.

In early March of 2020 however, due to the economic crisis and budgetary uncertainty brought on by the outbreak of the COVID-19 pandemic, the Board exercised their authority and adopted a local Eviction Moratorium, providing critical emergency protections for residential, mobile home space renters, and commercial tenants. DCBA

**MOTION**

|          |       |
|----------|-------|
| SOLIS    | _____ |
| KUEHL    | _____ |
| HAHN     | _____ |
| BARGER   | _____ |
| MITCHELL | _____ |

suspended the development and execution of the EDP and instead focused on addressing the immediate service needs of households falling behind in rental payments during the COVID-19 state of emergency.

In September of 2020, with the \$2 million in Measure H funds and an additional \$8.7 million allocation in Net County Cost (NCC) dollars from the Affordable Housing Trust Fund, DCBA worked with Liberty Hill Foundation and the Legal Aid Foundation of Los Angeles (LAFLA) to formally launch Stay Housed LA County, the County's comprehensive eviction defense program that incorporates outreach, education, limited and full-scope legal services, and short-term rental assistance.

The County's early response established the groundwork for ongoing pandemic preparedness and recovery, but it also brought widespread attention to longstanding inequities massively amplified by the pandemic. Even before the pandemic, low-income tenants, many of whom are disproportionately Black, Indigenous, and people of color (BIPOC) faced higher rates of evictions and housing instability. The pandemic intensified these challenges, with low-income and BIPOC households experiencing higher COVID-19 infection and death rates, higher job and wage losses, and continued rent burdens and risks of eviction.

More than two years later, the economic impacts caused by the pandemic continue to be felt by low-income and BIPOC communities. Due the systemic inequities in our housing system, communities of color and low-income women feel the impacts of eviction the most. According to the ACLU, black women are more than twice as likely to have evictions filed against them as white people. Less than half of Black and Latinx families own their homes compared to 73 percent of white families. Longstanding

systemic income and wealth inequality also put communities of color and women at higher risk of eviction. Many tenants now owe considerable sums in back rent and remain uncertain about their ability to pay rent on time. The latest data illustrates the reality of an uneven economic recovery for some, worsened by some of the highest inflation rates in history. If we are truly to build back with equity, we must provide a level playing field for landlords and tenants to realize upward mobility and advancement for low-income and communities of color.

In addition to helping decrease the spread of the pandemic, there is also evidence demonstrating the role of moratoria in limiting eviction filings. Researchers at the Eviction Lab at Princeton University estimate that the moratoria prevented at least 1.36 million cases from being filed. Filings began rising, in some places nearly reaching pre-pandemic levels, as rental assistance programs started to end. And with the recent lifting of the State's tenant protections, we have yet to see the true impact on tenants at risk of eviction, including selectively self-evicting, who have not yet received their rent relief payment.

One solution for combat housing precarity is by returning to DCBA's August 2019 recommendation to provide tenants with free, full-scope legal representation – adopting a Right to Counsel ordinance – thereby breaking incessant patterns of unequal representation between tenants and landlords. Tenants facing eviction nearly always lack legal representation throughout the eviction process. On average, fewer than 10 percent of tenants are represented by legal counsel versus 90 percent of landlords with representation at eviction hearings. In fact, one analysis of County unsealed eviction cases showed that approximately 97 percent of tenants were unrepresented, while



landlords were only unrepresented in 12 percent of unsealed cases. The challenges that tenants in eviction cases encounter when seeking legal aid are indicative of a large gap between the civil legal needs of low-income people and the resources available to meet those needs. New York City, San Francisco, Newark, Cleveland, and Philadelphia are among some of the cities that have established the civil right to legal representation. Early data from those that have enacted Right to Counsel legislation have shown significant promise. In New York City, eviction orders are declining five times faster in zip codes where the right to an attorney in eviction court has rolled out than in zip codes without a right to an attorney. In San Francisco, eviction filings were down 10 percent after a year that the “No Eviction Without Representation Act” ballot measure went into effect; and among those tenants facing an eviction filing, 67 percent that received full representation successfully remained in their homes.

A Right to Counsel ordinance not only makes a substantial difference in the lives of vulnerable tenants facing eviction but is also a more cost-effective approach. A study of proposed Right to Counsel programs in Los Angeles found that, for every \$1 invested, the program would generate returns of approximately \$4.80 to the County of Los Angeles. The study further estimates that an annual investment in a right to counsel program could result in cost-savings to the County.

A phasing in of Right to Counsel can begin with the County recognizing Stay Housed LA, which began as an emergency response during the pandemic, as a permanent codified program, while sustainable funding is sought to expand it. Since its inception in 2020, Stay Housed LA has already reached nearly 285,000 tenants through direct outreach, providing over 5,500 full-scope legal representation and limited scope

legal assistance (976 and 4,529 respectively) to qualifying low-income tenants facing eviction. These services have proven even more critical during the pandemic, while continuing to demonstrate the need for legal representation throughout the eviction process.

Additionally, the pandemic has helped governments realize the importance of timely eviction data. Many governments, including at the federal level, do not track this information. One analysis found that one in three counties across the country have no available annual eviction figures. Limited access to eviction and court related unlawful detainer data has highlighted an important data gap that needs to be addressed throughout the country and state. Eviction-related data helps provide a sense of how many eviction cases are filed each year, and those neighborhoods impacted, while allowing jurisdictions to effectively design eviction prevention and anti-displacement strategies. This will require state mandates and investments toward creating and sustaining an infrastructure that makes relevant eviction data publicly available. Not only will this data allow governments to avoid facing the same pre-pandemic challenges with a limited understanding of the true impact of evictions on our local communities, it will also help inform other tenant protections efforts such as residential code enforcement and rent stabilization ordinances.

As the pandemic shifts, the County has an opportunity to re-examine how to move from emergency response by building on lessons learned in this crisis and forging a pathway toward long-term transformation in a post-COVID era.

**WE, THEREFORE, MOVE** that the Board of Supervisors:

1. Instruct the Director of Department of Consumer and Business Affairs (DCBA) to

develop a report back to the Board within 90 days including a written implementation plan to make the Expanded Eviction Defense program (“Stay Housed LA”), a permanent DCBA program that meets the growing countywide eviction defense needs by 2027. This report should include, but not be limited to:

- a. Annual Stay Housed LA projected outputs and outcomes, including projected impact of preventing evictions in unincorporated areas with greater housing instability and displacement pressure;
- b. Outcome data and demographics breakdown by Supervisorial District of people served to date through Stay Housed LA;
- c. Recommendations to improve and close any service delivery gaps utilizing the County’s Antiracism, Diversity and Inclusion Initiative (ARDI) equity lens, framework, and tools with particular attention to: technology and internet access for participants to submit required documentation, wait times in receiving assistance, outreach and engagement efforts for legal assistance to unincorporated areas and areas with greater housing instability and displacement pressures, and residents with lower education attainment and who are non-English speakers;
- d. Recommendations on leveraging existing tenant and legal assistance programs such as Rent Habitability, Rent Registry, and Self Help Legal Access Centers to provide seamless services to constituents and proactively refer between programs;
- e. Outlines growth protections for expanding the Stay Housed LA program to meet tenants’ increasing needs, with the plan to achieve a universal

access to counsel for eviction legal services by 2027; and

- f. Develop and include an implementation budget to make the Stay Housed LA program permanent.
2. Instruct the CEO to report back during the FY 2023-24 Recommended Budget phase with funding recommendations, including but not limited to the feasibility of utilizing existing funding sources intended for prevention of residents becoming unhoused and supporting housing stability, to make the Stay Housed LA program permanent;
3. Instruct the Chief Executive Office- Legislative Affairs and Intergovernmental Relations Branch to:
  - a. Support proposals that provide State and/or Federal funding for the Stay Housed LA Program, such as access to counsel for eviction legal services to address current and projected growth (per Directive 2); and
  - b. Support legislative proposals requiring the court system to share unlawful detainer data between local court systems and agencies that provide eviction prevention and defense services to tenants and individuals at-risk of homelessness.

\*\*\* NOTE: TO RETURN TO THIS PAGE, CLICK ON THE COUNTY SEAL \*\*\*

[CLICK HERE FOR THE DIRECTOR OF CONSUMER AND BUSINESS AFFAIRS' REPORT  
DATED APRIL 8, 2023](#)

[CLICK HERE FOR THE CHIEF EXECUTIVE OFFICER'S REPORT DATED APRIL 18, 2023](#)



LOS ANGELES COUNTY

# CONSUMER & BUSINESS AFFAIRS

Board of Supervisors

April 8, 2023

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Second District

Lindsey P. Horvath  
Third District

Janice Hahn  
Fourth District

Kathryn Barger  
Fifth District

To: Supervisor Janice Hahn, Chair  
Supervisor Hilda L. Solis  
Supervisor Holly J. Mitchell  
Supervisor Lindsey P. Horvath  
Supervisor Kathryn Barger

Director  
Rafael Carbajal

From: Rafael Carbajal  
Director

Chief of Staff  
Joel Ayala

## **REPORT ON SUSTAINABLY EXPANDING EVICTION DEFENSE SERVICES IN LOS ANGELES COUNTY (ITEM NO. 29, AGENDA OF SEPTEMBER 27, 2022)**

On September 27, 2022, your Board directed the Department of Consumer and Business Affairs (DCBA) to engage property owners, tenants, and other relevant stakeholders, and to report back with an implementation plan to make the Expanded Eviction Defense program, Stay Housed LA, a permanent DCBA program that meets the growing need for countywide eviction defense services by 2027.

Your Board also requested that this report back include, but not be limited to:

- Annual Stay Housed LA (SHLA) projected outputs and outcomes, including the projected impact of preventing evictions in unincorporated areas with greater housing instability and displacement pressure;
- Outcome data and demographics breakdown by Supervisorial District of tenant households served to date through SHLA;
- Recommendations to improve and close any service delivery gaps utilizing the County's Anti-Racism, Diversity and Inclusion Initiative (ARDI) equity lens, framework, and tools with particular attention to: technology and internet access for participants to submit required documentation, wait times in receiving assistance, outreach and engagement efforts for legal assistance to unincorporated areas and areas with greater housing instability and displacement pressures, and residents with lower education attainment and who are non-native English speakers;



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- Recommendations on leveraging existing tenant and legal assistance programs such as Rent Habitability, Rent Registry, and Self-Help Legal Access Centers to provide seamless services;
- Growth projections for expanding the SHLA program to meet tenants' increasing needs, with the plan to achieve a universal access to counsel for eviction legal services by 2027; and
- An implementation budget to make the SHLA program permanent.

DCBA's report responding to your Board's directives is attached, which covers:

- An overview of SHLA and its impact, as currently implemented, including program services, program capacity, outcome metrics to date, and lessons learned;
- A review of the County's COVID-19 Tenant Protections Resolution and the projected impact of its expiration on eviction filings;
- Potential strategies to enhance eviction defense services;
- Lessons learned and key takeaways from program analysis and implementation;
- Recommendations on leveraging existing programs to improve Stay Housed LA and close delivery gaps utilizing the County's ARDI equity lens;
- A proposed framework to make SHLA a permanent program, including growth projections and a proposed implementation budget to achieve a universal access to legal representation countywide by 2030; and
- Recommended next steps.

## **SUMMARY OF REPORT**

Stout Risius Ross, LLC (Stout), a private consulting firm specializing in investment banking, valuation advisory, dispute consulting, management consulting, and transaction opinions, published a cost-benefit analysis report<sup>1</sup> for the Los Angeles Right to Counsel Coalition on their proposed Right to Counsel program (RTC) for the City and County of Los Angeles. Stout found that less than 10 percent of tenants facing eviction are represented by legal counsel in court versus 90 percent of landlords. This is often due to lack of access to reliable information or affordable assistance and shines a light on the significant gap between the need for legal services and the resources available to serve vulnerable tenant households.

Recognizing the need for access to these critical services, the Board adopted a motion in September 2019 to direct the development and implementation of an expanded eviction defense program, launched under the name Stay Housed LA. While the initial program design planned to pilot program services in clusters of ZIP codes in each Supervisorial

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<sup>1</sup> [https://info.stout.com/hubfs/PDF/Eviction-Reports-Articles-Cities-States/Los%20Angeles%20Eviction%20RTC%20Report\\_12-10-19.pdf](https://info.stout.com/hubfs/PDF/Eviction-Reports-Articles-Cities-States/Los%20Angeles%20Eviction%20RTC%20Report_12-10-19.pdf)

District, SHLA pivoted to launch in July 2020 as an emergency response to the COVID-19 pandemic, offering educational “Know Your Rights” workshops and limited-scope legal representation. In September 2020, the full SHLA program was launched as a first of its kind partnership between the County, the City of Los Angeles, legal service providers, and community-based organizations to provide low-income tenants facing eviction: limited and full-scope legal representation, outreach and education, short-term rental assistance, and tenant navigation services to connect clients to wraparound services. This report includes lessons learned through implementation of SHLA, the impact Stay Housed has made on tenant households countywide, the anticipated impact of the County’s emergency tenant protections on unlawful detainer (eviction) filings, opportunities to enhance eviction defense, as well as a recommended framework for expansion of the program, of which the highlights are summarized below.

### Lessons Learned and Key Implementation Takeaways

Data collected by SHLA partners, consultants, and DCBA informed the lessons learned contained in this report. The data and insights provided help to demonstrate program effectiveness and to highlight opportunities for improvement or enhancement:

#### Key Takeaways:

- Eviction prevention **saves jurisdictions money**—cost-benefit analyses have shown that investment in eviction prevention efforts such as SHLA translate to significant cost savings on already overburdened homeless service systems.
- **Increased demand for SHLA services**—as a result of successful outreach efforts and the dire need of low-income tenants, SHLA has experienced more demand, with sharp increases following each change in federal, state, or local policy related to tenant protections. The recent expiration of the County’s pandemic era tenant protections is anticipated to have significant impacts on the demand for SHLA services.
- **Program capacity is limited**—the demand for SHLA services far outweighs its current capacity. Additional funding, increased supply of attorneys engaged in tenant legal defense, and other creative solutions addressed in the report are needed to bridge the gap.
- **Reliable access to eviction data at the ZIP code level is essential to successful program implementation**—Due to challenges obtaining reliable, representative, and timely eviction data, the County has used workarounds to approximate where evictions are most likely to occur. Obtaining regular access to reliable, representative, and timely eviction data would be transformative for the County and any local jurisdictions implementing eviction defense services and would allow the County to more effectively target services to the communities most impacted by eviction filings.



### Potential Strategies to Enhance Eviction Defense

As your Board looks for additional opportunities to strengthen SHLA and complementary services to support vulnerable tenants, we highlight options implemented or explored by other jurisdictions. Some of the options presented may require more in-depth assessments to identify programmatic and financial resources needed to implement. Options detailed in the report include:

- Consideration of adopting a **Pay to Stay** policy, which would allow tenants the opportunity to pay rental arrears up until their unlawful detainer (eviction) court date;
- Consideration of implementing a **Lawyer for the Day** program, partnering with local courts to increase access to low-barrier legal assistance in eviction courts; and
- **Supporting legislation** that enhances SHLA implementation—DCBA is currently working with CEO on County-sponsored Assembly Bill (AB) 875 (Gabriel), which would require local courts to make unlawful detainer data publicly available, improving the way local jurisdictions target eviction prevention services.

### Recommendations to Close Service Delivery Gaps

As addressed above and in the attached report, the overwhelming demand for SHLA relative to program capacity has impacted its ability to provide legal representation to all tenants in need of assistance. While a primary recommendation to address these gaps is an increase in funding and the number of legal aid attorneys available to provide these services, the report addresses additional strategies to strengthen SHLA services, summarized below:

- **Prioritization of legal assistance** to ensure SHLA services are accessible to those most vulnerable.
- **Increased outreach in the unincorporated areas of the County** to address the disparity in SHLA access, as compared to similarly vulnerable areas in incorporated cities.
- **Intensive case management** for up to six months including status checks, continued monitoring of tenants for available services, and financial coaching to reduce debt and build wealth.
- Enhance efficiency of SHLA by **leveraging existing County programs/systems** such as the Rent Stabilization Program's Rent Registry, Self Help Legal Access Centers, Housing for Health, and the Delete the Divide initiative.

## **RECOMMENDATIONS**

DCBA recommends the adoption of a Right to Counsel ordinance for the unincorporated areas of the County and a complementary Universal Access to Legal Representation program using a phased-in approach to full implementation by 2030.

It is important to note that the report consistently highlights the critical need to adequately fund SHLA to not only maintain the current infrastructure and ensure a sustainable expansion, but to meet the current demand for services. The attached report outlines a proposed implementation plan and budget for the expansion of SHLA program that builds upon research conducted to-date and makes the following recommendations that can be adopted by your Board to codify SHLA as a permanent program:

1. Approve DCBA's proposed SHLA's implementation framework to:
  - a. Adopt a Right to Counsel (RTC) ordinance for unincorporated Los Angeles County by Fiscal Year 2024-25 to guarantee legal representation to eligible tenants; and/or
  - b. Phase in the implementation of a Universal Access to Legal Representation program to expand coverage of legal representation services to additional incorporated cities as DCBA scales up program capacity.
2. Direct CEO, in collaboration with Los Angeles County Affordable Housing Solutions Agency (LACAHS), to identify sustainable funding sources for implementation of a RTC ordinance and Universal Access program under the Stay Housed L.A. umbrella to eligible tenants countywide by 2030.
3. Direct CEO to identify an additional \$5 million to supplement the Stay Housed L.A. budget for FY 2023-24 to address service delivery gaps.

In the interim, DCBA will continue providing SHLA services, as currently implemented, and prepare to scale up operations should additional funding and/or resources be identified. DCBA also plans to make a continued effort to improve SHLA services by: (1) leveraging existing County tenant and legal assistance programs to further expand SHLA's reach and effectiveness; and (2) building strategic partnerships with community-based organizations to improve upon and expand SHLA reach in higher needs communities.

Each Supervisor  
April 8, 2023  
Page 6

Should you have any questions concerning this report, please contact me or Dana Pratt, Deputy Director, at (213) 634-5923 or [dpratt@dcba.lacounty.gov](mailto:dpratt@dcba.lacounty.gov).

RC:JA:DP  
MR:SH:EV:ph

Enclosure

c:     Executive Officer, Board of Supervisors  
          Chief Executive Office  
          County Counsel



# **SUSTAINABLY EXPANDING EVICTION DEFENSE SERVICES IN LOS ANGELES COUNTY**

## **REPORT**

**April 8, 2023**

Prepared by:

Los Angeles County Department of Consumer and Business Affairs  
Rafael Carbajal, Director

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## Background

On September 10, 2019, the Los Angeles County Board of Supervisors (Board) approved the development and implementation of a Countywide expanded eviction defense program, which included a startup budget of \$2 million in Measure H funds, to launch in the first quarter of calendar year 2020. Due to the onset of the COVID-19 pandemic in March 2020, the launch and implementation of the program was temporarily halted while the County focused its resources to address the most pressing and immediate service needs of County residents during the health emergency. On June 17, 2020, DCBA entered into a six-month, \$1.95 million, Measure H funded service delivery agreement with Liberty Hill Foundation to implement a Countywide Emergency Eviction Prevention Program (EEPP) to provide information, education, and limited legal services to tenants facing potential eviction during the COVID-19 pandemic. On July 13, 2020, Liberty Hill Foundation and its subcontractors—a group of community-based tenant advocacy organizations and legal service providers from the Right to Counsel Coalition (RTCC)—began delivering services under the EEPP service delivery agreement, which included virtual “Know Your Rights” workshops, targeted outreach and education to tenants living in vulnerable communities throughout the County, and limited scope legal representation to tenant households making up to 80 percent of the area median income.

On August 4, 2020, the Board approved an appropriation adjustment of \$8.7 million in Net County Cost (NCC) from the Affordable Housing Trust Fund to DCBA to further fund eviction defense services in the County. On August 22, 2020, DCBA and the Legal Aid Foundation of Los Angeles (LAFLA) entered into a 12-month, \$5.985 million, NCC-funded service delivery agreement to implement an Expanded Eviction Defense Program (EDP) to provide full scope legal representation and short-term rental assistance to households making up to 50 percent of the area median income. Similar to the service delivery model implemented under the EEPP by the Liberty Hill Foundation, LAFLA entered into subcontracts with a group of legal service providers from the RTCC to deliver services under the EDP.

On September 15, 2020, DCBA, Liberty Hill Foundation, and LAFLA, formally launched Stay Housed L.A County (SHLA), which is the County’s branded, consolidated, and comprehensive eviction defense program that incorporates outreach, education, and limited legal services delivered via the EEPP agreement, as well as full-scope legal services launched for the first time as part of the EDP agreement. On October 4, 2020, the Board approved an additional appropriation adjustment of \$2 million in NCC from the Affordable Housing Trust Fund to DCBA to expand service delivery efforts under SHLA.

On February 22, 2021, DCBA executed a \$250,000 Memorandum of Understanding (MOU) with the City of Long Beach to provide enhanced education, outreach, and legal services offered by SHLA within the boundaries of the City of Long Beach. DCBA executed a \$680,400 amendment to the City of Long Beach MOU on October 26, 2021 to extend the delivery of enhanced eviction defense services in the City of Long Beach through December 31, 2022.

On May 13, 2022, the County entered into new service delivery agreements with LAFLA, funded via \$10.8 million in federal American Rescue Plan Act (ARP) dollars and \$6.2 million in California Permanent Local Housing Allocation (PLHA) dollars, to continue providing eviction defense services under the SHLA program through June of 2023. On September 13, 2022, the Board approved an additional \$18 million allocation from ARP (Tranche 2) for the continued implementation of the program through June of 2024. Lastly, on January 24, 2023, the Board approved a \$2 million supplemental allocation of ARP funding to expand SHLA's rental assistance efforts to coincide with the expiration of the County's COVID-19 Tenant Protections Resolution.

The initial report filed by DCBA on Expanding Eviction Defense Services in Los Angeles County<sup>2</sup> recommended implementing eviction defense programming in phases to facilitate incremental, sustainable growth of the program. SHLA was initially launched in 2020 as a pilot program with components structured so the program could be evaluated on a regular basis with the aim of scaling services as the program matured and as the need for services evolved during the COVID-19 pandemic. SHLA has served as a gateway program for vulnerable County tenants to obtain critical services and resources so they can better understand and exercise their rights to prevent an eviction. Now, nearly two and a half years after launching the first iteration of its expanded eviction defense program, the County is laying the groundwork to make SHLA a permanent program that meets the growing need for countywide, universal access to eviction defense services. The following report will outline how SHLA, as implemented to date, can be utilized as an evaluative tool to make a case for a phased-in, countywide expansion of the program—including a right to counsel program for the unincorporated areas of Los Angeles County—with its production of localized evidence that legal representation for renters is an effective intervention in eviction cases.

## **The Impact of Emergency Tenant Protections Expiring on the Rate of Evictions**

### *LA County COVID-19 Tenant Protections Resolution*

The COVID-19 pandemic brought forth unforeseen disruption and devastation to the health and livelihood of households across the country and the globe. Within weeks, governments at the federal, state, and local levels were forced to take prompt and decisive action to deter further spread of the pandemic and worsening of an economic crisis. One of the more notable responses at all levels of government included temporary moratoria on evictions for tenants experiencing financial hardships due to the pandemic.

