

(Pending in Committee) City of Los Angeles ordinance to strengthen protections against tenants being harassed

Council File: 14- 0268-S13

Mover: Councilmember Jose Huizar

City Council adopted motion: 4.28.17, subject to reconsideration

Last action: 1.23.19 Housing Committee continued item until future date

ANTI-TENANT HARASSMENT ORDINANCE: INFORMATION SHEET

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Silver Lake Neighborhood Council Housing & Tenants' Rights Committee

Harassment by landlords and their agents is one of the most prevalent hardships tenants face. All too often harassment is the precursor to evictions or otherwise forcing tenants from their homes and ultimately to homelessness. It can take the form of invasive behavior like entering an apartment repeatedly without proper notice or even refusing to keep a tenant's home habitable. There are no standing protections against tenant harassment.

Harassment is "conduct by a landlord, property owner, or their agent, that would cause a reasonable person to suffer substantial emotional distress, and includes any knowing and willful course of conduct that seriously alarms, annoys or harasses the tenant. "

Examples of tenant harassment by landlords and their agents:

- Landlords find ways to not accept payment for rent claiming that it was never paid;
- Failure to perform and complete necessary repairs and maintenance;
- Entering tenants' rental unit without proper notice;
- Threatening the tenant with physical harm to the tenant, family or pets;
- Eliminating services such as laundry or parking that was originally provided in the lease.
- Repeated "cash-for-keys" offers pressuring the tenant to move.

The impetus to introduce an Anti-Tenant Harassment Ordinance was recommended by LA Tenants Union to Councilmember Jose Huizar who proposed the Motion in April, 2017. Since then, during the two years that this Motion has been studied by the Housing and Community Development Department (HCID), up to 100,000 tenants have been evicted in Los Angeles with harassment being the primary contributor to those evictions.

In order to stop illegal evictions and homelessness that results from evictions we need our City Council representatives to complete the following steps:

- The LA City Council Housing Committee needs to pass the Motion confirming the content of the revised Ordinance and directing the City Attorney to draft the Ordinance language, making sure that the Ordinance covers both RSO and non-RSO tenants;
- The full City Council must pass this Motion;
- The City Attorney drafts the Ordinance and returns it to the City Council;
- The full City Council passes the final Ordinance.

The Ordinance must include the ability of low and middle-income tenants to bring a private civil action, by including a provision for the award of attorneys' fees and costs. It must also include penalties for violations of the RSO to be increased to \$10,000 with an added penalty of up to \$5,000 for violations committed against elderly or disabled tenants.

Examples of harassment that is happening to tenants now:

- Showing up to the tenants' unit without proper, or any, notice
- Withholding services
- Filing bogus UD's
- Discrimination of any kind, on any basis, including past criminal records
- Lying about not receiving rent
- Enlisting neighbors to spy on tenants
- Disposing of tenants' property
- False accusations to social services and police
- Surveillance cameras aimed at tenants' doors/areas
- Refusing repairs to Sec. 8 tenants, demanding they do their own repairs
- Taking away tenant's gardens, plants
- Taking away use of common areas
- Taking away parking, when originally provided in lease
- Verbal insults
- Excessive construction and disruption caused by same
- Refusal to do repairs or extreme delays
- Removal of amenities, such as laundry facilities
- Charging for caregivers
- Taking away right to have pets, disrespecting right to service animals
- Changing rent payment instructions to confuse tenants
- Constant "cash for keys" offers, pressure
- Multiple fumigations in short time periods

- Constant texting
- Manager incompetence
- Manager purposely not submitting rent payments timely
- Threats to harm tenant, tenant's family or pets
- Creating a generally hostile and inhospitable environment