While the federal moratorium on evictions provided limited temporary protections for certain tenant households, state-based actions provided a greater level of protections for impacted tenants. Executive orders issued by the Governor of California and rules enacted by the Judicial Council of California provided protections against evictions and utility shutoffs, temporarily paused the filing of court eviction proceedings, and authorized

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<sup>2</sup> [https://file.lacounty.gov/SDSInter/bos/bc/1060189\\_8-26-19BMFromDCBAReExpandingEvictionDefenseSvc.pdf](https://file.lacounty.gov/SDSInter/bos/bc/1060189_8-26-19BMFromDCBAReExpandingEvictionDefenseSvc.pdf)



local governments to adopt their own local emergency protections. In Los Angeles County alone, more than 40 jurisdictions enacted local protections limiting evictions and rent increases during the emergency period. In March 2020, the Board exercised its authority to adopt an eviction moratorium (now known as the LA County COVID-19 Tenant Protections Resolution) providing critical emergency protections against evictions for residential, mobilehome space renters, and commercial tenants during the pandemic. Since then, the COVID-19 Tenant Protections Resolution (Resolution)<sup>3</sup> has gone through a series of amendments and extensions to provide timely and necessary safeguards against eviction to impacted tenants. Though federal and state protections have been lifted, the County's Resolution remained in effect through March 31, 2023 with certain protections lasting through March 31, 2024.

The expiration of these emergency tenant protections afforded through the Resolution on March 31, 2023 will undoubtedly have an impact on the rate of evictions filed in Los Angeles County, which have surged back to pre-pandemic levels. In calendar year 2022, the average number of Unlawful Detainers (UD) filed per month in the Los Angeles County Superior Court (LASC) system grew to 2,867, up from a low of 1,054 average filings per month during calendar year 2021 (see Appendix A). Over the course of the last six months of available LASC UD data (July through December of 2022), the average number of UD filings ballooned to 3,531 per month, higher than the calendar year 2019 average of 3,381 UD filings per month (see Chart 1 below). Based on the last major surge of eviction filings that began when the State's COVID-19 Rent Relief Program stopped accepting new applications at the end of March 2022, the County could expect to see another surge of eviction filings beginning April 2023, as a result of the expiration of the Resolution, and possibly continue to push UD filings upwards well into the rest of the year.

The County is expected to experience an "eviction cliff," a term coined to describe the expected negative impact of eviction moratoria being lifted at the federal, state, and local levels. Accumulation of eviction filings, unpaid rent, deteriorated tenant-landlord relationships, and increased rates of homelessness are all possible consequences that need to be prepared for as emergency tenant protections come to an end.<sup>4</sup> The role of SHLA as the first line of defense for tenants facing eviction and potential homelessness will become even more critical should this eviction cliff be realized.

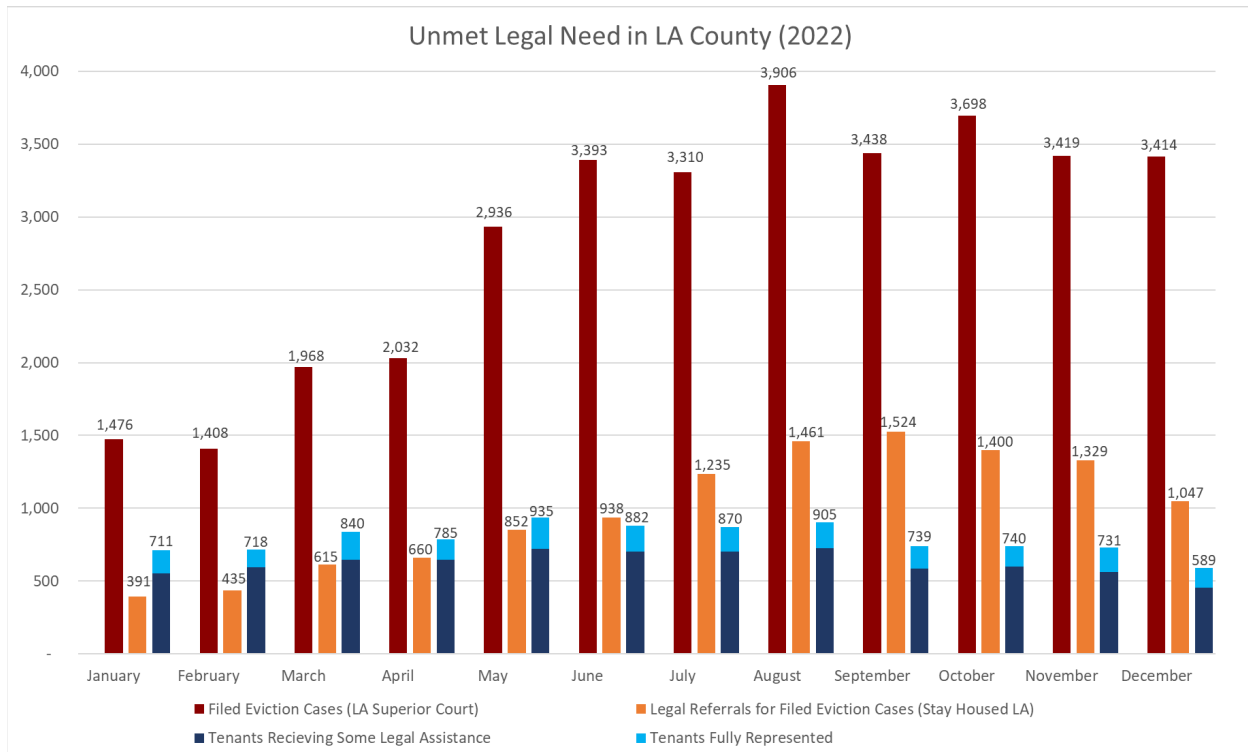
The County currently has permanent tenant protections through the Rent Stabilization and Tenant Protections Ordinance and Mobilehome Rent Stabilization and Mobilehome Owner Protections Ordinance. There are additional local jurisdictions, such as the cities of Beverly Hills, Culver City, Inglewood, Los Angeles, and Santa Monica, that have permanent tenant protections. Additionally, California Assembly Bill 1482 provides some limited additional protections for renters by capping rent increases, requiring just cause for evictions, and providing relocation assistance to tenants who have been evicted due to owner occupancy. Nevertheless, the majority of tenants within Los Angeles County will be more at risk of eviction now that the Resolution has expired.

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<sup>3</sup> <https://file.lacounty.gov/SDSInter/bos/supdocs/0660ce10-253a-43ea-8caa-919aa49009fd.pdf>

<sup>4</sup> <https://doi.org/10.1016/j.lana.2021.100105>

**Chart 1: Eviction Filings in L.A. County and Unmet Legal Need<sup>5</sup>**



As outlined in Chart 1 above, the total number of UD filings countywide in the previous calendar year far exceeded the number of tenants that received some type of legal assistance through SHLA, underscoring the need for the County to continue to invest into and expand the program to stem the growing tide of evictions.

## Legal Representation for Tenants as a Tool to Combat Housing Instability and Homelessness

### *Current Implementation of Stay Housed LA*

Services provided through SHLA are accessible to eligible Los Angeles County tenants living outside the boundaries of the City of Los Angeles, this includes direct tenant outreach, education, legal representation, and short-term rental assistance<sup>6</sup>. However, SHLA intentionally focuses outreach efforts, legal services, and short-term rental assistance to target tenants that live in historically underserved communities with high propensities for evictions and other types of displacement. This strategy emphasizes service delivery efforts to serve the highest need populations and increase equitable

<sup>5</sup> The figures outlined in this chart are Countywide figures which include all 88 cities and unincorporated areas of the County. Legal assistance figures are inclusive of data from the City of LA's eviction defense program, which utilizes the shared Stay Housed LA branding platform.

<sup>6</sup> The County of Los Angeles' eviction defense program originally assisted the City of Los Angeles tenants until the City launched its own program in July of 2021 under the shared branding platform of Stay Housed LA.

access to County services and resources. To help identify these target areas, DCBA utilized a methodology developed by the City of Los Angeles called the Tenant Vulnerability Index (TVI), which identified ZIP codes where tenants are more likely to experience evictions by assigning a composite “vulnerability score” based on the prevalence of certain socio-economic characteristics amongst the residents living in that ZIP code that make them more susceptible to evictions. Examples of the socio-economic characteristics that were used to create the composite vulnerability score for each ZIP code include: (1) the number of rent burdened households; (2) number of households below the federal poverty line; (3) number of Black and Latino households; (4) number of residents that immigrated after 2010; and (5) number of elderly households. DCBA adopted the TVI methodology to identify ZIP codes with high TVI scores in the County’s service delivery area within all five Supervisorial Districts and selected highly vulnerable ZIP codes to target SHLA services (see Appendix B). However, DCBA allows flexibility in assisting tenants in ZIP codes that do not have a high TVI score on a case-by-case basis according to need and capacity.

In addition, the County leverages the cultural and linguistic competencies of its service delivery partners/contractors to provide effective services that are responsive to the needs of a local community or household. To elaborate, the primary contractor subcontracts with community-based non-profit organizations that already work within a targeted, high-need community to conduct door-to-door outreach within apartment buildings and public spaces— such as businesses, schools, churches, etc.—to distribute literature and share information about the program and general tenant rights. This, in turn, drives tenants to participate in legal clinics/workshops and seek legal services if they have received a notice to terminate tenancy.

### *Stay Housed LA Metrics and Milestones*

Since the launch of the first iteration of the program in July of 2020, SHLA has reached several critical implementation milestones and demonstrated success at achieving key goals, as evidenced by the following highlights and metrics from program inception (data current as of February 22, 2023, unless otherwise indicated below):

- Tallied a total of 13.9 million impressions across all virtual platforms, including 8.68 million advertisement views from ads placed across all SHLA digital media platforms and 5.21 million impressions from organic social media on SHLA accounts on Facebook, Twitter, and Instagram<sup>7</sup>
- Delivered 332 media placements on television, radio, print, and online media outlets, including ethnic media<sup>8</sup>

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<sup>7</sup> Metrics from July 2020 through January 2023.

<sup>8</sup> Ibid

- Reached approximately 700,000<sup>9</sup> individuals or households via direct outreach and education efforts, including 974<sup>10</sup> virtual “Know Your Rights” workshops, webinars, legal clinics, and in-person outreach events<sup>11</sup>
- Provided limited legal services and assessments to 15,720<sup>12</sup> tenant households. The following is a breakdown of limited legal services and assessments provided to individuals or households in each Supervisorial District:<sup>13</sup>
  - Supervisorial District 1: 1,059
  - Supervisorial District 2: 1,902
  - Supervisorial District 3: 842
  - Supervisorial District 4: 1,926
  - Supervisorial District 5: 962
- Provided full-scope legal representation to 2,401 tenant households, broken down by Supervisorial District as follows:<sup>14</sup>
  - Supervisorial District 1: 264
  - Supervisorial District 2: 435
  - Supervisorial District 3: 238
  - Supervisorial District 4: 385
  - Supervisorial District 5: 324
- Provided short-term rental assistance<sup>15</sup> to 143 tenant households, totaling \$1,290,326 in financial assistance disbursed (as of January 31, 2023). The breakdown of the total number of households that received short-term rental assistance, by Supervisorial District, is as follows:
  - Supervisorial District 1: 14
  - Supervisorial District 2: 31
  - Supervisorial District 3: 16
  - Supervisorial District 4: 40
  - Supervisorial District 5: 42

For a detailed breakout of other key program metrics, including aggregate demographic information, please reference Appendix C.

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<sup>9</sup> This is the total number of people or households reached via all outreach and education efforts including remote and in-person activities, such as phone banking, text banking and in-person contact.

<sup>10</sup> This metric is an aggregate number consisting of the total number of workshops funded by ARP and City of Long Beach dollars. As mentioned in previous bi-annual reports, City of Long Beach allocated additional funding to Stay Housed L.A. County for specialized eviction defense services to Long Beach residents.

<sup>11</sup> In-person outreach consists of canvassing in neighborhoods and apartment buildings, and in-person workshops, clinics, presentations, and townhalls).

<sup>12</sup> There are 7800 limited scope legal cases accounted for in this metric from previous contracts not tracked in Tableau (our internal data collection system).

<sup>13</sup> The total number of limited legal services and assessments delivered in each Supervisorial District was not tracked prior to March 2022 due to the lack of access of Geographic Information Systems mapping capabilities at the time, so the sum of all of totals by Supervisorial District will not equal the countywide total for limited legal services and assessments.

<sup>14</sup> The total number of full scope legal representation services delivered in each Supervisorial District was not tracked prior to March 2022 due to the lack of access of Geographic Information Systems mapping capabilities at the time, so the sum of all of totals by Supervisorial District will not equal the countywide total for full scope legal representation services.

<sup>15</sup> Rental assistance provided through the Stay Housed L.A. County program is reserved for income eligible households that need financial assistance to settle or resolve a pending unlawful detainer case.

## *Potential Strategies to Enhance Eviction Defense*

### Adoption of a Pay to Stay Policy

“Pay to Stay” ordinances give tenants facing eviction the right to pay their rent in full, including late fees, up until the day of their eviction hearing. In jurisdictions with similar policies, such as Cleveland, Ohio, and Cook County, Illinois, tenants can pay their landlords for all back rent owed up until before having to appear in court, providing tenants with the right to remain in their homes once all financial obligations have been satisfied.<sup>16</sup> Adoption of a Pay to Stay ordinance locally would provide tenants with additional eviction protections against landlords attempting to force tenants out of their units for reasons unrelated to non-payment of rents by intentionally rejecting attempts by tenants to satisfy outstanding financial obligations. However, further research would need to be conducted to better understand how such a policy could be implemented in the County.

### Lawyer for the Day Program

SHLA is not currently able to serve every tenant seeking assistance. While efforts are underway to increase program capacity to serve more tenants, the County must explore other options to meet the need of tenants facing unlawful detainer proceedings. One such option is implementing a County funded “Lawyer for the Day” program in partnership with local legal aid organizations. Such a program would provide populations with limited computer literacy or access with an opportunity to receive in-person legal assistance with a low barrier of entry since lawyers would be on the courthouse premises where legal proceedings take place.

Lawyer for the Day programs, typically administered by a local bar association or legal aid organization, provide tenants with day-of-court basic legal advice, assistance with understanding relevant laws, and assistance with filling out court forms. These day-of-court assistance programs are utilized to help fill a critical service delivery gap for tenants that may not have received any type of legal assistance and are at imminent risk of being evicted. Attorneys assisting tenants through Lawyer for the Day programs do not accompany tenants into the courtroom or establish an attorney-client relationship but are able to assist tenants with information and help equip them to better represent themselves in court.<sup>17</sup> Tenants facing eviction typically lack legal representation throughout the eviction process. In fact, one analysis of County unsealed eviction cases showed that approximately 97 percent of tenants were unrepresented, while landlords were only unrepresented in 12 percent of unsealed cases.<sup>18</sup> During these interventions, tenants may, in addition to assistance with their unlawful detainer cases, be connected to additional financial, legal, or other supportive resources.

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<sup>16</sup> <https://lasclev.org/11072021-5/>

<sup>17</sup> <https://www.mass.gov/service-details/lawyer-for-the-day-programs>

<sup>18</sup> [https://info.stout.com/hubfs/PDF/Eviction-Reports-Articles-Cities-States/Los%20Angeles%20Eviction%20RTC%20Report\\_12-10-19.pdf](https://info.stout.com/hubfs/PDF/Eviction-Reports-Articles-Cities-States/Los%20Angeles%20Eviction%20RTC%20Report_12-10-19.pdf)

The County could consider adopting a similar program and draw upon examples in other jurisdictions such as the state of Massachusetts and the city of Allentown, Pennsylvania. The County's Self-Help Legal Access Centers, administered by DCBA, could also be leveraged for this purpose, and integrated into the County's efforts to expand access to justice. It is important to note that implementing a program of this nature would require participation from our local courts and significant ramp up time.

### Access to Unlawful Detainer Data

A major challenge DCBA and its service delivery partners face in effectively targeting program services is the lack of access to unlawful detainer filing data from the LASC system. There is currently no state or local requirement for courts to make detailed eviction-related data publicly available.

The lack of access to reliable eviction data has presented several challenges to local government entities that deliver housing or prevention services. One such challenge is the inability to fully understand where evictions are occurring in the County for the purpose of refining the way in which the current program targets and prioritizes services to the most vulnerable and highest needs communities. As a result, DCBA and its service delivery partners have had to develop workarounds, such as the TVI and the use of the County's Equity Explorer Mapping Tool, as a way of making educated guesses as to the areas to target for eviction prevention services. While these workarounds have been useful in implementation, it would be far more effective to target services based on disaggregated eviction data. In an effort to resolve these challenges, DCBA is currently working with the Chief Executive Office Legislative Affairs and Intergovernmental Relations office to advance California Assembly Bill 875 (AB 875)<sup>19</sup> in the state legislature, which is a County sponsored bill authored by Assembly member Jesse Gabriel that would require local courts to share unlawful detainer data with local government entities implementing eviction defense programs.

## **Lessons Learned: Evaluations of Eviction Defense Programs**

### *Cost-Benefit Analysis of Providing a Right to Counsel to Tenants in Eviction Proceedings*

On December 10, 2019, Stout Risius Ross, LLC (Stout), a private consulting firm specializing in investment banking, valuation advisory, dispute consulting, management consulting, and transaction opinions, published a cost-benefit analysis report<sup>20</sup> for the Los Angeles Right to Counsel Coalition on their proposed Right to Counsel program (RTC) for the City and County of Los Angeles. In this report, Stout estimated that a fully implemented RTC for the service area covered by the County of Los Angeles would cost approximately \$47.3 million a year. The study also estimated that a RTC program would generate a return on investment of approximately \$4.80 for every \$1 invested. In their

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<sup>19</sup> [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=202320240AB875](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB875)

<sup>20</sup> [https://info.stout.com/hubfs/PDF/Eviction-Reports-Articles-Cities-States/Los%20Angeles%20Eviction%20RTC%20Report\\_12-10-19.pdf](https://info.stout.com/hubfs/PDF/Eviction-Reports-Articles-Cities-States/Los%20Angeles%20Eviction%20RTC%20Report_12-10-19.pdf)

cost-benefit methodology, Stout quantified the potential costs avoided by the City and County of Los Angeles through significant investments into a RTC program, which included emergency shelter, housing programs, health care, and foster care costs.

Other potential benefits from implementing a RTC program outlined in the Stout report include the following:

- More favorable incomes for tenants;
- Decreased likelihood of shelter entry or living unsheltered;
- Increased housing stability and ability to re-rent, if necessary;
- Decreased impact on employment, credit score and eviction record;
- Decreased impact on physical and mental health of people in eviction proceedings;
- Decreased negative impact on children, including their health, education, and potential future earnings;
- Increased family and community stability;
- Decreased impact on law enforcement; and
- Increased trust in the justice system and civic engagement.

The findings highlighted in the Stout report were used by the Los Angeles Right to Counsel Coalition and DCBA to advocate for the adoption of motions by the Board and the Los Angeles City Council for the implementation of emergency eviction defense programs during the COVID-19 pandemic, resulting in the launch of SHLA in September of 2020. Now, two and a half years after the formal launch of SHLA, the takeaways from the Stout report provide useful context for developing estimated cost projections for the implementation of a RTC program for the unincorporated areas of Los Angeles County and the phasing in universal access to free legal representation throughout all of Los Angeles County by 2030.

### *University of Southern California Mixed Methods Evaluation of the Stay Housed L.A. County Program*

In April 2022, the University of Southern California's Sol Price School of Public Policy (USC Price) produced a report outlining findings from conducting a mixed methods evaluation of the Stay Housed L.A. County program. The County contracted with USC Price to conduct this evaluation of SHLA, which included surveying tenants and landlords, with the aim of producing insights on the regional impact of providing legal services and other eviction supports through SHLA and how program implementation could be improved in the future. The final evaluation report included the following key recommendations to the County on how SHLA implementation could be improved in the future:

- **Improve offline access for disadvantaged populations.** Findings suggest that internet access was a barrier to accessing SHLA support.
- **Reevaluate program targeting.** Respondents from non-targeted neighborhoods reported higher rates of trouble affording the rent and non-renewal of rental

agreements, perhaps because they lived in higher-rent areas with gentrification pressures. Targeting should be based on housing vulnerability with data on eviction rates and rent burden.

- ***Continue education efforts on legal assistance for the least advantaged groups.*** More disadvantaged populations may not know their rights or know that seeking legal assistance in response to eviction is an option.
- ***Continue to target lower resourced communities specifically regarding available legal resources.*** Efforts could include workshops and information to landlords that are likely to benefit both landlords and tenants.

Since the production of these recommendations by USC Price, the County and its service delivery partners have worked to refine their outreach and legal service strategies to address the service delivery gaps outlined in the evaluation. DCBA will elaborate on how it plans to continue to close service delivery gaps in the subsequent section titled Recommendations on Closing Service Delivery Gaps.

### ***Results for America Advancing Housing Justice: Right to Counsel Sprint Program***

Representatives from DCBA, the City of Los Angeles, and SHLA service providers participated in a national, eight-week program, named the Advancing Housing Justice: Right to Counsel Sprint Program (Sprint Program), dedicated to helping cities and states advance right to counsel programs by sharing best practices and learnings from evaluations conducted on successful programs from across the country. The Sprint Program was organized by Results for America and led by the National Coalition for Civil Right to Counsel (NCCRC), PolicyLink, Heartland Center for Jobs and Freedom, and Red Bridge Strategies. During its participation in the program, DCBA staff received guidance and strategies on how to better design, implement, and sustainability grow SHLA. In addition, DCBA was able to network with other jurisdictions implementing similar eviction defense programs to join the growing coalition of organizations advancing right to counsel programs nationally. Key takeaways for DCBA regarding the future implementation of SHLA include:

- Strategies and best practices for structuring a right to counsel ordinance for unincorporated Los Angeles County that best target vulnerable populations;
- Budgetary and fiscal considerations for the adoption of a right to counsel ordinance for unincorporated Los Angeles County;
- Strategies for expanding and improving existing partnerships with community-based organizations, legal aid organizations, and local courts for more effective implementation of eviction defense services.

### ***Feedback from Rental Property Owners***

On February 8, 2023, CEO and DCBA hosted a Rental Property Owner Roundtable to share updates on SHLA implementation and resources available to rental property owners and to solicit feedback on the proposed expansion of the program. Flyers



advertising the feedback session were e-mailed to relevant rental property owner organizations and the meeting agenda was posted on the CEO's agendas website<sup>21</sup>. The meeting was held on the WebEx technology platform and was interactive, allowing attendees to ask live questions and provide comments or submit questions via the Question-and-Answer chat function.

While most of the feedback and questions were related to the Resolution and its impacts on rental property owners, DCBA noted the following key takeaways:

- Direct **financial assistance** should be made available, especially to those who were unable to collect rent during the pandemic to encourage the preservation of non-corporate rental property ownership;
- Additional **supportive services**, including but not limited to the consideration of providing legal support for smaller rental property owners;
- More **outreach** specifically targeted to rental property owners to help them navigate the changing landscape of tenant protections in the region.

## Projected Demand for SHLA Services

The implementation of pandemic era emergency tenant protections and lack of publicly available, disaggregated eviction filing data from the local court system have made it challenging to develop accurate projections of future eviction filings and demand for SHLA services. Eviction filing data in Los Angeles County is only available aggregated at the courthouse level by calendar year, presenting a challenge for making neighborhood or ZIP code level projections which are the most useful type of projections for targeting of services to the most vulnerable populations. Despite this major limitation, SHLA's primary legal services provider, Legal Aid Foundation of Los Angeles (LAFLA), obtained Los Angeles County Sheriff lockout data<sup>22</sup> from 2018 (chosen as the pre-pandemic data baseline due to the quality of data available in this calendar year) to develop a projection of the total expected number of eviction filings by ZIP code in calendar year 2023 and the expected number of households that would seek legal services from SHLA (see Table 1 below). For a full breakdown of the methodology utilized to calculate the total projected UD filings by year and the expected number of households seeking SHLA services, please reference Appendix D.

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<sup>21</sup> <https://ceo.lacounty.gov/agendas/>

<sup>22</sup> LAFLA obtained Sheriff lockout data for calendar years 2000 - 2021 via a Public Records Act request. LAFLA utilized this data to develop estimates of UD filings by ZIP code in 2018 instead of using the actual aggregate total of UDs filed in 2018 because Sheriff lockout data could be disaggregated by ZIP code, which was critical for projecting UD filings by ZIP from 2023 - 2028.

**Table 1: Projected Unlawful Detainer Filings and Demand for SHLA Legal Services in Fiscal Year 2023-24**

| Projected FY 2023-24 UD Filings + Households Seeking Legal Services     |                                       |              |  |
|---|---------------------------------------|--------------|--|
| Jurisdiction  | Total Projected Filings in FY 2023-24 | % of County  | Projected # of Households Seeking SHLA Services (40% reduction in filings) |
| City of L.A.  | 24,850                                | 49.4%        | 14,900   |
| Unincorporated L.A. County  | 4,250                                 | 8.4%         | 2,550  |
| Incorporated Cities (Excluding City of L.A.)                            | 21,250                                | 42.2%        | 12,750   |
| <b>Grand Total</b>  | <b>50,350</b>                         | <b>100%</b>  | <b>30,200</b>  |
| <b>County Service Area (Unincorporated Areas + Incorporated Cities)</b> | <b>25,500</b>                         | <b>50.6%</b> | <b>15,300</b>  |

The methodology developed by LAFLA for projecting the number of UD filings and the resulting number of households that could potentially seek services from SHLA in 2023 was applied to the following seven years of expected program implementation and is outlined in Table 2 below.

**Table 2: Projected 7-Year Demand for SHLA Legal Services (FYs 2023/24 – 2030/31)**

| 7-Year Projected Demand for SHLA Legal Services (by # of households)    |               |               |               |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Program Year  | Year 0        | Year 1        | Year 2        | Year 3        | Year 4        | Year 5        | Year 6        | Year 7        |
| Fiscal Year   | 2023-2024     | 2024-2025     | 2025-2026     | 2026-2027     | 2027-2028     | 2028-2029     | 2029-2030     | 2030-2031     |
| City of L.A.  | 14,900        | 14,900        | 13,400        | 12,100        | 10,850        | 9,800         | 9,800         | 9,800         |
| Unincorporated L.A. County  | 2,550         | 2,550         | 2,300         | 2,100         | 1,850         | 1,650         | 1,650         | 1,650         |
| Incorporated Cities (Excluding City of L.A.)                            | 12,750        | 12,750        | 11,500        | 10,300        | 9,300         | 8,350         | 1,650         | 1,650         |
| <b>Grand Total</b>  | <b>30,200</b> | <b>30,200</b> | <b>27,200</b> | <b>24,500</b> | <b>22,000</b> | <b>19,800</b> | <b>19,800</b> | <b>19,800</b> |
| <b>County Service Area (Unincorporated Areas + Incorporated Cities)</b> | <b>15,300</b> | <b>15,300</b> | <b>13,800</b> | <b>12,400</b> | <b>11,150</b> | <b>10,000</b> | <b>10,000</b> | <b>10,000</b> |

-Annual projections assume a 10% reduction in demand for services due to the positive effects of SHLA in reducing eviction filings  
 -The projected demand for SHLA services in Year 0 and Year 1 are identical in Table 2 due to limitations in the applied methodology for projecting the change in demand for SHLA services during those first two years of implementation. The identical figures should not be interpreted to suggest that UD filings and demand for services wouldn't change during those two fiscal years, but that the County and its partners expect demand to remain constant.  
 -In Year 5, the program would expect to see demand to level off and remain constant for subsequent years.  
 -The projected demand for SHLA services during 2023 and all subsequent years is not meant to suggest that the program will have the capacity to meet the expected demand for legal services. The projected figures are meant to provide context what a fully funded program could expect to experience with regards to demand for legal services.

## Recommendations on Closing Service Delivery Gaps

Through implementation of SHLA, DCBA and service delivery partners have identified areas of focus as well as programs and proposals that can be leveraged to work towards closing actual or perceived service delivery gaps as the program grows.

### *Prioritization of Legal Assistance Services*

Due to the limited resources allocated to SHLA and the high demand for services, DCBA and its partners have found it necessary to develop a system for prioritizing the delivery of services for tenants that live in very high needs neighborhoods and/or meet certain income thresholds. Until SHLA is a codified right to counsel program with sufficient funding to function at full capacity, the County and its partners will have to prioritize the provision of SHLA services to assist the highest-need tenants living in historically underserved communities. The full scope of SHLA services would still be accessible to tenants living within unincorporated areas and incorporated cities in Los Angeles County, but tenants living in selected ZIP codes from each Supervisorial District would be prioritized to receive legal services and rental assistance based on vulnerability scores, projected eviction filings, and program capacity. A recommended prioritization system for the delivery of legal services and phase-in of targeted ZIP codes will be further expanded upon in the section on Growth projections and Recommendations for Expansion of Stay Housed L.A. County.

### *Recruitment and Retention of Eviction Defense Attorneys*

Since the filing of DCBA's last SHLA bi-annual report,<sup>23</sup> the program has continued to experience capacity challenges due to an overwhelming demand for legal representation. Since May 2022, the program has only been able to assist 62 percent of all legal referrals and intakes received via the program's website and external partners. The capacity issue stems from a shortage of legal aid attorneys that are available to provide legal representation through the program. Additionally, the financial resources currently allocated to the program prevent limit implementation of a sustainable succession and talent management plan and prevent SHLA from hiring more attorneys and growing its pipeline for attorney recruitment and retention.

SHLA is currently working with its legal service provider partners to develop and implement strategies to better prioritize the delivery of legal representation services while additional funding is requested and secured to create a stronger recruitment pipeline for attorneys and other legal support staff. LAFLA is working on creating a recruitment pipeline to offer stipends to law school students and contingent job offers once they pass the Uniform Bar Examination. In addition, LAFLA is currently evaluating the feasibility of working with private attorneys from non-profit incubators to further increase capacity to provide legal representation to tenants. This challenge is not unique to SHLA; this is a

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<sup>23</sup> [https://file.lacounty.gov/SDSInter/bos/bc/1134566\\_2022-12-20Bi-AnnualProgressReportonExpandedEvictionDefenseProgram\\_rc.pdf](https://file.lacounty.gov/SDSInter/bos/bc/1134566_2022-12-20Bi-AnnualProgressReportonExpandedEvictionDefenseProgram_rc.pdf)

common pain point for many of our Access to Justice programs and our Legal Services Providers. Establishing a sustainable succession and talent management plan that supports our Legal Services Providers collectively, offers a unique opportunity to create economies of scale and better support our partners.

### *Increased Outreach in Unincorporated Areas*

Due to the COVID-19 pandemic, the majority of outreach was completed virtually. While necessitated by the health emergency, there is a growing body of data showing that some tenants face barriers to accessing program services if they are primarily or only offered online. As pandemic-era restrictions have begun to lift, there has been a gradual shift to more in-person outreach—but a majority of outreach is still conducted virtually. Now that the COVID-19 state of emergency has ended, SHLA will perform more in-person outreach, which will include regional, in-person workshops, clinics, presentations, townhalls, tabling efforts at public outreach events hosted by other organizations, door-to-door canvassing in apartment buildings, and flyer distribution to major essential businesses (grocery stores, school district offices, medical facilities, etc.)

DCBA is working with its service delivery partners to better target outreach efforts to high needs communities by reviewing current implementation practices and discussing the usage of different data collection measures, including indices developed by service delivery partners—such as LACDA’s TRACT and SAJE’s Owner’s Warning Notification and Information for Tenants (OWN-IT) tools—that better measure housing vulnerability and displacement pressures. Through these exercises, we found that tenants in high-needs unincorporated areas of the County are not accessing SHLA at rates comparable to similarly high-needs areas in incorporated cities. DCBA is working with SLHA service providers on a strategy to expand outreach efforts in the unincorporated areas of the County, including increased door-to-door canvassing in communities with higher densities of rental units, mailers, and in-person events. Additionally, DCBA will continue to leverage the notices of terminations (eviction notices) received from landlords as a requirement of its rent stabilization ordinances to send outreach letters informing tenants in unincorporated areas of the County about SHLA services.

### *Intensive Case Management*

SHLA recommends additional case management to provide ongoing assistance with wraparound services and detailed evaluation of long-term outcomes. The initial stay Housed L.A. County report back<sup>24</sup> recommended case management for up to six months including status checks, continued monitoring of tenants for available services, and financial coaching to reduce debt and build wealth. This additional case management could be provided by community-based organizations in partnership with DCBA programs including Housing & Tenant Protections, Center for Financial Empowerment, Consumer Counseling, Office of Labor Equity, and Office of Immigrant Affairs. To enact such

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<sup>24</sup> [https://file.lacounty.gov/SDSInter/bos/bc/1060189\\_8-26-19BMFromDCBAReExpandingEvictionDefenseSvcs.pdf](https://file.lacounty.gov/SDSInter/bos/bc/1060189_8-26-19BMFromDCBAReExpandingEvictionDefenseSvcs.pdf)

intensive case management, additional resources would need to be allocated to this specific component of the SHLA program.

## **Recommendations on Leveraging Existing Programs and Systems**

The following are examples of programs and initiatives that can be leveraged to provide more seamless service to tenants in the County:

### *LA County Rent Stabilization Program*

In response to the growing rental housing affordability crisis in the region, the County adopted rent stabilization ordinances, the Rent Stabilization and Tenant Protections Ordinance (RSTPO)<sup>25</sup> and the Mobilehome Rent Stabilization and Mobilehome Owner Protections Ordinance (MRSMOPO), administered by DCBA. These ordinances, which took effect April 1, 2020, contain critical protections from unjust rent hikes and evictions without ‘just cause.’ In addition to limiting annual rent increases on applicable units, the RSTPO specifically includes provisions that extend “just cause” eviction protections to tenants in nearly all rental units in unincorporated Los Angeles County. The ordinance also requires landlords to submit to DCBA, within five days after service of a notice of termination on the Tenant, a true and accurate copy of the Landlord’s written notice of termination and proof of such service. As mentioned previously, DCBA has already been able to leverage this information to conduct outreach to tenants who have received notices and may be at risk of eviction.

The ordinances also require rental property and mobilehome park owners in unincorporated County to register their rental units and mobilehome spaces on an annual basis in the County’s Rent Registry (Rent Registry).<sup>26</sup> The Rent Registry was established to house information provided by landlords in compliance with the County’s rent stabilization ordinances, such as changes in tenancies, rental rates, and included amenities, as well as allowing these owners to pay annual registration fees to administer and enforce the program.

As the program matures, there is an opportunity to leverage the information captured through the Rent Registry for the purpose of targeting eviction prevention and other supportive services.

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<sup>25</sup><https://dcba.lacounty.gov/rentstabilizationprogram/>

<sup>26</sup> [https://file.lacounty.gov/SDSInter/bos/bc/1127638\\_2022-07-25ReportonTenantProtectionsLessonsLearned\\_rc.pdf](https://file.lacounty.gov/SDSInter/bos/bc/1127638_2022-07-25ReportonTenantProtectionsLessonsLearned_rc.pdf)

## *Self-Help Legal Access Centers*

The Self- Help Legal Access Centers (SHLAC) are collocated within nine County Courts and provide limited legal information to unrepresented litigants on a variety of issues such as divorce, civil harassment, and debt collection. SHLACs also provide direct assistance to both tenants and landlords who need assistance with issues including, but not limited to: (1) preparation of fee waivers; (2) legal forms to begin or respond to a UD (eviction); (3) COVID-19 declarations; and (4) answers to UDs for tenants. The most recent DCBA Self-Help Access Center quarterly report<sup>27</sup> confirms that unlawful detainers and housing, in general, continue to be highly requested (more than 25 percent) subject matter areas for litigants seeking assistance.

As the initial report back on SHLA implementation recommended presence in and/or near courthouses, the SHLACs present a unique opportunity to leverage service delivery. These centers are designed to provide brief, streamlined interactions with litigants, providing a release valve to SHLA in that it allows tenants to be assisted with more pressing issues (such as filing an answer in response to a UD) as they may be waiting for full-scope legal representation. SHLAC services are delivered by legal service providers who are also a part of the SHLA network, which makes them uniquely qualified to provide appropriate referrals when they identify a tenant who may need a deeper level of assistance.

## *Delete the Divide Initiative*

Delete the Divide (DTD) is an initiative led by the County of Los Angeles Internal Services Department (ISD) to advance digital equity in underserved communities through partnerships, infrastructure investments, and technology resources that empower residents and small businesses.<sup>28</sup> DTD programs currently consists of initiatives to assist specific residents and businesses with affordable internet, installation of communication broadband networks, creating access to technology courses/jobs and small business connections. DCBA can explore leveraging its partnership with ISD to perform targeted SHLA outreach to recipients of DTD services.

## *Rental Housing Habitability and Rental Escrow Account Program (Proposed)*

On April 5, 2022, the Board approved a motion calling for the establishment of a rental housing habitability and rent escrow account program.<sup>29</sup> Recognizing the current patchwork of enforcement processes in place and the challenges it presents for tenants living in substandard living conditions, the motion instructs the Department of Public Health (DPH), in consultation with County Counsel, DCBA, LACDA, the CEO, Department of Public Works (DPW), Department of Regional Planning (DRP), Treasurer and Tax

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<sup>27</sup> [https://file.lacounty.gov/SDSInter/bos/bc/1129868\\_2022-09-12SHLACQuarterlyWorkloadReportNo.25\\_rc.pdf](https://file.lacounty.gov/SDSInter/bos/bc/1129868_2022-09-12SHLACQuarterlyWorkloadReportNo.25_rc.pdf)

<sup>28</sup> <https://www.deletethedivide.org/>

<sup>29</sup> <https://file.lacounty.gov/SDSInter/bos/supdocs/167688.pdf>



Collector (TTC), the Office of the Assessor, and landlord and tenant stakeholders to develop an ordinance to implement a Rental Housing Habitability Program and include a rent escrow account program with a strategy to ensure that properties that enter the program do not remain indefinitely. The motion also directs DPH, DPW, DRP, DCBA, and LACDA to develop a coordinated strategy that includes the integration of case management systems, and to determine types of cross-training in inspection modalities needed among departments.

Should your Board adopt a rental housing habitability ordinance, the implementation of the proposed program and any complementary case management system, could be leveraged to both strengthen tenant protections and to help identify and target eviction prevention services to properties or rental units most vulnerable to displacement.

## **Recommendations for Expansion of Stay Housed L.A. County**

### *Right to Counsel Ordinance for Unincorporated Los Angeles County*

DCBA recommends your Board adopt and implement a Right to Counsel (RTC) ordinance for the unincorporated areas of the County by January of 2025 as the first major step to implementing a countywide universal access program for eviction defense legal services. In general terms, a right to counsel is a guarantee from a local government, established in local law, that all tenants, or a defined class of tenants that meet certain criteria, must be provided legal representation in eviction proceedings.<sup>30</sup> Adoption of a RTC ordinance for the unincorporated areas of the County would establish SHLA as a permanent program, codify services, and would ensure that tenants living in the unincorporated areas of the County have a right to access critical legal defense services if they meet certain eligibility criteria. Eviction defense services have proven to be a critical resource for vulnerable tenants during the pandemic and an effective tool that prevents homelessness. As the County enters the post-COVID-19 era where temporary and emergency tenant protections have expired, codification of a RTC would serve a critical function in preventing displacement and homelessness in the long-term.

Cities across the country are increasingly looking to RTC ordinances to break incessant patterns of unequal representation between tenants and landlords. New York City, San Francisco, Newark, Cleveland, and Philadelphia are among some of the larger jurisdictions that have established the civil right to legal representation for tenants. Early data from those jurisdictions that have enacted RTC legislation have shown significant promise. In New York City, eviction orders are declining five times faster in ZIP codes where the right to an attorney in eviction court has rolled out than in ZIP codes without a right to an attorney.<sup>31</sup> In San Francisco, eviction filings were down 10 percent after a year that the “No Eviction Without Representation Act” ballot measure went into effect, and

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<sup>30</sup> [https://www.aclu.org/sites/default/files/field\\_document/no\\_eviction\\_without\\_representation\\_research\\_brief\\_0.pdf](https://www.aclu.org/sites/default/files/field_document/no_eviction_without_representation_research_brief_0.pdf)

<sup>31</sup> <https://perma.cc/5VPF-QZQV>.

among those tenants facing an eviction filing, 67 percent that received full representation and successfully remained in their homes.<sup>32</sup>

Analysis of SHLA's implementation efforts have revealed that the program would have the capacity to implement a RTC for the unincorporated areas of the County if all County SHLA funding—approximately \$22 million annually—and County funded SHLA legal aid staff were diverted to only focus on serving tenants living in the unincorporated areas of the County as early as 2024. As outlined in Table 3 of the following section, the program would have the capacity to provide full scope legal representation to approximately 2,550 households by Fiscal Year (FY) 2024-25, which would match the estimated demand of 2,550 UD cases per year for implementing a full RTC in the unincorporated areas of Los Angeles County during that same timeframe.

Should the L.A. County Board of Supervisors wish to pursue a RTC ordinance, the scope and focus of the County RTC program would need to be defined (e.g., eligibility criteria, and provision of legal services), and a sustainable funding source for the program would need to be identified. To that end, the newly formed Los Angeles County Affordable Housing Solutions Agency (LACAHS), enacted through the passing of California Senate Bill 679 in September of 2022, would potentially play a key role in developing funding mechanisms for a codified RTC for the unincorporated areas that would complement the funding that the City of Los Angeles would dedicate to eviction defense efforts in their jurisdiction through Measure ULA, which was adopted in November of 2022 (the Homelessness and Housing Solutions Tax). It is important to note that a County RTC ordinance would only codify a tenant's right to legal representation and not the full complement of outreach, education, and rental assistance services currently offered via the program. Accordingly, DCBA recommends that funding be identified to continue to offer the entire suite of SHLA services. In short, DCBA recommends that the Board adopt a RTC Ordinance in the last quarter of calendar year 2024, to become effective in early 2025.

### *Phasing-in Universal Access to Legal Representation Across the County's Service Area*

Should the Board move forward with the adoption and implementation of a RTC for the unincorporated areas of the County and reallocate existing resources to achieve this, tenants living in incorporated jurisdictions currently covered by SHLA would be deprioritized. This would disadvantage vulnerable tenants living in incorporated areas, leaving them to compete for the limited funding resources that would be set aside to help tenants not covered by an RTC ordinance. To achieve Universal Access to Legal Representation (Universal Access) for tenants countywide (outside of the City of Los Angeles, which implements its own, complementary program), where tenants not covered by an RTC ordinance have equitable access to services regardless of where they live, DCBA and its partners would need to scale and grow the capacity of the SHLA program

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<sup>32</sup> <https://www.aclu.org/news/racial-justice/tenants-right-to-counsel-is-critical-to-fight-mass-evictions-and-advance-race-equity-during-the-pandemic-and-beyond>



to meet the demand for services and phase-in the prioritization/delivery of legal services to tenants living in areas not be covered by an RTC ordinance. This phased-in approach would seek to establish Universal Access countywide by FY 2030-31, when the County and its partners anticipate that a consolidated SHLA program would be able to fully meet the total estimated demand for legal representation services across the entire County. Therefore, DCBA recommends that the Board adopt a phased-in approach for implementing a Universal Access program, starting in FY 2023-24, across the entirety of the County's service delivery area that complements the implementation of an adopted County RTC ordinance. Specifics on the recommended phased-in approach to implementing the RTC and Universal Access program, and projected budget needs, are outlined in the following sections and in Tables 3, 4, and 5 below.

**Table 3: Projected Right to Counsel and Universal Access Phase-in Program Demand and Capacity for Fiscal Years 2023/24 – 2030/31**

| Projected SHLA RTC & Universal Access Phase-in Program Demand & Capacity  |               |               |               |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| County Fiscal Year (FY)   | FY 2023-24    | FY 2024-25    | FY 2025-26    | FY 2026-27    | FY 2027-28    | FY 2028-29    | FY 2029-30    | FY 2030-31    |
| Program Year  | Year 0        | Year 1        | Year 2        | Year 3        | Year 4        | Year 5        | Year 6        | Year 7        |
| Projected County of L.A. Service Area Phase-in Demand & Capacity for Legal Services (by # of UD cases)  |               |               |               |               |               |               |               |               |
| Unincorporated Area Demand  | 2,550         | 2,550         | 2,300         | 2,100         | 1,850         | 1,650         | 1,650         | 1,650         |
| Selected Incorporated Area Demand   | 12,750        | 12,750        | 11,500        | 10,300        | 9,300         | 8,350         | 8,350         | 8,350         |
| <b>Total County Demand for Legal Services</b>   | <b>15,300</b> | <b>15,300</b> | <b>13,800</b> | <b>12,400</b> | <b>11,150</b> | <b>10,000</b> | <b>10,000</b> | <b>10,000</b> |
| Unincorporated Area Capacity  | 1,800         | 2,550         | 2,300         | 2,100         | 1,850         | 1,650         | 1,650         | 1,650         |
| Selected Incorporated Area Capacity   | 650           | 650           | 1,292         | 2,000         | 3,150         | 5,200         | 6,850         | 8,350         |
| <b>Total County Service Area Capacity</b>   | <b>2,450</b>  | <b>3200</b>   | <b>3600</b>   | <b>4100</b>   | <b>5000</b>   | <b>6,850</b>  | <b>8,500</b>  | <b>10,000</b> |
| Estimated # of Attorneys Needed per FY  | 49            | 64            | 72            | 82            | 100           | 137           | 170           | 200           |
| Projected City of L.A. Service Area Phase-in Demand & Capacity (by # of UD cases)   |               |               |               |               |               |               |               |               |
| City Demand for Services  | 14,900        | 14,900        | 13,400        | 12,100        | 10,900        | 9,800         | 9,800         | 9,800         |
| City of L.A. Service Area Capacity  | 1,650         | 2,550         | 3,500         | 4,950         | 7,500         | 10,000        | 10,000        | 10,000        |
| Estimated # of Attorneys Needed per FY  | 33            | 51            | 70            | 99            | 150           | 200           | 200           | 200           |
| Projected Total Countywide Phase-in Demand & Capacity   |               |               |               |               |               |               |               |               |
| Countywide Demand   | 30,200        | 30,200        | 27,200        | 24,500        | 22,000        | 19,800        | 19,800        | 19,800        |
| Countywide Capacity   | 4,100         | 5,750         | 7,100         | 9,050         | 12,500        | 16,850        | 18,500        | 20,000        |
| Estimated # of Attorneys Needed per FY  | 82            | 115           | 142           | 181           | 250           | 337           | 370           | 400           |
| -Year 1 would be the assumed launch year for a RTC in unincorporated L.A. County<br>-Year 7 would be the targeted year for achieving universal access for legal services countywide<br>-Annual projections assume a 10% reduction in demand for legal services due to the positive effects of SHLA in reducing eviction filings<br>-Program capacity based on 50 UD cases per attorney, per fiscal year |               |               |               |               |               |               |               |               |

## Programmatic Due Process

Ensuring due process in the development of public programs is important for protecting individual rights, promoting transparency and fairness, and enhancing program effectiveness. Given the lessons learned and the demand for these services, DCBA and County Counsel would need to evaluate and institutionalize the appropriate due processes commensurate with eligibility criteria and codified rights and privileges, should your Board move forward with implementing RTC and Universal Access to Legal Representation.

## Phase in of ZIP Codes

DCBA has worked with LAFLA over the course of the last six months to develop a strategy for prioritizing the delivery of legal services to tenants living in high-needs and vulnerable ZIP codes due to the program's finite resources. The development of such a strategy was necessary to ensure the program best targets the County's resources for maximum impact for vulnerable populations and to help the program scale and grow the capacity necessary to implement an RTC ordinance and a Universal Access program in coming years. SHLA would build off of the current strategy for prioritizing legal services, which focuses on selected ZIP codes within the unincorporated areas of the County and selected Zip codes in incorporated jurisdictions with high tenant vulnerability (see Appendix B for the current list of targeted ZIP codes), to re-prioritize selected ZIP codes in the County in anticipation of the implementation of RTC and Universal Access.

As such, DCBA recommends the phasing in of unincorporated areas and incorporated cities, by ZIP code, as articulated in Appendices D, E, and F, to help achieve full RTC implementation and Universal Access by FY 2030-31.

In FY 2023-24, identified as Program Year 0 in Table 3 (above), DCBA and LAFLA would begin the phase-in by targeting ZIP codes with a significant percentage (at least 15%) of tenants living in an unincorporated area of the County as a first step toward implementing a full RTC. According to projections on demand for legal services in FY 2023-24, there would be approximately 2,550 households from the unincorporated areas seeking services, while SHLA would only have the capacity to assist approximately 1,800 of those households. Due to these capacity constraints, SHLA would not be able to assist every tenant living in an unincorporated area of the County. Thus, it would be imperative that DCBA and its partners start the ZIP code phase-in during Year 0 by prioritizing the highest needs ZIP codes in unincorporated Los Angeles County and include certain high priority ZIP codes in incorporated areas. The remaining ZIP codes in unincorporated areas of the County would be included after the expected launch of RTC in Year 1. The following is a summary of the Year 0 phase in (for details of the specific ZIP codes selected, please reference Appendix E):

- Total Number of ZIP codes prioritized for legal services: 41
- Total Number of UDs covered: 2,450

In FY 2024-25, identified as Program Year 1 and the launch year for RTC, SHLA would incorporate all remaining ZIP codes in unincorporated Los Angeles County not already phased in during Year 0. The Year 1 Phase-in summary is as follows:

- Total Number of additional ZIP codes prioritized for legal services: 70<sup>33</sup>
- Total Number of UD's covered: 3,200

In FY 2025-26, identified as Program Year 2, SHLA would expand ZIP code phase-in to include incorporated cities with high levels of tenant vulnerability. SAJE's OWN-IT tool was utilized to identify ZIP codes with high Tenant Vulnerability Scores for inclusion in the County's phase in during this Program Year (see Appendix D for a full description of SAJE's OWN-IT tool). While the phase-in approach during this Program Year prioritizes SHLA services to certain vulnerable ZIP codes outside of the unincorporated areas of the County (i.e., incorporated cities), legal representation services would still be accessible to all eligible tenants within the County's service area, to the extent there is capacity to serve them.

- Total Number of additional ZIP codes prioritized for legal services: 4
- Total Number of UD's covered: 3,600

In FY 2026-27, identified as Year 3, additional ZIP codes would be added based on vulnerability scores and additional program capacity:

- Total Number of additional ZIP codes selected: 5
- Total Number of UD's covered: 4,100

SHLA would continue adding additional ZIP codes through 2030-31 based on their vulnerability scores until all ZIP codes are phased in in throughout the County's service area to reach full Universal Representation. As DCBA and its partners receive new data on eviction filings and as program capacity increases, DCBA and its partners will adjust this phase-in plan.

## **Projected Implementation Budget**

As highlighted throughout the report, adequately funding SHLA is critical to not only maintaining the current infrastructure and positive impact the program has already made, but to ensure a sustainable expansion. While it is projected that there could be up to 15,300 tenant households that would seek legal representation from SHLA in the County's service delivery area alone by FY 2023-24, current allocated funding would only allow SHLA to provide legal representation to approximately 2,450 tenant households during that same fiscal year (see Tables 4 and 5 below). This demonstrates that even though the County has made significant strides in this space, the need far outweighs capacity.

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<sup>33</sup> 70 is the estimated number of additional ZIP codes that contain measurable number of tenants living in the unincorporated areas of the County.

Given the dynamic variables that must be weighed, Table 4 below details DCBA's current, Board of Supervisors approved budget allocations for the implementation of SHLA for the current FY and FY 2023-24.

**Table 4: Current Funding Allocations for Stay Housed L.A.**

| Current Funding Allocations for Stay Housed L.A. |                      |                      |
|--|----------------------|----------------------|
| Fiscal Year                                      | FY 2022-23           | FY 2023-24           |
| Project Year                                     | -                    | Year 0               |
| Funding Source                                   |                      |                      |
| American Rescue Plan Act (ARPA)Tranche I         | \$ 12,000,000        | \$ -                 |
| American Rescue Plan Act (ARPA)Tranche II        | \$ -                 | \$ 18,000,000        |
| Permanent Local Housing Allocation               | \$ 7,397,773         | \$ -                 |
| Supplemental ARPA Tranche I (Rental Assistance)  | \$ 2,000,000         | \$ -                 |
| Emergency Rental Assistance Program (ERAP) II    | \$ 1,224,611         | \$ -                 |
| <b>Total</b>                                     | <b>\$ 22,622,384</b> | <b>\$ 18,000,000</b> |

Table 5, below, outlines the projected costs and budget for phasing in the implementation of an RTC ordinance (potentially launching in FY 2024-25) and reaching full Universal Access by FY 2030-31. Of note, the current funding allocations to SHLA already reflect a deficit in investment and implies a larger service gap for FY 2023-24 when juxtaposed with FY 2022-23 and the service levels noted above.

**Table 5: Projected Budget for Phased-in Implementation of a County RTC Ordinance and Universal Access to Legal Representation Program (for FYs 2023/24 – 2030/31)**

| Projected Funding Needs for Phased-in Implementation of an RTC & Universal Access Program (FY 2023/24 – 2030/31)  |                     |                     |                     |                     |                     |                     |                     |                     |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Fiscal Year   | FY 2023-24          | FY 2024-25          | FY 2025-26          | FY 2026-27          | FY 2027-28          | FY 2028-29          | FY 2029-30          | FY 2030-31          |
| Program Year  | Year 0              | Year 1              | Year 2              | Year 3              | Year 4              | Year 5              | Year 6              | Year 7              |
| Projected Demand (by # of UD filings)   | 15,300              | 15,300              | 13,800              | 12,400              | 11,150              | 10,000              | 10,000              | 10,000              |
| Projected Capacity (# of represented UD cases)  | 2450                | 3200                | 3,600               | 4,100               | 5000                | 6850                | 8500                | 10,000              |
| Legal Services  | \$12,287,019        | \$16,051,337        | \$17,963,975        | \$20,420,688        | \$25,000,000        | \$34,250,000        | \$42,500,000        | \$50,000,000        |
| Outreach/Education  | \$2,457,404         | \$3,210,267         | \$3,592,795         | \$4,084,138         | \$5,000,000         | \$6,850,000         | \$8,500,000         | \$10,000,000        |
| Rental Assistance   | \$3,600,000         | \$3,600,000         | \$3,600,000         | \$3,600,000         | \$3,600,000         | \$3,600,000         | \$3,600,000         | \$3,600,000         |
| Facilities  | \$0                 | \$159,000           | \$233,700           | \$357,000           | \$547,800           | \$984,300           | \$1,375,300         | \$1,739,550         |
| <b>Total</b>  | <b>\$18,344,423</b> | <b>\$23,021,423</b> | <b>\$25,419,169</b> | <b>\$28,454,626</b> | <b>\$34,147,800</b> | <b>\$45,684,300</b> | <b>\$55,975,300</b> | <b>\$65,339,550</b> |
| -The collective projected budget assumes a County Right to Counsel Ordinance begins implementation in FY 2024-25 and reaching full Universal Access by 2030-31<br>-Annual projections assume a 10% reduction in demand for legal services due to the positive effects of SHLA in reducing eviction filings<br>-The projected budget for FY 2023-24 (Year 0) was developed using the existing funding allocation from ARPA Tranche 2 (\$18 million)<br>-The number of represented UD cases during Years 0 – 3 are the number of cases expected from priority ZIP codes |                     |                     |                     |                     |                     |                     |                     |                     |

The funding estimates outlined in Table 5 (above) are based on expected costs associated with providing full-scope legal representation to the projected number of represented UD cases, continued outreach and education to tenants, rental assistance, and costs for the procurement of physical office space to support the transition to more in-person services.

## **Next Steps**

DCBA recommends your Board take the following actions:

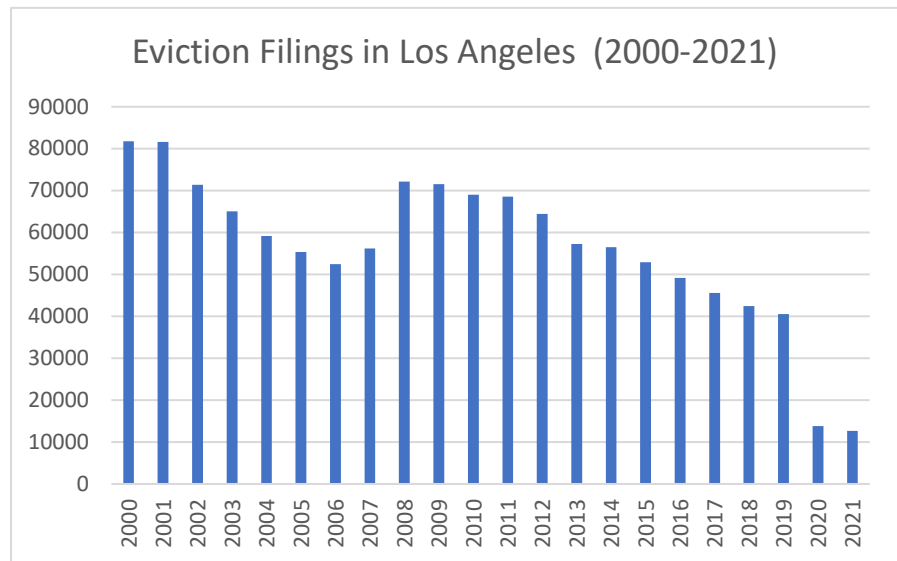
1. Approve DCBA's proposed implementation framework to:
  - a. Adopt a Right to Counsel (RTC) ordinance for unincorporated Los Angeles County to guarantee legal representation to eligible tenants; and/or
  - b. Phase in the implementation of a Universal Access to Legal Representation program to expand coverage of legal representation services to additional incorporated cities as DCBA scales up program capacity.
2. Direct CEO, in collaboration with Los Angeles County Affordable Housing Solutions Agency (LACAHS), to identify sustainable funding sources for implementation of an RTC ordinance and Universal Access program under the Stay Housed L.A. umbrella to eligible tenants countywide by 2030.

The projections outlined in this report highlight the critical need to adequately fund SHLA to not only maintain the current infrastructure and ensure a sustainable expansion but to meet the current demand for services. Current approved funding levels for FY 2022-23 and FY 2023-24 reflect a deficit in investment and indicate a larger service gap in FY 2023-24 when we take into account the anticipated increase in demand. Accordingly, as your Board evaluates the feasibility of adopting the proposed recommendations, DCBA recommends that the County infuse an additional \$5 million to supplement services in FY 2023-24. In the interim, DCBA will continue providing SHLA services, as currently implemented, and prepare to scale up operations should additional funding and resources be identified. DCBA also plans to make a continued effort to improve SHLA services by (1) leveraging existing County tenant and legal assistance programs to further expand SHLA's reach and effectiveness; and (2) building strategic partnerships with community-based organizations to improve upon and expand SHLA reach in higher needs communities.

## APPENDIX A – Unlawful Detainer (Eviction) Filing Data

### Los Angeles County Superior Court Aggregate Unlawful Detainer (Eviction) Filing Data (Calendar Years 2000 – 2021)

| Year | Filings | Monthly Average |
|------|---------|-----------------|
| 2000 | 81782   | 6815            |
| 2001 | 81573   | 6798            |
| 2002 | 71360   | 5947            |
| 2003 | 65072   | 5423            |
| 2004 | 59185   | 4932            |
| 2005 | 55322   | 4610            |
| 2006 | 52428   | 4369            |
| 2007 | 56205   | 4684            |
| 2008 | 72167   | 6014            |
| 2009 | 71530   | 5961            |
| 2010 | 68997   | 5750            |
| 2011 | 68527   | 5711            |
| 2012 | 64446   | 5371            |
| 2013 | 57263   | 4772            |
| 2014 | 56519   | 4710            |
| 2015 | 52924   | 4410            |
| 2016 | 49178   | 4098            |
| 2017 | 45602   | 3800            |
| 2018 | 42472   | 3539            |
| 2019 | 40572   | 3381            |
| 2020 | 13796   | 1150            |
| 2021 | 12,646  | 1054            |



## APPENDIX B – Original Targeted Neighborhoods & ZIP Codes

### Stay Housed LA County Targeted Neighborhoods & ZIP Codes (May 2022 – Present)

| Neighborhood/Community + ZIP Code(s)  | Supervisory District | Courthouse         |
|---|----------------------|--------------------|
| <b>Avocado Heights (91746)</b>  | 1                    | West Covina        |
| Baldwin Park (91706, 91797)   | 1                    | West Covina        |
| <b>Bassett (91746)</b>  | 1                    | West Covina        |
| Citrus (91722)  | 1                    | West Covina        |
| El Monte (91731, 91732, 91733, 91734, 91735)  | 1                    | West Covina        |
| El Monte (91770)  | 1                    | Pasadena           |
| <b>Hacienda Heights (90601, 91745)</b>  | <b>1</b>             | <b>West Covina</b> |
| <b>Hacienda Heights (90602, 90605)</b>  | <b>1</b>             | <b>Norwalk</b>     |
| Montebello (90640)  | 1                    | Stanley Mosk       |
| Monterey Park (90063, 91754, 91755, 91756)  | 1                    | Pasadena           |
| Pomona (91768, 91766, 91767, 91768, 91769, 91799)   | 1                    | West Covina        |
| South El Monte (91733)  | 1                    | Pasadena           |
| <b>Rowland Heights (91748)</b>  | 1                    | West Covina        |
| <b>South San Gabriel (91770)</b>  | 1                    | Pasadena           |
| <b>South San Jose Hills (91744)</b>   | 1                    | West Covina        |
| <b>Unincorporated Azusa (91702)</b>   | 1                    | West Covina        |
| <b>Unincorporated East Los Angeles (90063)</b>  | 1                    | Stanley Mosk       |
| <b>Valinda (91744)</b>  | 1                    | West Covina        |
| West Covina (91790, 91791, 91792, 91793)  | 1                    | West Covina        |
| <b>West Puente Valley (91744)</b>   | 1                    | West Covina        |
| Neighborhood/Community  | Supervisory District | Courthouse         |
| <b>Athens (90044)</b>   | 2                    | Compton            |
| <b>Athens (90047)</b>   | 2                    | Inglewood          |
| <b>Athens Village (90061)</b>   | 2                    | Compton            |
| Carson (90745, 90746, 90749, 90502)   | 2                    | Compton            |
| Carson (90248, 90810)   | 2                    | Long Beach         |
| Compton (90220, 90221, 90223, 90224, 90061)   | 2                    | Compton            |
| <b>Del Aire (90045, 90250)</b>  | 2                    | Inglewood          |
| <b>East Rancho Dominguez (90221)</b>  | 2                    | Compton            |
| <b>Florence-Firestone (90001, 90052)</b>  | 2                    | Stanley Mosk       |
| <b>Florence-Firestone (90002)</b>   | 2                    | Compton            |
| Gardena (90247, 90248)  | 2                    | Compton            |
| Gardena (90249)   | 2                    | Inglewood          |
| Inglewood (90301, 90302, 90303, 90304, 90305, 90306, 90307, 90308, 90309, 90310, 90311, 90312, 90313, 90397, 90398) | 2                    | Inglewood          |

|   |                             |                   |
|---|-----------------------------|-------------------|
| Lawndale (90260, 90261)   | 2                           | Inglewood         |
| <b>Lennox (90304)</b>   | 2                           | Inglewood         |
| <b>Rancho Dominguez (90220, 90221)</b>  | 2                           | Compton           |
| <b>West Athens (90047)</b>  | 2                           | Inglewood         |
| <b>West Rancho Dominguez (90059, 90220, 90248)</b>  | 2                           | Compton           |
| <b>West Carson (90502)</b>  | 2                           | Compton           |
| <b>Westmont (91766)</b>   | 2                           | West Covina       |
| <b>Willowbrook (90059, 90222)</b>   | 2                           | Compton           |
| <b>Wiseburn (90250)</b>   | 2                           | Inglewood         |
| <b>Neighborhood/Community</b>   | <b>Supervisory District</b> | <b>Courthouse</b> |
| <b>Topanga Canyon (90290)</b>   | 3                           | Santa Monica      |
| <b>Unincorporated San Fernando (91340, 91341, 91342)</b>  | 3                           | Chatsworth        |
| <b>West Chatsworth (91311, 91313)</b>   | 3                           | Chatsworth        |
| <b>Neighborhood/Community</b>   | <b>Supervisory District</b> | <b>Courthouse</b> |
| Artesia (90701, 90702, 90703)   | 4                           | Norwalk           |
| Bell (90040)  | 4                           | Stanley Mosk      |
| Bell (90096, 90201, 90202)  | 4                           | Norwalk           |
| Bellflower (90706, 90707)   | 4                           | Norwalk           |
| Bell Gardens (90040)  | 4                           | Stanley Mosk      |
| Bell Gardens (90103, 90201, 90202)  | 4                           | Norwalk           |
| Cudahy (90201)  | 4                           | Norwalk           |
| Downey (90239, 90240, 90241, 90242)   | 4                           | Norwalk           |
| <b>East La Mirada (90604)</b>   | 4                           | Norwalk           |
| Hawaiian Gardens (90716)  | 4                           | Norwalk           |
| Huntington Park   | 4                           | Norwalk           |
| Long Beach (90840, 90801, 90802, 90803, 90804, 90805, 90806, 90807, 90808, 90809, 90810, 90813, 90814, 90815, 90822, 90832, 90834, 90835, 90842, 90844, 90845, 90847, 90848, 90853, 90888, 90899, 90846, 90831) | 4                           | Long Beach        |
| <b>Los Nietos (90670)</b>   | 4                           | Norwalk           |
| Lynwood (90002, 90262)  | 4                           | Norwalk           |
| Maywood (90270)   | 4                           | Norwalk           |
| North Long Beach (90805)  | 4                           | Norwalk           |
| Norwalk (90650, 90651, 90652, 90659)  | 4                           | Norwalk           |
| Paramount (90723)   | 4                           | Compton           |
| South Gate (90280)  | 4                           | Norwalk           |
| <b>South Whittier (90604)</b>   | 4                           | Norwalk           |
| <b>Walnut Park (90255)</b>  | 4                           | Norwalk           |
| <b>West Whittier (90606)</b>  | 4                           | Norwalk           |

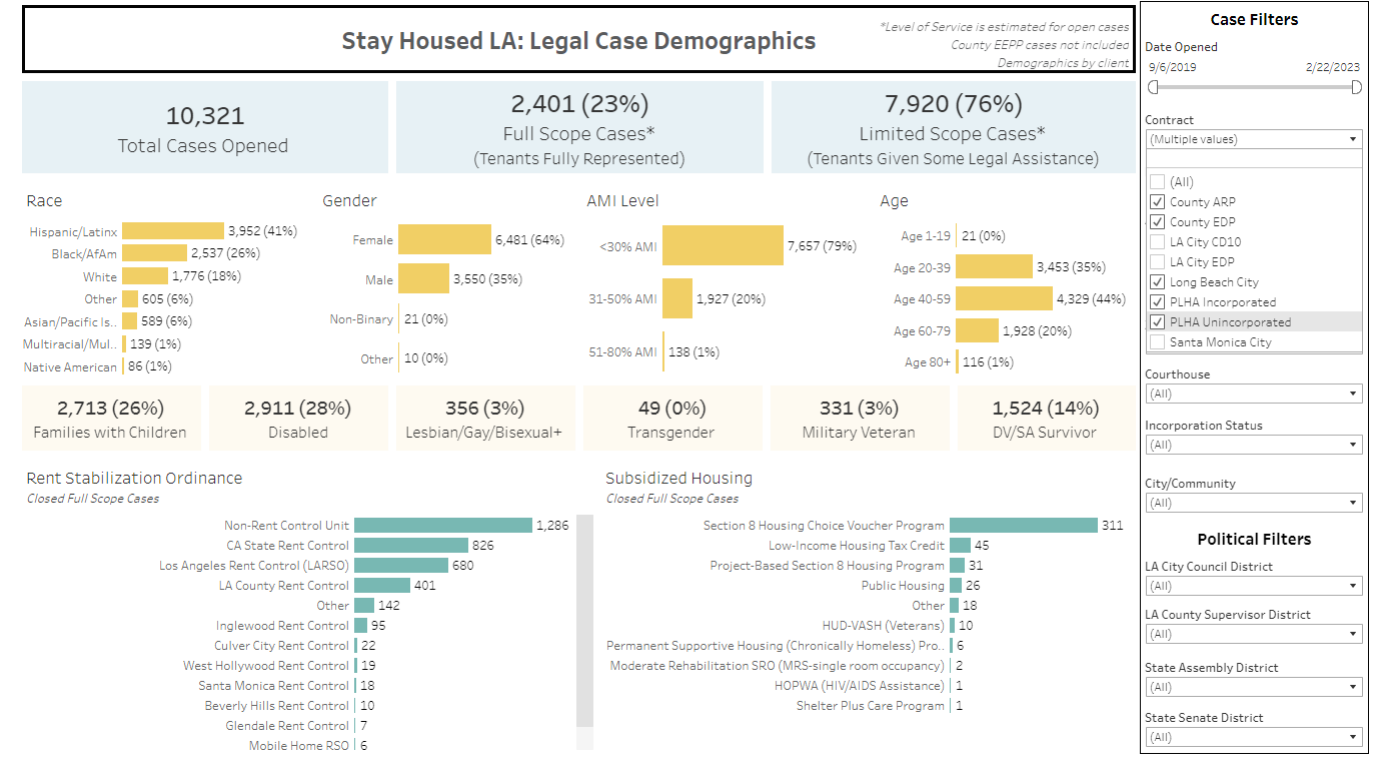


| Neighborhood/Community   | Supervisory District | Courthouse      |
|--|----------------------|-----------------|
| <b>Altadena (91001, 91003)</b>   | 5                    | Chatsworth      |
| <b>Charter Oak (91724)</b>   | 5                    | West Covina     |
| <b>Del Sur (93534)</b>   | 5                    | Antelope Valley |
| <b>Duarte (91008, 91009, 91010)</b>  | 5                    | Pasadena        |
| Glendale (91020, 91201, 91202, 91203, 91204, 91205, 91206, 91207, 91208, 91209, 91214, 91221, 91222, 91224, 91225, 91226, 91210)   | 5                    | Pasadena        |
| <b>Hi Vista (93535)</b>  | 5                    | Antelope Valley |
| <b>Juniper Hills (93543)</b>   | 5                    | Antelope Valley |
| <b>Lake Los Angeles (93535, 93550, 93591)</b>  | 5                    | Antelope Valley |
| <b>Lakeview (93550)</b>  | 5                    | Antelope Valley |
| Lancaster (93534, 93535, 93536, 93539, 93584, 93586)   | 5                    | Antelope Valley |
| <b>Llano (93544)</b>   | 5                    | Antelope Valley |
| Palmdale (93550, 93551, 93590, 93591, 93599)   | 5                    | Antelope Valley |
| Pasadena (91001, 91011, 91101, 91102, 91103, 91104, 91105, 91106, 91107, 91108, 91109, 91110, 91114, 91115, 91116, 91117, 91121, 91123, 91124, 91126, 91129, 91131, 91175, 91182, 91184, 91185, 91186, 91187, 91188, 91189, 91191) | 5                    | Pasadena        |
| <b>Pearblossom (93553)</b>   | 5                    | Antelope Valley |
| <b>Quartz Hill (93536)</b>   | 5                    | Antelope Valley |
| <b>Redman (93535)</b>  | 5                    | Antelope Valley |
| <b>Roosevelt (93535)</b>   | 5                    | Antelope Valley |
| <b>Sun Village (93552)</b>   | 5                    | Antelope Valley |
| <b>Valyermo (93563)</b>  | 5                    | Antelope Valley |
| <b>Wilsona Gardens (93535)</b>   | 5                    | Antelope Valley |

\***Bolded** neighborhoods represent high-risk and high-need areas in unincorporated Los Angeles County that were especially targeted for SHLA services as part of the service delivery agreements executed in May of 2022.

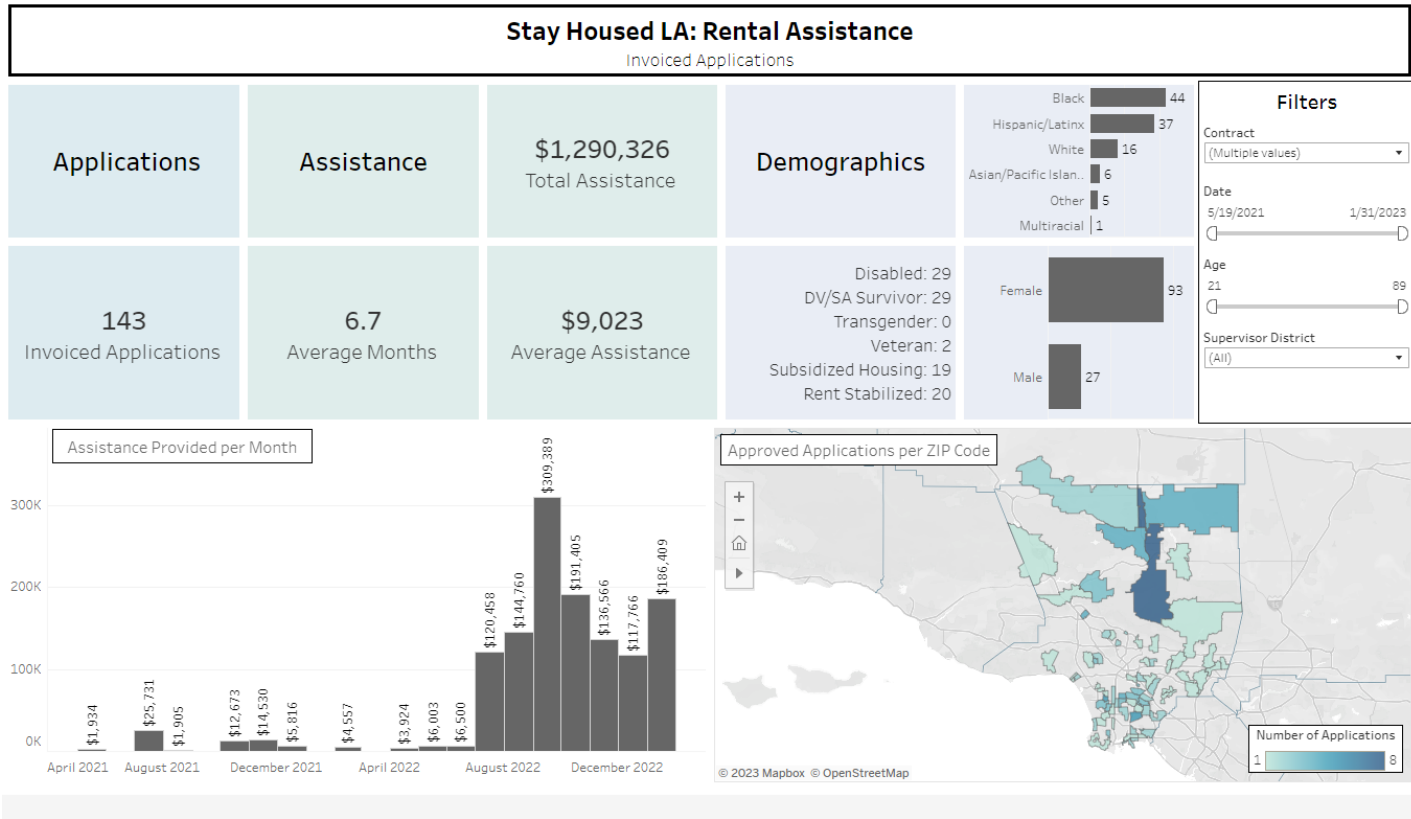
## APPENDIX C – SHLA Metrics and Milestones

### Stay Housed L.A. County: Legal Case Demographics (September 6, 2019 – February 22, 2023)



AMI: Area Median Income  
 DV: Domestic Violence  
 SA: Sexual Assault

## Stay Housed L.A. County: Rental Assistance (May 19, 2021 – January 31, 2023)



## **APPENDIX D – Legal Aid Foundation of Los Angeles Right to Counsel ZIP Code Prioritization Methodology**

### **Right to Counsel Phase-In: ZIP Code Prioritization Methodology**

The purpose of this analysis is to create a phase-in plan for a right to counsel in Los Angeles County through the Stay Housed LA program. Phase-in will be conducted by ZIP codes and prioritized based on vulnerability, projected eviction filings, and Stay Housed LA program capacity.

This document outlines the data sources, calculations, assumptions, and selection process used to create the ZIP code phase-in plan for the City and the County.

### **Vulnerability**

Strategic Actions for a Just Economy (SAJE) [OWN-IT](#) tool calculates the displacement vulnerability for each ZIP code as a single composite score. This composite score includes: (1) renter population score, (2) non-white renter population score, (3) renter cost burden score, (4) owner cost burden score, (5) long-time renter score, (6) median income score, and (7) unemployment score. The composite score ranges from 1-78.

Additionally, the City conducted its own analysis of ZIP code vulnerability. The analysis used Emergency Rental Assistance Program (ERAP) application approvals and housing vulnerability indices to identify Census tracts with high vulnerability and low approvals. From this analysis, the City selected 60 priority ZIP codes. The City's chosen ZIP codes align with high scoring ZIP codes from OWN-IT. The City has expressed interest in using OWN-IT going forward as a tool for measuring vulnerability. For the prioritization, the OWN-IT score is used as the primary vulnerability metric to prioritize ZIP codes.

### **Political Jurisdictions**

Currently, eviction filing information is only available aggregated at the countywide level. To plan for implementation funding, it is critical to understand the distribution of evictions among City of Los Angeles residents, unincorporated residents, and residents of other incorporated cities. Furthermore, it is necessary to understand this distribution within each ZIP code, where several jurisdictions often overlap.

The [LA County Parcels](#) file was used to calculate the percentage of unincorporated, incorporated, and City of Los Angeles rental units within a ZIP code. First, the parcels were filtered for residential parcels without a homeowner tax exemption to create a dataset of all rental parcels. Each parcel has information about the city, ZIP code, and number of units, which was used to add up the number of rental units for each jurisdiction. This results in a percentage of rental units that are unincorporated, City of Los Angeles, and other cities for each ZIP code. Overall, 50 percent of rental units are for Los Angeles City, 8 percent are unincorporated, and 42 percent are in other cities.

Furthermore, it is necessary to understand which City Council Districts and Supervisor Districts the ZIP code crosses for political considerations of the phase-in plan. Using shapefiles for [Los Angeles City Council Districts](#) (2021) and [Los Angeles County Supervisor District](#) (2021), the primary and secondary districts were calculated by area.

## Eviction Filing Projections

Eviction filing data in Los Angeles County is only available aggregated at the Courthouse level, presenting a challenge for ZIP code level projections. However, a ZIP code level dataset of Sheriff's Lockouts is available for 2009-2022 (acquired through a Public Records Act request from LA County Superior Court, which can be used to estimate the number of filings.

First, ZIP code level lockouts in 2018 were used to estimate the total number of filings. Using a partial dataset of actual 2018 filings, the lockout/filing ratio was calculated as 0.50 (approximately half of eviction filings result in a lockout). This ratio is consistent with historic data for Los Angeles County. Applying this ratio to 2018 lockouts results in an estimated number of eviction filings for each ZIP code in 2018.

Pandemic era protections end at the beginning of 2023 and make it challenging to predict how many evictions will be filed in 2023. To estimate the number of eviction filings, LAFLA assumes a 25 percent increase in 2018 filings. This estimate assumes that filings will return to pre-pandemic levels, plus an initial spike due to pandemic-era eviction protections ending. This results in an estimate of 50,000 eviction filings in 2023 in the entire county.

To estimate the number of tenants with an eviction who come to the Stay Housed LA program, we reduce the 2023 estimated filings by 40 percent. This reduction accounts for defaults, move-outs, ineligible tenants, and tenants who otherwise do not come to Stay Housed LA. This results in an estimated 30,000 households with pending evictions seeking services from Stay Housed LA in 2023.

To project annual demand for Stay Housed L.A. services over the seven-year phase-in period, a 10 percent yearly reduction is applied to account for the effects of the program. The chart below shows projected number of households experiencing an eviction that would potentially seek SHLA by jurisdiction over the next seven years. (The breakdown by jurisdiction was found using the percentages calculated in a previous step).

| 7-Year Projected Demand for SHLA Legal Services (by # of households) |         |         |         |         |         |         |         |         |
|--|---------|---------|---------|---------|---------|---------|---------|---------|
| Program Year   | Year 0  | Year 1  | Year 2  | Year 3  | Year 4  | Year 5  | Year 6  | Year 7  |
| Fiscal Year  | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 2030-31 |
| City of L.A.   | 14,900  | 14,900  | 13,400  | 12,100  | 10,850  | 9,800   | 9,800   | 9,800   |
| Unincorporated L.A. County   | 2,550   | 2,550   | 2,300   | 2,100   | 1,850   | 1,650   | 1,650   | 1,650   |

|   |               |               |               |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Incorporated Cities (Excluding City of L.A.)  | 12,750        | 12,750        | 11,500        | 10,300        | 9,300         | 8,350         | 1,650         | 1,650         |
| <b>Grand Total</b>  | <b>30,200</b> | <b>30,200</b> | <b>27,200</b> | <b>24,500</b> | <b>22,000</b> | <b>19,800</b> | <b>19,800</b> | <b>19,800</b> |
| <b>County Service Area (Unincorporated Areas + Incorporated Cities)</b>   | <b>15,300</b> | <b>15,300</b> | <b>13,800</b> | <b>12,400</b> | <b>11,150</b> | <b>10,000</b> | <b>10,000</b> | <b>10,000</b> |
| <p>-Annual projections assume a 10% reduction in demand for services due to the positive effects of SHLA in reducing eviction filings</p> <p>-The projected demand for SHLA services in Year 0 and Year 1 are identical in Table 2 due to limitations in the applied methodology for projecting the change in demand for SHLA services during those first two years of implementation. The identical figures should not be interpreted to suggest that UD filings and demand for services wouldn't change during those two fiscal years, but that the County and its partners expect demand to remain constant.</p> <p>-In Year 5, the program would expect to see demand to level off and remain constant for subsequent years.</p> <p>-The projected demand for SHLA services during 2023 and all subsequent years is not meant to suggest that the program will have the capacity to meet the expected demand for legal services. The projected figures are meant to provide context what a fully funded program could expect to experience with regards to demand for legal services.</p> |               |               |               |               |               |               |               |               |

## Program Capacity

Current program capacity is calculated using the existing number of attorneys in the program, assuming 50 UD/attorney each year (see Year 0 on the chart for existing capacity). For the County, capacity for the first three years is determined by need in the selected ZIP codes, then scales up for to a full RTC by Year 7. City program expansion begins in FY 2024-25 and increases steadily each year until full RTC in Year 5.

The goal is to increase program capacity to handle 20,000 evictions a year, as shown in the seven-year UD projection. Evictions are split evenly between the City and County, based on the jurisdiction percentages calculated previously.

| Projected SHLA RTC & Universal Access Phase-in Program Demand & Capacity                               |               |               |               |               |               |               |               |               |
|--|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| County Fiscal Year (FY)  | FY 2023-24    | FY 2024-25    | FY 2025-26    | FY 2026-27    | FY 2027-28    | FY 2028-29    | FY 2029-30    | FY 2030-31    |
| Program Year   | Year 0        | Year 1        | Year 2        | Year 3        | Year 4        | Year 5        | Year 6        | Year 7        |
| Projected County of L.A. Service Area Phase-in Demand & Capacity for Legal Services (by # of UD cases) |               |               |               |               |               |               |               |               |
| Unincorporated Area Demand   | 2,550         | 2,550         | 2,300         | 2,100         | 1,850         | 1,650         | 1,650         | 1,650         |
| Selected Incorporated Area Demand  | 12,750        | 12,750        | 11,500        | 10,300        | 9,300         | 8,350         | 8,350         | 8,350         |
| <b>Total County Demand for Legal Services</b>  | <b>15,300</b> | <b>15,300</b> | <b>13,800</b> | <b>12,400</b> | <b>11,150</b> | <b>10,000</b> | <b>10,000</b> | <b>10,000</b> |
| Unincorporated Area Capacity   | 1,800         | 2,550         | 2,300         | 2,100         | 1,850         | 1,650         | 1,650         | 1,650         |
| Selected Incorporated Area Capacity  | 650           | 650           | 1,292         | 2,000         | 3,150         | 5,200         | 6,850         | 8,350         |
| <b>Total County Service Area Capacity</b>  | <b>2,450</b>  | <b>3200</b>   | <b>3600</b>   | <b>4100</b>   | <b>5000</b>   | <b>6,850</b>  | <b>8,500</b>  | <b>10,000</b> |
| Estimated # of Attorneys Needed per FY   | 49            | 64            | 72            | 82            | 100           | 137           | 170           | 200           |
| Projected City of L.A. Service Area Phase-in Demand & Capacity (by # of UD cases)                      |               |               |               |               |               |               |               |               |
| <b>City Demand for Services</b>  | <b>14,900</b> | <b>14,900</b> | <b>13,400</b> | <b>12,100</b> | <b>10,900</b> | <b>9,800</b>  | <b>9,800</b>  | <b>9,800</b>  |
| <b>City of L.A. Service Area Capacity</b>  | <b>1,650</b>  | <b>2,550</b>  | <b>3,500</b>  | <b>4,950</b>  | <b>7,500</b>  | <b>10,000</b> | <b>10,000</b> | <b>10,000</b> |

|   |               |               |               |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Estimated # of Attorneys Needed per FY  | 33            | 51            | 70            | 99            | 150           | 200           | 200           | 200           |
| <b>Projected Total Countywide Phase-in Demand &amp; Capacity</b>  |               |               |               |               |               |               |               |               |
| <b>Countywide Demand</b>  | <b>30,200</b> | <b>30,200</b> | <b>27,200</b> | <b>24,500</b> | <b>22,000</b> | <b>19,800</b> | <b>19,800</b> | <b>19,800</b> |
| <b>Countywide Capacity</b>  | <b>4,100</b>  | <b>5,750</b>  | <b>7,100</b>  | <b>9,050</b>  | <b>12,500</b> | <b>16,850</b> | <b>18,500</b> | <b>20,000</b> |
| <b>Estimated # of Attorneys Needed per FY</b>   | <b>82</b>     | <b>115</b>    | <b>142</b>    | <b>181</b>    | <b>250</b>    | <b>337</b>    | <b>370</b>    | <b>400</b>    |
| <i>-Year 1 would be the assumed launch year for a RTC in unincorporated L.A. County</i><br><i>-Year 7 would be the targeted year for achieving universal access for legal services countywide</i><br><i>-Annual projections assume a 10% reduction in demand for legal services due to the positive effects of SHLA in reducing eviction filings</i><br><i>-Program capacity based on 50 UD cases per attorney, per fiscal year</i> |               |               |               |               |               |               |               |               |

## Selecting ZIP Codes

The information calculated in the previous steps was compiled into an Excel spreadsheet to use for ZIP code selection.

The spreadsheet was first sorted by vulnerability, so the most vulnerable ZIP codes were at the top. The implementation committee then selected ZIP codes for Year 0, Year 1, and Year 2 based on the number of projected evictions, until the number of UDs in selected ZIP codes equaled program capacity for that year. Also considered was the share of unincorporated tenants in a ZIP code and ensuring that each council district and supervisor district had at least one ZIP code.

ZIP codes were only selected through Year 3 of the program. At that point, program capacity and need will be reassessed and a phase-in plan for the remaining ZIP codes will be created.

| <b>County Phase-In Summary</b> |  |   |                            |               |
|--------------------------------|--|---|----------------------------|---------------|
| <b>Supervisory District</b>    | <b>Year 0</b>  | <b>Year 1</b>                               | <b>Year 2</b>              | <b>Year 3</b> |
| 1                              | 91745, 91749, 90022, 91724, 91722, 91746, 90063, 91744, 90601, 91775   | Add remaining 7,252 unincorporated tenants  |                            |               |
| 2                              | 90001, 90222, 90002, 90221, 90502, 90056, 90304, 90044, 90220  | Add remaining 4,126 unincorporated tenants  |                            | 90303, 90301  |
| 3                              | 90290  | Add remaining 1,706 unincorporated tenants  |                            |               |
| 4                              | 90605, 90601, 90630, 90604, 90606  | Add remaining 2,372 unincorporated tenants  | 90201, 90262, 90255, 90270 | 90813, 90280  |
| 5                              | 91775, 93544, 91381, 93243, 93532, 93553, 93510, 93563, 93543, 91384, 93591, 91001, 91020, 91241, 91390, 90608, 91310, 93590 | Add remaining 13,715 unincorporated tenants |                            | 91201         |

## APPENDIX E – ZIP Code Phase-In Justification Table

Justification Table

This table summarizes why each ZIP code was chosen for the phase-in. See above for more detail.

| ZIP Code | Supervisor District | Percent Unincorporated | Vulnerability Score | Phase-In Year | Justification                                    |
|----------|---------------------|------------------------|---------------------|---------------|--|
| 90605    | 4                   | 63.0%                  | 44                  | Year 0        | Significant percentage of unincorporated tenants |
| 90222    | 2                   | 52.8%                  | 70                  | Year 0        | Significant percentage of unincorporated tenants |
| 91748    | 1                   | 99.9%                  | 45                  | Year 0        | Significant percentage of unincorporated tenants |
| 90221    | 2                   | 23.7%                  | 68                  | Year 0        | Significant percentage of unincorporated tenants |
| 90002    | 2                   | 30.6%                  | 75                  | Year 0        | Significant percentage of unincorporated tenants |
| 91722    | 1                   | 46.3%                  | 39                  | Year 0        | Significant percentage of unincorporated tenants |
| 91745    | 1                   | 100.0%                 | 32                  | Year 0        | Significant percentage of unincorporated tenants |
| 90001    | 2                   | 78.3%                  | 71                  | Year 0        | Significant percentage of unincorporated tenants |
| 90022    | 1                   | 98.3%                  | 62                  | Year 0        | Significant percentage of unincorporated tenants |
| 91724    | 1                   | 47.3%                  | 36                  | Year 0        | Significant percentage of unincorporated tenants |
| 90601    | 4, 1                | 27.6%                  | 37                  | Year 0        | Significant percentage of unincorporated tenants |
| 91775    | 5, 1                | 61.6%                  | 34                  | Year 0        | Significant percentage of unincorporated tenants |
| 91746    | 1                   | 77.4%                  | 49                  | Year 0        | Significant percentage of unincorporated tenants |
| 90063    | 1                   | 72.7%                  | 59                  | Year 0        | Significant percentage of unincorporated tenants |
| 91744    | 1                   | 61.0%                  | 45                  | Year 0        | Significant percentage of unincorporated tenants |



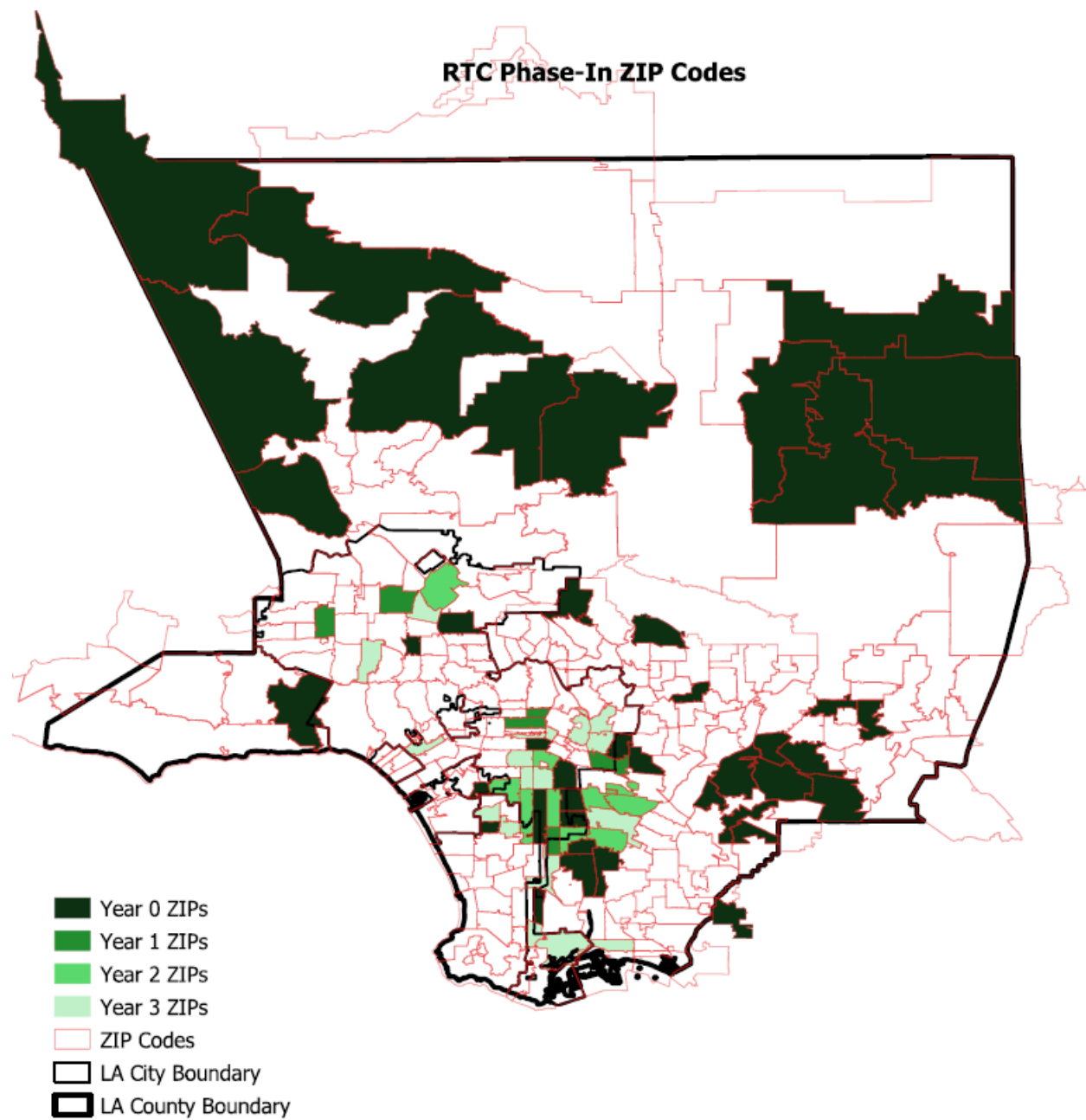
|       |   |        |     |        |  |
|-------|---|--------|-----|--------|--|
| 90502 | 2 | 100.0% | 29  | Year 0 | Significant percentage of unincorporated tenants |
| 90056 | 2 | 90.3%  | 53  | Year 0 | Significant percentage of unincorporated tenants |
| 90304 | 2 | 83.7%  | 68  | Year 0 | Significant percentage of unincorporated tenants |
| 90044 | 2 | 30.8%  | 74  | Year 0 | Significant percentage of unincorporated tenants |
| 90220 | 2 | 16.5%  | 60  | Year 0 | Significant percentage of unincorporated tenants |
| 90290 | 3 | 98.3%  | 22  | Year 0 | Significant percentage of unincorporated tenants |
| 90630 | 4 | 100.0% | N/A | Year 0 | Significant percentage of unincorporated tenants |
| 90604 | 4 | 96.9%  | 37  | Year 0 | Significant percentage of unincorporated tenants |
| 90606 | 4 | 79.7%  | 43  | Year 0 | Significant percentage of unincorporated tenants |
| 93544 | 5 | 100.0% | 44  | Year 0 | Significant percentage of unincorporated tenants |
| 91381 | 5 | 100.0% | 39  | Year 0 | Significant percentage of unincorporated tenants |
| 93243 | 5 | 100.0% | 39  | Year 0 | Significant percentage of unincorporated tenants |
| 93532 | 5 | 100.0% | 38  | Year 0 | Significant percentage of unincorporated tenants |
| 93553 | 5 | 100.0% | 37  | Year 0 | Significant percentage of unincorporated tenants |
| 93510 | 5 | 100.0% | 26  | Year 0 | Significant percentage of unincorporated tenants |
| 93563 | 5 | 100.0% | 17  | Year 0 | Significant percentage of unincorporated tenants |
| 93543 | 5 | 99.9%  | 46  | Year 0 | Significant percentage of unincorporated tenants |

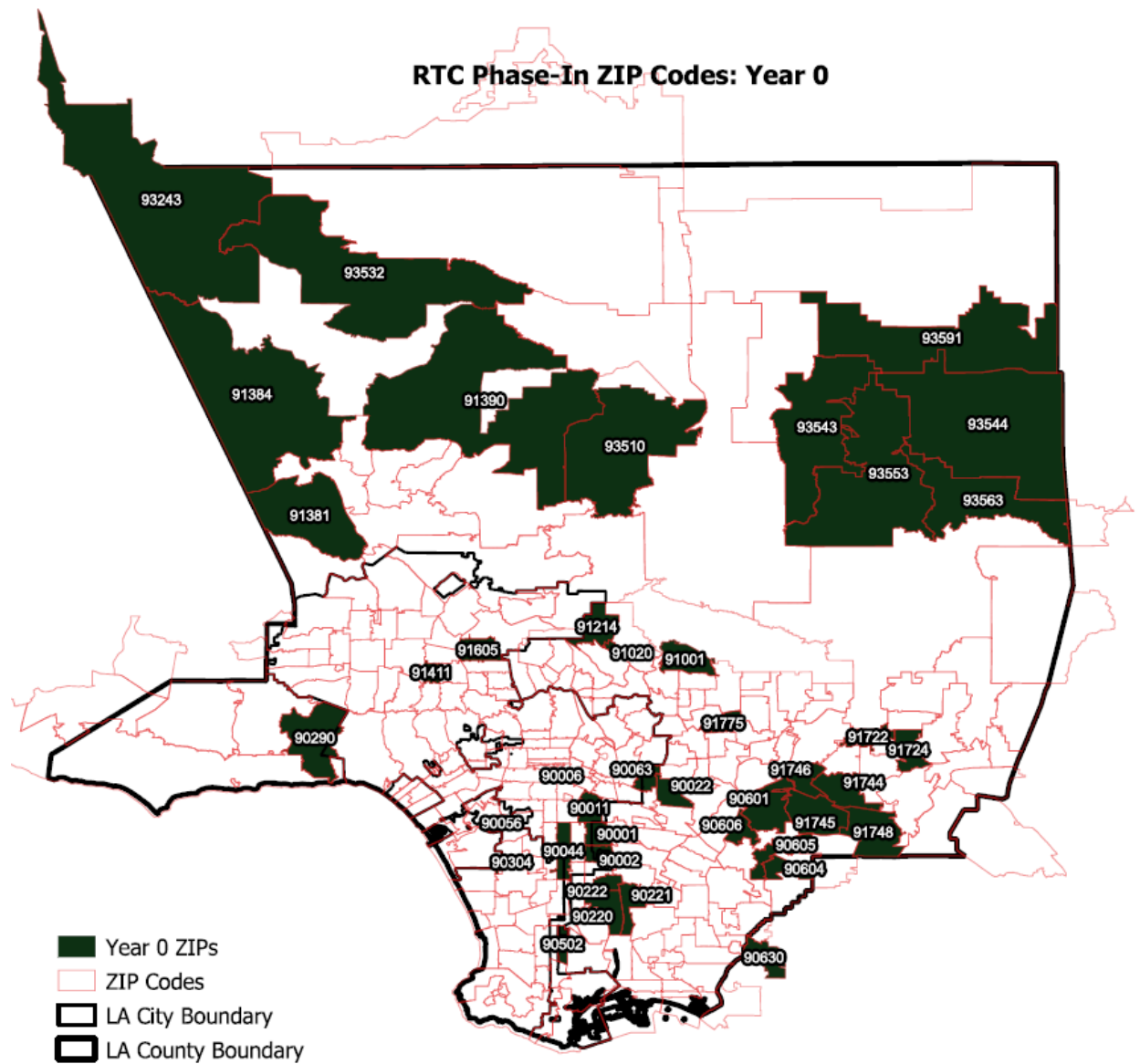
|       |     |        |     |        |  |
|-------|-----|--------|-----|--------|--|
| 91384 | 5   | 99.9%  | 27  | Year 0 | Significant percentage of unincorporated tenants   |
| 93591 | 5   | 99.7%  | 46  | Year 0 | Significant percentage of unincorporated tenants   |
| 91001 | 5   | 98.7%  | 39  | Year 0 | Significant percentage of unincorporated tenants   |
| 91020 | 5   | 77.3%  | 52  | Year 0 | Significant percentage of unincorporated tenants   |
| 91214 | 5   | 42.8%  | 31  | Year 0 | Significant percentage of unincorporated tenants   |
| 91390 | 5   | 36.8%  | N/A | Year 0 | Significant percentage of unincorporated tenants   |
| 90608 | N/A | 100.0% | N/A | Year 0 | Significant percentage of unincorporated tenants   |
| 91310 | N/A | 100.0% | N/A | Year 0 | Significant percentage of unincorporated tenants   |
| 93590 | N/A | 100.0% | N/A | Year 0 | Significant percentage of unincorporated tenants   |
| 90006 | 2   | 0.0%   | 72  | Year 0 | City of LA Phase-In                                |
| 90011 | 2   | 0.0%   | 78  | Year 0 | City of LA Phase-In                                |
| 91605 | 3   | 0.0%   | 64  | Year 0 | City of LA Phase-In                                |
| 91411 | 3   | 0.0%   | 58  | Year 0 | City of LA Phase-In                                |
| 90023 | 1   | 35.7%  | 68  | Year 1 | City of LA Phase-In                                |
| 90029 | 1   | 0.0%   | 67  | Year 1 | City of LA Phase-In                                |
| 90061 | 2   | 36.1%  | 66  | Year 1 | City of LA Phase-In                                |
| 90004 | 2   | 0.0%   | 60  | Year 1 | City of LA Phase-In                                |
| 91343 | 3   | 0.0%   | 59  | Year 1 | City of LA Phase-In                                |
| 91306 | 3   | 0.0%   | 58  | Year 1 | City of LA Phase-In                                |
| 90262 | 4   | 0.0%   | 70  | Year 2 | Highly vulnerable ZIP code in an incorporated city |
| 90255 | 4   | 20.8%  | 70  | Year 2 | Highly vulnerable ZIP code in an incorporated city |

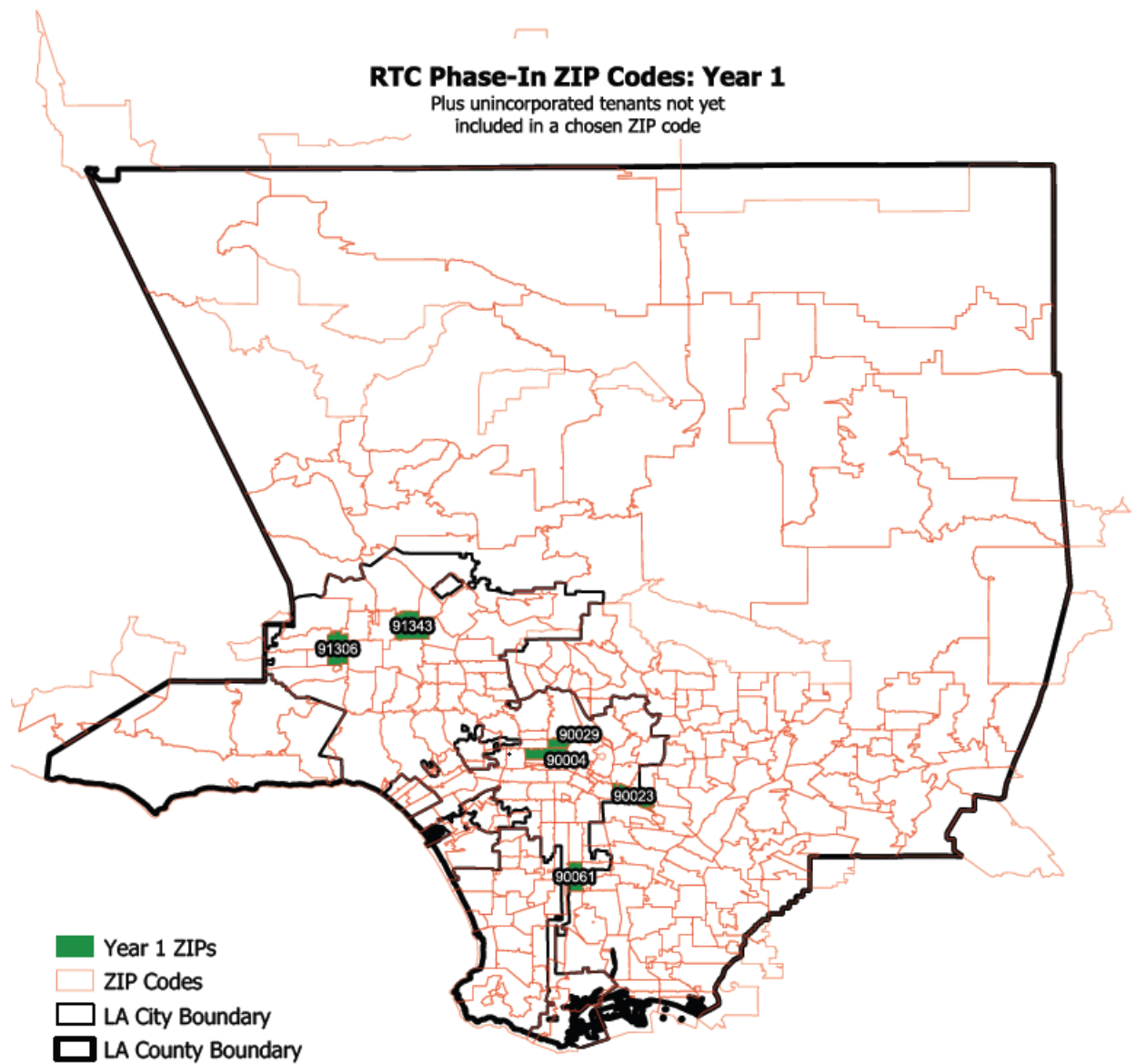
|       |   |       |    |        |  |
|-------|---|-------|----|--------|--|
| 90201 | 4 | 0.0%  | 71 | Year 2 | Highly vulnerable ZIP code in an incorporated city |
| 90270 | 4 | 0.0%  | 71 | Year 2 | Highly vulnerable ZIP code in an incorporated city |
| 90059 | 2 | 38.0% | 71 | Year 2 | City of LA Phase-In                                |
| 90043 | 2 | 21.5% | 65 | Year 2 | City of LA Phase-In                                |
| 90007 | 2 | 0.0%  | 70 | Year 2 | City of LA Phase-In                                |
| 90003 | 2 | 0.0%  | 75 | Year 2 | City of LA Phase-In                                |
| 90047 | 2 | 27.7% | 64 | Year 2 | City of LA Phase-In                                |
| 91331 | 3 | 0.0%  | 62 | Year 2 | City of LA Phase-In                                |
| 90280 | 4 | 0.0%  | 67 | Year 3 | Highly vulnerable ZIP code in an incorporated city |
| 90303 | 2 | 0.0%  | 64 | Year 3 | Highly vulnerable ZIP code in an incorporated city |
| 90301 | 2 | 0.0%  | 63 | Year 3 | Highly vulnerable ZIP code in an incorporated city |
| 90813 | 4 | 0.0%  | 69 | Year 3 | Highly vulnerable ZIP code in an incorporated city |
| 91201 | 5 | 0.0%  | 62 | Year 3 | Highly vulnerable ZIP code in an incorporated city |
| 90057 | 1 | 0.0%  | 69 | Year 3 | City of LA Phase-In                                |
| 90033 | 1 | 0.0%  | 66 | Year 3 | City of LA Phase-In                                |
| 90031 | 1 | 0.0%  | 65 | Year 3 | City of LA Phase-In                                |
| 90012 | 1 | 0.0%  | 60 | Year 3 | City of LA Phase-In                                |
| 90037 | 2 | 0.0%  | 75 | Year 3 | City of LA Phase-In                                |
| 90005 | 2 | 0.0%  | 63 | Year 3 | City of LA Phase-In                                |
| 90018 | 2 | 0.0%  | 67 | Year 3 | City of LA Phase-In                                |
| 90062 | 2 | 0.0%  | 61 | Year 3 | City of LA Phase-In                                |
| 91402 | 3 | 0.0%  | 69 | Year 3 | City of LA Phase-In                                |
| 91316 | 3 | 0.0%  | 46 | Year 3 | City of LA Phase-In                                |

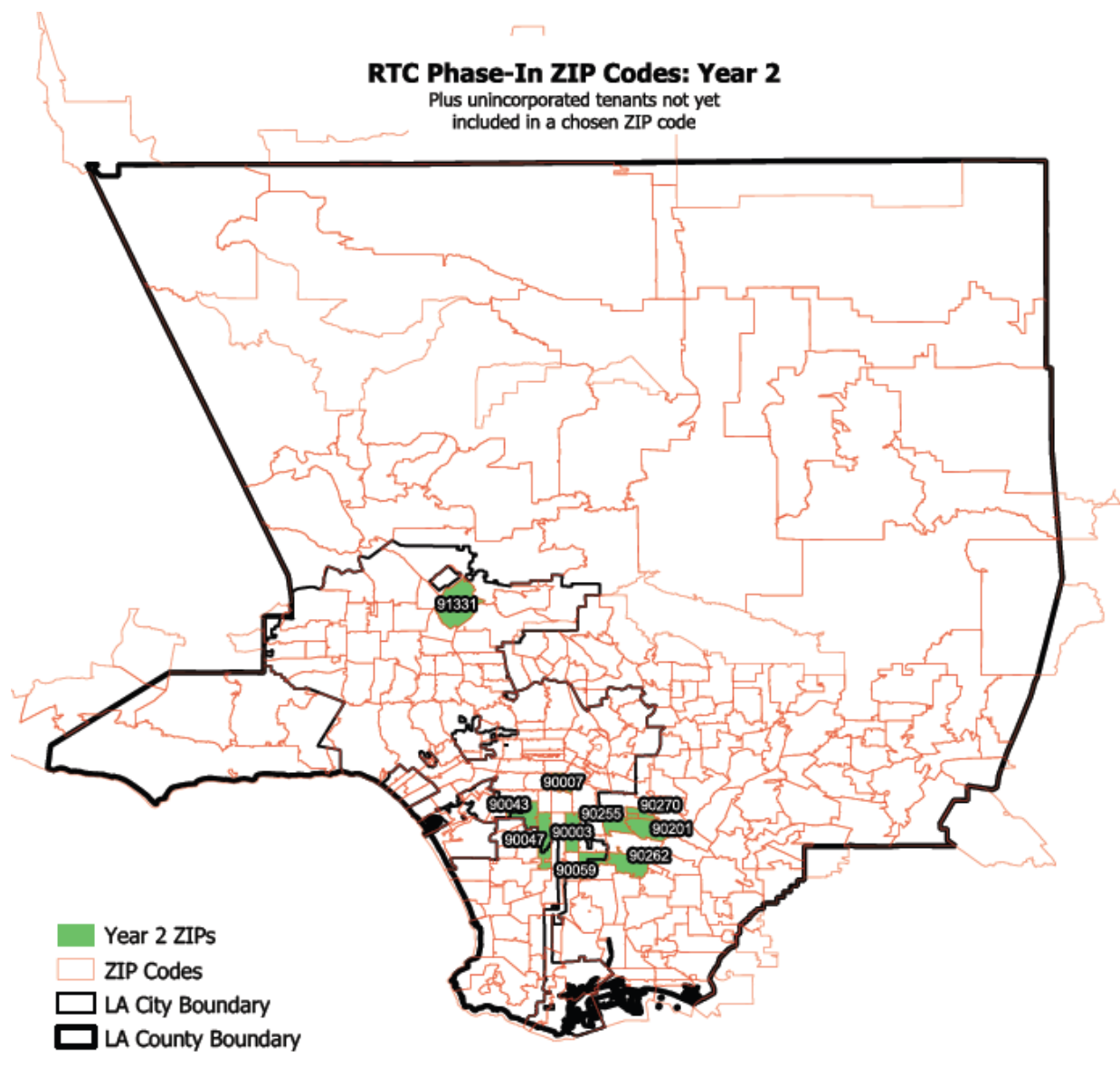
|       |   |       |    |        |                     |
|-------|---|-------|----|--------|---------------------|
| 90025 | 3 | 0.0%  | 36 | Year 3 | City of LA Phase-In |
| 90710 | 4 | 12.9% | 56 | Year 3 | City of LA Phase-In |
| 90744 | 4 | 0.0%  | 68 | Year 3 | City of LA Phase-In |

## APPENDIX F – Right to Counsel Phase-In ZIP Code & Tenant Vulnerability Maps

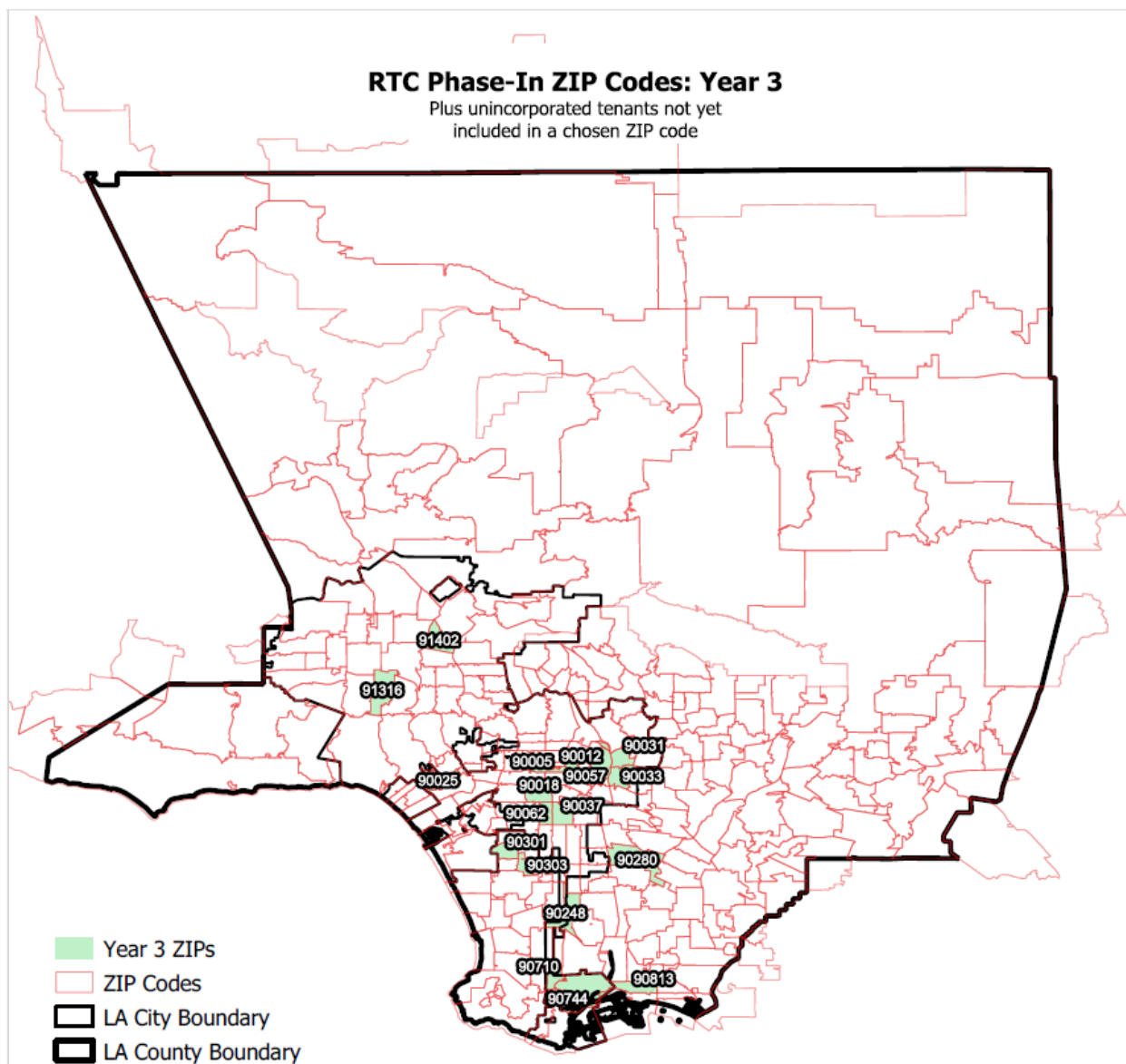




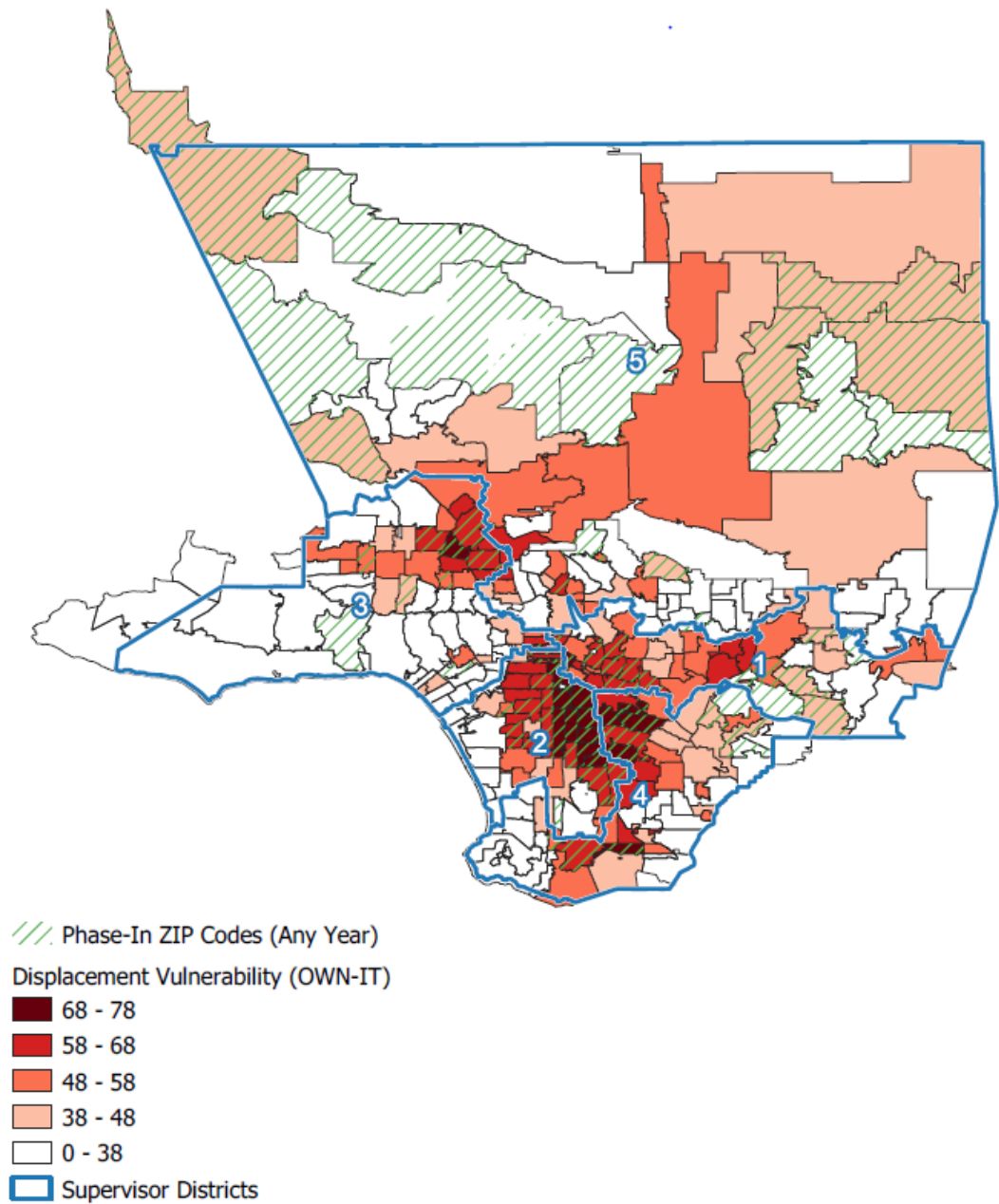








Displacement Vulnerability and Phase-In ZIP Codes  
LA County Supervisor Districts





**COUNTY OF LOS ANGELES**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, CA 90012  
(213) 974-1101 [ceo.lacounty.gov](http://ceo.lacounty.gov)

**CHIEF EXECUTIVE OFFICER**

Fesia A. Davenport

April 18, 2023

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

Dear Supervisors:

**2023-24 RECOMMENDED COUNTY BUDGET  
(3-VOTES)**

The 2023-24 Recommended Budget marks Los Angeles County's first spending blueprint since the end of the COVID-19 emergency and the start of the local emergency for homelessness—two defining milestones of this transformative moment in which we are also addressing longstanding racial, social, and economic inequities; realizing the Board's *Care First, Jails Last* vision; and delivering extensive safety net services to our residents.

Guided by the priorities established by your Board, this Recommended Budget sustains the ambitious work underway across multiple County departments and strengthens the County workforce as it serves the public with expanding and existing programs. It does not include significant funding to launch new programs at this time, although critical needs may be considered later in the budget process as a fuller picture of our revenues and obligations becomes available.

This \$43.0 billion budget reflects a decrease of \$1.6 billion when compared to the 2022-23 Final Adopted Budget (approved in October 2022). It increases the total number of budgeted positions by 514, for a total of 114,106.

The Recommended Budget—the first step in the County's multi-phase budget process—was developed against a backdrop of growing fiscal uncertainty, including a looming State budget deficit, a significant slowdown in local real estate transactions, and an unsettled economic environment in which recession remains a very real possibility.



"To Enrich Lives Through Effective And Caring Service"

As always, funding requests far exceed available resources. Although, we are recommending \$551.7 million in new funding, there are more than \$1.9 billion in unmet needs requests. Of this amount, we are deferring \$813.2 million funding requests to future budget phases, leaving \$1.1 billion as an unmet need.

Among other actions, the 2023-24 Recommended Budget focuses on funding some of the County's most urgent priorities—including homelessness, Care First and Community Investment (CFCI) programming, addressing unacceptable conditions in the County jail system, and setting up reform and compliance mechanisms within the Sheriff's Department—in the following ways:

- Mobilizing an emergency response to the humanitarian crisis of homelessness. The Recommended Budget includes \$692.0 million in resources, including extensive investments in mental health outreach, supportive services, and a wide range of housing programs to increase the supply of affordable housing and move people off the streets and into safe living conditions.
- Delivering on the County's commitment to allocate a full 10 percent of its locally generated unrestricted revenues to direct community investment and alternatives to incarceration by providing an additional \$88.3 million, for a total ongoing investment of \$288.3 million, for Year Three of CFCI projects and programs to address racial disparities in the justice system. Approval of this amount will allow the County to reach the 10 percent target by June 2024, as originally specified in Measure J and later memorialized in the Board's budget policy.
- Advancing the *Care First, Jails Last* vision and improving mental health services and unacceptable conditions in the County's jails. Ongoing funding of \$49.6 million is recommended for Integrated Correctional Health Services (ICHS) and the Sheriff's Department to work toward meeting the terms of the U.S. Department of Justice (DOJ) consent decree and *Rutherford* settlement with the support of the County's new DOJ Compliance Officer.
- Supporting Sheriff's Department reforms, from addressing deputy gangs to providing more transparency. This budget recommends funding for the Sheriff to establish the Office of Constitutional Policing to, among other things, oversee and monitor consent decrees and investigate deputy gang issues.

This year's Recommended Budget reflects modest increases in property and sales tax revenues, although at markedly lower growth rates than reflected in the prior year's budget. This lower anticipated rate of revenue growth coupled with unavoidable rising cost increases and existing County commitments made it challenging to balance this year's budget. Following are the primary cost drivers in the 2023-24 Recommended Budget:

- Rising employee wages and benefits;
- Increasing public assistance caseloads;
- Addressing a few departmental structural deficits;
- Existing Board/County policies/commitments; and
- Paying all contractual and legal settlements.

Going forward, the County faces sobering budget challenges and pressures. The County's \$1.9 billion in American Rescue Plan Act (ARPA) funding is required to be fully expended by 2026, and with no similar federal funding program expected to take its place, important programs will not be sustainable. A significant overhaul of the County's Probation system is anticipated, potentially leading to the need for greater investments in facilities, programs, and staff.

Perhaps the most significant long-term challenge is posed by the liability and settlement costs associated with Child Victims Act (AB 218) claims discussed in more detail later in this letter. Early and preliminary estimates of this liability are in the billions of dollars. The cost to settle these claims will have a profound impact on the County budget for decades. Since costs associated with this law, which extends the statute of limitations for prosecution of childhood sexual assault cases, are still emerging, we will return at a later date to provide budget recommendations to the Board.

On the more immediate horizon, the housing market in the County has cooled considerably after the rebound in home sales in the early months of the pandemic. January and February home sales for 2023 were at their lowest levels in more than a decade due to higher mortgage interest rates driven by Federal Reserve (Fed) Board increases in the federal funds borrowing rate. If this trend continues, the County property tax growth for 2024-25 budget year will be at risk and may require us to downgrade our property tax forecast for that year, which would significantly curtail the amount of locally generated revenue available to fund key programs and services.

## BUDGET OVERVIEW

As displayed below, the 2023-24 Recommended Budget total of \$43.0 billion reflects a decrease of \$1.6 billion in total financing uses when compared to the 2022-23 Final Adopted Budget from October 2022. This is due to decreases in the Total General County Fund group (comprised of the General Fund and Hospital Enterprise Funds) and Special Districts/Special Funds.

| <b>Fund Group<br/>(\$ in billions)</b> | <b>2022-23<br/>Final Adopted<br/>Budget</b> | <b>2023-24<br/>Recommended</b> | <b>Change</b>    | <b>%<br/>Change</b> |
|--|---|--------------------------------|------------------|---------------------|
| Total General County                   | \$33.333                                    | \$33.099                       | -\$0.234         | -0.7%               |
| Special Districts/<br>Special Funds    | 11.309                                      | 9.897                          | -1.412           | -12.5%              |
| <b>Total Budget</b>                    | <b>\$44.642</b>                             | <b>\$42.996</b>                | <b>-\$1.646*</b> | <b>-3.7%</b>        |
| Budgeted Positions                     | 113,592                                     | 114,106                        | 514**            | 0.5%                |

*\*Though this represents nearly a four percent reduction from the Fiscal Year (FY) 2022-23 Final Adopted Budget, additional funding may be allocated over the coming budget phases.*

*\*\*The net increase in position count is primarily funded with outside revenue sources, including State and federal funding.*

The total number of budgeted positions increased by 514, bringing the total number of budgeted positions to 114,106. The new budgeted positions are largely offset by federal or State revenue and special district funding and include:

- 195 positions within the Department of Mental Health (DMH) to support community care in the Hollywood and Antelope Valley communities; expand urgent care mental health services, reentry services for women, and outreach to homeless veterans on skid row; and increase the number of System-wide Mental Evaluation and Response Teams (SMART) that partner DMH mental health clinicians with Los Angeles Police Department personnel, among other roles;
- 86 positions for clinicians at various levels to fill various roles in the County's hospital and clinic system;

- 70 positions for the Department of Children and Family Services (DCFS), more than half of which will support the expansion of the Upfront Family Finding Program, which seeks to place children with relatives or family friends;
- 60 positions to support wildfire suppression; and
- 29 positions for the Justice, Care, and Opportunities Department to continue to fulfill staffing plan commitments and provide Care First services consistent with your Board's classifications approvals for the Department on November 1, 2022.

## **ECONOMIC OUTLOOK**

At the start of 2023, the U.S. economy showed continued strength from strong hiring and consumer spending that was resilient in the face of rising prices, while the Fed's rate hikes have made borrowing more expensive. Although the economy remains strong, there is much economic uncertainty from continuing high inflation that may lead to a slowdown in the economy.

The forecast for our statewide sales tax and locally generated revenues reflects moderate growth based on current revenue trends and in relation to the 2022-23 Final Adopted Budget. For the 2023-24 Recommended Budget, the Proposition 172 Public Safety sales tax revenue reflects a projected increase of 2.6 percent, or \$26.1 million, while local sales and use tax collected in unincorporated areas reflects an estimated increase of 8.3 percent, or \$6.7 million. These revenues have remained positive from sustained consumer spending despite higher prices and a strong labor market that has raised wages.

Over the past year, the Fed's rapid hikes in the federal funds borrowing rate to combat inflation have led to significant increases in both interest earnings rates and mortgage rates. On the positive side, the average interest earnings rate on our cash deposits has increased by approximately 2.8 percent from February 2022 to February 2023. As a result, we are projecting an additional \$101.5 million in interest earnings revenue for fiscal year 2023-24.

However, mortgage rates have also surged, making it more expensive for prospective buyers to borrow, while applying downward pressure on home prices. In consultation with the County Assessor, we are forecasting an approximate five percent increase to the 2023 tax assessment roll, which results in a \$385.7 million increase in property tax revenue. This forecast is preliminary as the Assessor is scheduled to issue its official forecast in May 2023 and release the final roll in the summer of 2023. Our office will continue to work with the Assessor's Office and, if needed, update assessed value projections in future budget phases.

Despite strength in recent consumer spending and employment reports, persistently high inflation poses a significant risk to the economy. The Fed's rate hikes to control inflation have yet to effectively reduce inflation to their two percent target. Consequently, they are now expected to increase rates again and for longer than previously anticipated. The Fed's monetary tightening actions are aimed at bringing down prices by curbing investment, spending, and hiring. However, the Fed acknowledges that this could result in economic contraction as demand falls and further result in job cuts as business slows. In turn, a pullback in consumer and business spending could lead to a risk of a recession if the Fed's monetary policy proves to be too aggressive.

Additionally, the recent failure of two large U.S. banks has stirred further economic uncertainty and market volatility. The fallout of these bank collapses has prompted fears of a potential banking crisis and added complexity to the Fed's future monetary actions.

We are aware that some economists and financial institutions have continued to forecast a recession later this year or in 2024. Our office is closely monitoring the latest economic data and remains vigilant to address any signs of an economic slowdown or increased risk of a recession.

## **ABOUT THE BUDGET PROCESS**

The Recommended Budget is the first step in the County's multi-part budget process, which includes Public Hearings in May; deliberations leading to the approval of the Adopted Budget in June; and the Supplemental Budget culminating with the approval of the Final Adopted Budget in the fall. This multi-part process enables the County to respond nimbly to fiscal and economic changes and opportunities that may not be available at the start of the budget year. In some cases, funding is set aside in the Provisional Financing Uses (PFU) budget unit as part of the Recommended Budget, while program implementation plans are being developed and finalized.

Most of the County's budget is funded from State and federal sources or from charges or fees for services provided to contract cities or the public. These revenues are tied to specific programs and may not be repurposed. Similarly, the bulk of locally generated revenues is committed to ongoing programs and services previously approved by the Board. As a result, the Recommended Budget highlights below focus primarily on programmatic changes rather than ongoing operations.

## **HIGHLIGHTS OF SIGNIFICANT PROGRAM CHANGES**

Below are some notable changes included in the 2023-24 Recommended Budget.



### ***Continued Momentum for Care First, Jails Last***

This Recommended Budget marks the final year of a three-year plan to allocate a full 10 percent of ongoing locally generated unrestricted revenues to CFCI programs that carry out the Board's vision of a justice system rooted in *Care First, Jails Last*. As directed by Board budget policy, our office calculated the amount equivalent to 10 percent of ongoing locally generated unrestricted revenues for 2023-24, which totals \$288.3 million. As a result, the Recommended Budget includes an additional allocation of \$88.3 million in ongoing funding for the CFCI budget unit. This new funding, along with the \$200.0 million currently allocated to the CFCI budget, brings the total ongoing commitment for 2023-24 to \$288.3 million and the Board's total investment in CFCI since 2021 to \$676.0 million.

It should be noted that CFCI is the only budget entity which by Board policy automatically rolls over all unspent funds from year-to-year. Together with \$197.7 million in one-time carryover funding being advanced in this budget phase, the total recommended investment in CFCI programs is \$486.0 million for 2023-24.

Funding set aside in the CFCI budget is aimed at addressing racial injustice in the criminal justice system by providing direct community investments and alternatives to incarceration. Specific recommendations for these investments, reflecting the input of the CFCI Advisory Committee, are scheduled to be presented to the Board for approval later in spring 2023 and, upon Board approval, to be included in the Final Changes Budget in June 2023. The 10-percent "set-aside" will be recalculated every year, in accordance with the Board's budget policy.

### ***Homelessness, Mental Health and Affordable Housing***

- **Measure H Homeless Services and Housing** – Reflects a total budget of \$692.0 million, to fund the County's New Framework to combat homelessness.

The New Framework is divided into five categories of action to urgently drive results:

- **Coordinate** – Create a coordinated system that links critical infrastructure and drives best practices;
- **Prevent** – Provide targeted prevention services to avoid entry or a return to homelessness;
- **Connect** – Link and navigate everyone to an exit pathway;
- **House** – Rapidly rehouse using temporary and permanent housing; and
- **Stabilize** – Scale services critical to rehousing and stabilization success.

The budget includes \$25.5 million to support city-specific programs and services through the Local Solutions Fund and Cities and Council of Governments Interim Housing Fund. The focus for these funds is helping individuals experiencing homelessness move out of encampments and into housing and to pay for supportive services at interim housing sites.

The budget also supports Board-directed housing developments and the administration of various homeless programs and services.

- **Mental Health Services Act (MHSA) Spending** – Adds \$60.2 million and 168 positions needed for various mental health services, including the following: 68 positions to expand Full-Service Partnership services needed to ensure adequate capacity in the mental health care network; 54 positions for the Hollywood Mental Health Cooperative, a new, comprehensive approach to serving those with severe and persistent mental illness in the Hollywood community; and 32 positions for the new Antelope Valley Children and Family Mental Health Clinic, focused on providing mental health services to children and families.
- **Affordable Housing** – Provides \$30.0 million to maintain a total of \$100.0 million for the development and preservation of affordable housing. This funding will support affordable housing for very low- and extremely low-income households, individuals and/or families experiencing homelessness, as well as other supportive services such as eviction defense, mortgage relief, rapid re-housing, homeownership, and acquisition.
- **Veterans' Services** – Provides \$0.4 million in MHSA funding from DMH to the Department of Military and Veterans Affairs for 2 positions to support the Veterans Navigator Program, which assists veterans as they transition from military to civilian life.

### ***Health Care Delivery***

- **Sexually Transmitted Infections (STI)** – Allocates \$2.5 million in Tobacco Settlement funding to the Department of Public Health to support the County's response to the rise in STI.
- **Martin Luther King, Jr. Outpatient Center (MLK) Urgent Care Expansion** – Provides \$1.5 million and 10 positions for the Department of Health Services (DHS) to support the MLK Urgent Care expansion.

- **Clinical Social Work Staffing** – Adds \$2.5 million and 16 positions, fully offset with DHS revenues, at various departmental facilities to oversee clinical social work operations.

### ***Other Justice-Related Programs***

- **Establishing the Office of Constitutional Policing** – Adds \$6.6 million and 24 non-sworn positions to the Sheriff's Department for the establishment of the Office of Constitutional Policing, which will oversee and monitor consent decrees, deputy gang issues, audit and investigations, compliance, risk management, and policy development. Also restores the Assistant Sheriff, Administration position.
- **DOJ Consent Decree** – Sets aside \$49.6 million in ongoing funding to improve the conditions and mental health services in the County's jails under the terms of the DOJ settlement. This amount is allocated to the PFU budget unit for ICHS and the Sheriff's Department.
- **Academy Classes** – Allocates a net \$1.8 million in one-time funding to the Sheriff's Department to hold four academy classes initially funded in FY 2022-23, and support recruitment efforts. These classes are needed to address the recent DOJ consent decree and the Department's significant sworn vacancy gap, as well as to train a new generation of deputies. The related budgeted positions were previously approved as part of the FY 2022-23 budget.

### ***Jobs and Workforce Development***

- **Youth@Work Program** – Provides \$16.0 million to the Department of Economic Opportunity (DEO) to continue the Youth@Work Program. This Program is committed to the development and success of young people, providing them with first-time work experience and supporting their development as part of our future adult workforce.
- **Regional Equity and Recovery Partnership (RERP) Program** – Allocates \$3.3 million in State funding to DEO for the RERP program, which provides job training and placement opportunities targeting the underserved, underrepresented, and most vulnerable populations.

- **Re-Entry Employment, Navigation, Engagement and Well-Being (RENEW) Program** – Adds \$2.6 million to DEO for the RENEW program. This Program assists justice-involved individuals with employment and training services, transitional subsidized employment opportunities, supportive services, incentives, and peer mentorship.
- **Prison to Employment Program** – Allocates \$2.2 million in State funding to DEO to support the integration of workforce, re-entry and supportive services to formerly incarcerated and justice-involved individuals, with the goal of preparing them for and helping place them in unsubsidized employment.

#### ***Public Services Cost Increases***

- **Foster Care Caseloads** – Provides \$17.5 million to the DCFS to pay for rate increases to foster families, as well as to make up for the loss of federal funding due to the expiration of the Title IV-E Waiver. Foster care assistance is paid on behalf of children in out-of-home placements who meet the eligibility requirements specified in applicable State and federal regulations and laws.
- **General Relief (GR) Caseloads** – Adds \$25.8 million to the Department of Public Social Services (DPSS) for projected GR caseload increases.
- **In-Home Supportive Services (IHSS) Providers** – Adds \$51.6 million to DPSS to pay for a \$1.00 an hour wage supplement for IHSS providers who provide at-home assistance to older and/or disabled residents.

#### ***Support for Children, Families, Seniors and People with Disabilities***

- **Medical Hubs** – Provides \$2.0 million for DCFS to maintain medical hub services. These services are critical and include forensic evaluation and other health-related needs for children in the child welfare system.
- **Upfront Family Finding** – Adds \$8.3 million to DCFS to continue and expand Upfront Family Finding services. These services are designed to identify relatives and family friends who may be able to care for a detained child or youth. Such placements have been shown to result in better outcomes.
- **Bringing Families Home** – Allocates \$1.5 million in State funding to DCFS to provide case management and outreach services to families in the child welfare system experiencing homelessness.

- **Dependency Court Expansion** – Provides \$4.2 million in State funding to DCFS for 4 positions and County Counsel services needed for two additional dependency courtrooms located at the Edmund D. Edelman Children’s Court.
- **California Work Opportunity and Responsibility to Kids (CalWORKs) Stage One Child Care Program** – Adds \$65.7 million to DPSS, fully offset with State and federal revenues, to meet projected caseload increases for full-time childcare services for CalWORKs participants.
- **Housing and Disability Advocacy** – Provides \$3.9 million to DPSS, fully offset with State revenues, for DHS-provided services designed to expand interim housing opportunities and community outreach.
- **Adult Protective Services (APS)** – Provides an additional \$3.4 million in State funding to the Department of Aging and Disabilities for the expansion of the APS program as the minimum eligibility age shifted from 65 to 60 years old.

### ***Recreation***

- **Water Awareness, Training, Education and Recreation (WATER) Program** – Adds \$0.5 million and 4 lifeguard positions, fully offset by Marina and grant revenues, to the Department of Beaches and Harbors to fully staff the WATER Program, which teaches ocean safety skills to youth from diverse, underserved, and special needs populations.

### ***Critical Voting Systems***

- **Voting Choice Act (VCA)** – Sets aside \$8.7 million in ongoing funding in the PFU budget unit for the Department of Registrar-Recorder/County Clerk’s (RR/CC) Voting Solutions for All People system and to ensure compliance with California’s VCA of 2016. This adjustment is a down payment on a multi-year funding plan needed to support the County’s election model with ongoing funding, which will require an additional \$34.8 million in ongoing funding in future years.
- **Election Management System (EMS)** – Provides \$5.9 million to RR/CC for the new EMS that contains critical election information including voter registration, candidate filing, and vote center and election worker management data; the new EMS also provides a direct interface to the State’s voter registration database. The Recommended Budget also sets aside a contingency of \$3.6 million in PFU.

### ***Investing in Public Assets***

- **Capital Projects (CP)** – Allocates \$2.0 billion for continued development, design, and construction of CPs in support of Board-directed priorities. This investment will improve the County's ability to serve the public and protect the County's real estate portfolio. The CP budget unit reflects a decrease of \$23.2 million and the completion of 45 projects included in the 2022-23 Final Adopted Budget.
- **Environmental Stewardship** – Provides \$214.6 million for continued water conservation projects, including 44 stormwater projects, which are part of a countywide program to capture, divert, and treat polluted stormwater runoff and comply with federal and State clean water regulations. Since October 2022, the County has captured more than 93 billion gallons of stormwater within its dams and spreading grounds — enough water to meet the needs of 2,284,800 people for a full year.
- **Enhancing Public Interaction with Recreational Opportunities** – Includes \$176.3 million to enhance and expand access to County facilities, such as the Ruben F. Salazar Park multi-phase remodeling project and various pool lighting projects, which will provide safer and enhanced recreational opportunities, as well as extend pool hours.
- **Reinvesting in County Facilities** – Provides \$303.0 million for the rehabilitation of County facilities funded by the Extraordinary Maintenance (EM) budget unit and long-term financing to support goals of the Strategic Asset Management Plan, primarily through the Facility Reinvestment Program. This program includes the highest-priority projects to sustain and/or rehabilitate County-owned facilities. This recommended allocation will:
  - Extend the useful life of County facilities and reduce facility replacement costs in the long run;
  - Allow the County to undertake the highest priority deferred maintenance projects to optimize the use of assets in their highest and best uses;
  - Establish stronger connections between County service priorities and asset decisions, better aligning our CPs with the most pressing needs of County residents; and
  - Create a better enterprise-wide understanding of asset needs and priorities.

## **FOLLOW-UP BUDGET ACTIONS**

The Board requested the Chief Executive Officer (CEO) to report back on the following items during the 2023-24 Recommended Budget.

### **Cooling Strategies in Our Parks**

On October 4, 2022, the Board directed the CEO and the Director of Parks and Recreation to consult with the Chief Sustainability Office and report back in the 2023-24 Recommended Budget with high-priority locations for new park cooling features in alignment with the Climate Resilience Initiative, and to develop a funding plan to erect shade structures, install hydration stations, and plant trees in line with County Sustainability goals in County-operated parks. As part of the 2023-24 Recommended Budget, the Department of Parks and Recreation (DPR) will submit a comprehensive examination of correcting shade deficiencies in parks in underserved communities. The CEO will work with DPR to determine the financial viability of a phased approach to funding the proposed cooling features. We will make a recommendation in the 2023-24 Supplemental Budget phase, which will allow our budget recommendations to be made within the context of the overall budget and numerous competing requests.

### **Sustainably Expanding Eviction Defense Services in Los Angeles County**

On September 27, 2022, the Board directed the CEO to report back during the 2023-24 Recommended Budget with funding recommendations to make the Stay Housed LA program permanent, including but not limited to the feasibility of utilizing existing funding sources intended to prevent residents becoming unhoused and to support housing stability.

Stay Housed LA is a partnership between the County, tenant-led community organizations, and legal aid organizations to provide low-income tenants living in the County with free, limited, and full-scope legal representation; short-term rental assistance; and other complementary services to stabilize their housing while facing potential eviction and/or homelessness due to financial hardship. The Department of Consumer and Business Affairs (DCBA) currently has \$40.6 million in one-time funding allocated to the program, comprised of ARPA and State funds. DCBA is expected to expend approximately \$13.0 million by June 30, 2023, and expects to carry over and fully spend the remaining \$27.6 million in 2023-24.

In response to this September 27, 2022 motion, DCBA is finalizing its report back to the Board. However, given the 2023-24 Recommended Budget production timeline and the necessity to review the as-yet-unfinished DCBA report, our office is unable to provide any

cost estimates or funding recommendations at this time. DCBA's report will include projected implementation, administrative, and any program-related costs tied to making Stay Housed LA a permanent program. Once the report is completed, we will work with DCBA to refine cost estimates and DCBA can subsequently submit a budget request to the CEO for consideration during the 2023-24 Final Changes budget phase. Funding consideration will be based on available resources and reviewed within the context of the larger countywide budget. The CEO will report back in the 2023-24 Final Changes with funding recommendations.

**Strengthening the County's Permanent Protections for Unincorporated Los Angeles in Response to Lessons Learned during the COVID-19 Crisis**

On September 27, 2022, the Board directed DCBA, as the lead department, to: 1) develop an ordinance to limit discriminatory and/or arbitrary landlord screening practices; 2) amend County Code Chapters 8.52 – Rent Stabilization and Tenant Protections, and 8.57 – Mobile Home Rent Stabilization and Mobile Home Owner Protections, to temporarily cap allowable rent increases; and 3) identify opportunities to provide financial support to low-income tenants and mom-and-pop landlords with rental arrears; recommend a framework to provide relocation assistance to tenants who will be displaced due to unaffordable rent increases; assess the need to reevaluate the current cost recovery model to account for any increased costs associated with support of these initiatives; and develop a plan to support incorporated cities seeking to create/adopt their own permanent tenant protections, including a cost recovery model for programmatic services. In addition, the Board: 4) provided DCBA with delegated authority to enter into agreements with consultants/contractors and to support incorporated cities interested in creating/adopting tenant protections; and 5) directed the CEO, in consultation with DCBA and County Counsel, to identify overall proposed cost and funding sources to implement Directives Nos. 1 through 4 and report back in the 2023-24 Recommended Budget.

The following are status updates on Directives Nos. 1 through 5:

Directive No. 1: DCBA is currently developing their report back to the Board with a draft ordinance to establish certain limitations on landlord screening practices.

Directive No. 2: DCBA has completed ordinance amendments, approved by the Board on November 15, 2022, for Rent Stabilization and Tenant Protections (County Code Chapter 8.52), and Mobile Home Rent Stabilization and Mobile Home Owner Protections (County Code Chapter 8.57); these ordinances became effective on December 15, 2022, and had no fiscal impact.



Directive No. 3: DCBA is currently developing their report back to the Board on opportunities to provide financial assistance to low-income tenants and mom-and-pop landlords and supporting other jurisdictions looking to establish their own tenant protections.

Directive No. 4: DCBA has not exercised its delegated authority to enter into agreements with consultants to develop a plan to support incorporated cities; it is unclear if the department will exercise this authority given that they are still developing their report back to the Board.

Directive No. 5: As stated above, DCBA is currently developing reports for Directives Nos. 1 and 3, which will also provide information on Directive No. 4. Given the CEO's 2023-24 Recommended Budget production timeline and the necessity to review DCBA's report backs, we are unable to provide proposed cost estimates and potential funding sources at this time. DCBA's report backs will include any applicable projected implementation, administrative, and program-related costs tied to Directives Nos. 1 through 4. As such, once the reports have been completed, the CEO will work with DCBA to refine the cost estimates and DCBA can subsequently submit a budget request to the CEO for consideration as part of the 2023-24 Final Changes budget phase. Funding consideration will be based on available resources and reviewed within the context of the broader countywide budget impact. The CEO will report back in 2023-24 Final Changes with funding recommendations.

### **Implementing the Priority Strategies of the Equity in County Contracting (ECC) Project Team**

On August 9, 2022, the Board directed the CEO to identify staff and resources to develop and operationalize a Centralized Contracting and Procurement Office (Office) within the Internal Services Department (ISD), effective in 2023-24. The proposed centralized contracting unit would be both an internal resource to County departments and an external resource to small employers looking to more easily contract with the County. As outlined in the Board motion, the new office would, among other priorities, institutionalize the work of the ECC process; lead continuous, equitable and efficient improvements to the County's contracting and procurement processes; develop and provide contracting training; develop recommendations to address barriers to equitable reimbursement and compensation of contractors; and meet regularly with community-based organizations and nonprofit stakeholders on issues related to County contracting. The 2023-24 Recommended Budget includes the addition of \$3.4 million in ongoing appropriation for 12 positions as well as services and supplies for the initial creation and establishment of the Office within ISD. Key priorities to establish in the first year will include detailed planning and assessment of the Office's structure and needs, while also

institutionalizing and continuing to address the ECC findings and recommendations. Upon full build-out of this Office, the CEO will work with ISD to consider an additional 6 positions and include appropriate funding recommendations in future budget phases.

### **Review and Assessment of County Commissions' Needs**

On August 9, 2022, as part of the Establishing Our Commitment to the Los Angeles City/County Native American Indian Commission motion, the Board directed the CEO to review and assess County commissions' needs, including administrative staff, funding, and other needs and report with recommendations to ensure all commissions are supported and effective. On November 18, 2022, the CEO report back indicated additional staffing resources would need to be considered based on specific needs identified by each department to ensure effective support. The CEO committed to report back with funding recommendations, as appropriate, based on competing budget priorities and available funding as part of the 2023-24 Recommended Budget. These departments requested: 5 positions to support the Executive Office of the Board, Commission Services Division; 1 position to support the Civil Service Commission; and 2 positions to support the Los Angeles Beach and Small Craft Harbor Commissions and the Small Craft Harbor Design Control Board. After careful consideration and review within the context of the larger countywide budget impact, the requests have been deferred to the 2023-24 Final Changes budget phase for further consideration.

### **POTENTIAL STATE AND FEDERAL BUDGET IMPACTS**

A significant portion of the County budget is comprised of revenues from the State and federal governments. State and federal budget highlights and anticipated impact on the County budget are outlined below.

#### **State Budget**

On January 10, 2023, Governor Gavin Newsom released his 2023-24 January Proposed Budget (Proposed Budget). At the time of its release, the \$297.0 billion Proposed Budget forecast that State General Fund revenues will be \$29.5 billion lower than projected, with an estimated budget gap of \$22.5 billion. (The latest estimates since then indicate that the budget gap might be closer to \$40.0 billion). To close the projected revenue shortfall, the Proposed Budget includes a combination of funding delays, inflationary adjustments, and fund payments; fund shifts, trigger reductions, limited revenue generation and borrowing; as well as the use of resiliency measures included in the 2022 State Budget Act. None of the State budgetary reserves, whose combined balance is projected to be \$35.6 billion at the end of 2023-24, are proposed to be used to address the projected \$22.5 billion revenue shortfall to preserve the State's ability to address a potential recession if economic and revenue conditions continue to deteriorate.

Despite the projected revenue shortfall, the Proposed Budget sustains key investments made in prior fiscal years of importance to the County, including but not limited to:

- \$44.0 billion for infrastructure investments;
- \$10.0 billion for California Advancing and Innovating Medi-Cal (CalAIM);
- More than \$8.0 billion to expand the continuum of behavioral health treatment and infrastructure capacity;
- More than \$2.0 billion annually to expand subsidized child care;
- \$1.2 billion to improve services for the developmentally disabled;
- More than \$1.0 billion to provide increased cash assistance to individuals with disabilities and older adults in the Supplemental Security Income/State Supplementary Payment program, and low-income children and families in the CalWORKs program;
- \$844.5 million to continue expanding Medi-Cal to all income-eligible Californians, regardless of immigration status; and
- More than \$200.0 million for safe and accessible reproductive healthcare.

The Proposed Budget also includes the following County-supported State budget proposals:

- \$646.4 million to cover the costs of the Providing Access and Transforming Health and CalAIM justice initiatives;
- \$76.5 million over three years to pursue security upgrades and Electronic Benefits Transfer (EBT) card technology to prevent theft of EBT benefits and \$198.0 million over two years for reimbursement of stolen benefits;
- \$200.0 million to support access to family planning and related services, system transformation, capacity, and sustainability of California's safety net;
- \$93.0 million in additional Opioid Settlement Funds over four years to support youth- and fentanyl-focused investments;
- \$87.0 million, to reflect a 2.9 percent increase to the CalWORKs Maximum Aid Payment levels;
- \$83.4 million increase to the Medi-Cal County Administration allocation to reflect a projected 3.68 percent increase to the California Consumer Price Index;
- \$74.6 million increase for Stage One Child Care to reflect 0.5 percent growth in the projected monthly caseload;

- \$35.8 million statewide increase to the Local Child Support Administrative allocation for increased caseload/workload, increased call volumes, and increased personnel costs;
- \$17.0 million statewide increase to the CalFresh State Administration allocation to reflect growth in the projected monthly caseload; and
- \$13.6 million statewide increase to the IHSS County Administration allocation to reflect growth in the projected monthly caseload.

Since the State Budget plays an important role in funding many important programs administered by the County, we will continue to monitor State Budget activities and advocate for County-supported proposals currently being considered by both the Governor and the Legislature.

### **Federal Budget**

On December 29, 2022, President Joseph R. Biden, Jr. signed into law H.R. 2617 (Connolly), the Consolidated Appropriations Act, 2023, which contains \$1.7 trillion in omnibus spending consisting of all 12 Federal Fiscal Year (FFY) 2023 appropriations bills, as well as \$44.9 billion in emergency assistance to Ukraine and North Atlantic Treaty Organization allies. In total, the omnibus package provided \$772.5 billion in non-defense funding and \$858.0 billion in defense funding. Additionally, H.R. 2617 contains five of the County's Community Project Funding and Congressional Directed Spending requests (also known as earmarks).

The measure includes additional funding to: 1) continue programs authorized by the Infrastructure Investment and Jobs Act (P.L. No. 117-58); 2) make investments in health care and research including President Biden's initiative to fight cancer; 3) support nutrition programs for men, women, and children; 4) provide housing assistance for people experiencing homelessness, the elderly, and persons with disabilities, and for incremental Section 8 Housing Choice Vouchers; 5) invest in education to help low-income first generation students to get into college and succeed; 6) support child care; 7) help families address the rising cost of energy; and 8) combat violence against women.

On March 13, 2023, President Biden released his \$6.9 trillion budget request for FFY 2024. The budget request proposes \$839.7 billion in non-defense discretionary funding, a \$90.0 billion or 5.5 percent total increase above the FFY 2023 enacted level, and \$842.0 billion in defense and security-related spending, a \$26.0 billion or 3.2 percent increase from the FFY 2023 enacted budget.

The President's budget proposes new spending to extend the solvency of Medicare, build affordable housing, invest in climate resiliency, fund national paid family leave, and subsidize childcare. The proposal also seeks to reduce the federal deficit by nearly \$2.9 trillion over the next decade, by proposing tax increases on wealthy households and corporations. While the Budget Request is not binding and will not be enacted, it provides a preview of the proposed investments the Administration would make in the areas of health care and public health, climate change, housing/homelessness, education, justice/civil rights, immigration, energy, and other domestic priorities. The looming debt ceiling debate, which likely will begin in earnest in May or June, will undoubtedly impact overall spending and the timing of the appropriations process. The Congressional Budget Office forecasts that the federal government will reach the limits of its borrowing authority sometime between July and September 2023, depending on revenue collections in the coming months.

The House and Senate Appropriations Committees will begin their budget hearings on appropriations for FFY 2024 in March 2023. Additionally, Members of both chambers are accepting Community Project Funding and Congressionally Directed Spending requests for FFY 2024.

## **SHORT- AND LONG-TERM BUDGET ISSUES**

As we begin another budget year, the County is again faced with the difficult task of balancing the increased demand on its services with limited available resources. This is made more challenging as providing these services is becoming more costly, while financing sources are not growing at the same pace to offset the increases.

The County has prepared to address a few long-term budget issues by taking several actions:

- Implementing the Board-approved, multi-year plan to prefund retiree healthcare benefits.
- Augmenting the Rainy Day Fund annually to reach a healthy balance of \$854.9 million.
- Setting aside \$67.2 million, in accordance with County budget and fiscal policies, in Appropriations for Contingencies as a hedge against unforeseen fiscal issues throughout the fiscal year.
- Increasing the EM budget unit to help address deferred maintenance needs throughout the County. This budget phase we are adding another \$5.0 million for this effort.

However, many long-term budgetary issues will require significant investments by the County through a longer, multi-year funding approach. Outlined below are some of our more significant budget issues:

- **Child Victims Act - AB 218** – The County is facing one of its most serious fiscal challenges in recent history – impending claims spurred by AB 218. Also known as the Child Victims Act, AB 218 extended the statute of limitations for reporting childhood sexual assault claims and opened a three-year window for victims of any age to file civil lawsuit claims through December 31, 2022. Early information estimates that the County's financial exposure ranges from \$1.6 billion to more than \$3.0 billion from more than 3,000 claims alleging childhood sexual assault at various County and non-County facilities. Because of the gravity of these claims and the staggering potential liability, we are assessing the impact this will have on the County's finances and future programmatic funding needs. Any outcome from these claims will put further pressure on the County's budget, which is already strained by increased costs and slowing revenue growth.
- **Additional County Liability** – The State legislature recently introduced two bills, AB 452 and AB 1547. AB 452 would remove all time limitations for childhood sexual assault survivors to file lawsuits, while AB 1547 would allow claims arising out of assaults by an employee of either a juvenile probation camp or detention facility owned and operated by a county, or a youth facility owned and operated by the Division of Juvenile Justice to file their lawsuits in 2024. If enacted, these bills would further increase the County's potential liability.
- **Other Postemployment Benefits (OPEB)** – The Recommended Budget adds \$62.3 million in pre-funding contributions to the OPEB Trust Fund. This is the ninth year of a multi-year plan to reach the \$1.5 billion actuarially determined contribution (ADC). The ADC is recognized as the measuring stick indicating that we are adequately funding OPEB. Based on current projections for the OPEB prefunding plan, the OPEB ADC will be fully achieved by 2026-27.

- **DCFS** – With the prior expiration of the Title IV-E Waiver and federal bridge funding under the Families First Transition Act Funding Certainty Grant, coupled with rising staff and placement costs, and the substantial expansion of State-mandated services for children and youth through age 21, DCFS is forecasting a structural deficit of more than \$200.0 million. The Department continues to be actively engaged in planning efforts to ensure a seamless integration of enhanced prevention and aftercare services under the Families First Prevention Services Act. The Department also is advocating with the State to maintain additional funding to assist in meeting service delivery requirements under the State’s mandates, including expanding programs and populations to be served per these mandates.
- **Information Technology Systems Replacement** – The unfunded cost to replace and modernize the County’s critical information technology legacy systems is expected to exceed \$450.0 million.
- **Deferred Maintenance** – The Facility Reinvestment Program is a \$750.0 million program approved by the Board to address deferred maintenance of existing County buildings and facilities. The \$750.0 million is an initial plan to address a larger backlog of the highest-priority deferred maintenance and building systems replacement projects.
- **Seismic Safety** – In order to improve the County’s ability to survive a major earthquake and to provide public services following an earthquake, additional funding to upgrade County buildings and facilities will be determined following the completion of the ongoing assessment and prioritization of high-risk buildings. Additional requirements might also be needed as a result of the report back for the February 28, 2023 Board motion for Equitable Earthquake Resilience in the County.
- **Stormwater and Urban Runoff** – To address regulatory stormwater and urban runoff compliance in unincorporated areas, we estimate that \$362.7 million will be needed over the next five years. This amount may be partially offset with Measure W tax revenue.
- **Structural Deficits for Special Fund/District Departments** – Two County departments, which are separate from the County general fund because they receive a dedicated portion of property taxes for services provided, are projecting structural deficits. These deficit amounts are continuously being evaluated and updated as new information is known.

- **LA County Library** – Historically, the amount of property tax revenues collected for services in the unincorporated areas and the 49 cities served by the County’s library system has been insufficient to fully offset the Department’s operating costs. The Library’s operating deficit is projected to be \$9.5 million for 2023-24.
- **Fire District** – Revenue from property taxes and other sources does not sufficiently fund ongoing operating costs and required investments in equipment, facilities, and vehicles. The projected deficit is \$27.7 million for 2023-24.

## BUDGET TIMETABLE

Below is the schedule for budget hearings and deliberations.

| Board Action  | Approval Date  |
|---|----------------|
| Adopt Recommended Budget; Order the Publication of the Necessary Notices; Distribute the Recommended Budget; and Schedule Public Hearings | April 18, 2023 |
| Commence Public Budget Hearings   | May 10, 2023   |
| Commence Final Budget Deliberations and Adopt Budget Upon Conclusion of Deliberations   | June 26, 2023  |

Prior to deliberations on the Budget Year 2023-24 Adopted Budget, we will file reports on:

- May 2023 revisions to the Governor’s Budget and updates on other 2023-24 State and federal budget legislation and the impact on the County’s Recommended Budget;
- Final revisions reflecting the latest estimates of requirements and available funds;
- Issues raised in public hearings or written testimony;
- Specific matters with potential fiscal impact; and
- Other issues as instructed by the Board.



## **APPROVAL OF RECOMMENDED BUDGET**

The matter before the Board is the adoption of the Recommended Budget.

- The documents must be available for consideration by the public at least 10 days prior to the commencement of public budget hearings.
- Adjustments to the budget, including revisions to reflect the Board's funding priorities and State and federal budget actions, can be made during budget deliberations, prior to adoption of the Budget.
- Pursuant to State law (the County Budget Act), the Board may make changes to the Recommended Budget with a simple majority (3 votes) until adoption of the Budget, if changes are based on the permanent record developed during public hearings (e.g., Recommended Budget, budget requests, and all written and oral input by Supervisors, County staff, and the public).
- Changes not based on the "permanent record" require four votes.

## **THEREFORE, IT IS RECOMMENDED THAT THE BOARD:**

Approve the Recommended Budget for 2023-24; order the publication of the necessary notices; and set May 10, 2023, as the date that public budget hearings will begin.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Fesia A. Davenport', with a stylized, flowing script.

FESIA A. DAVENPORT  
Chief Executive Officer