



**HOW PERMANENT
TENANT PROTECTIONS
CAN HELP
COMMUNITIES PREVENT
HOMELESSNESS AND
RESIST DISPLACEMENT
IN LOS ANGELES COUNTY**

Public Counsel and the UCLA School of Law
Community Economic Development Clinic
On behalf of Eastside LEADS
and in collaboration with the
Unincorporated Tenants United Coalition
JUNE 2019



Executive Summary

For decades, hundreds of thousands of tenants in unincorporated Los Angeles County had virtually no protection against exorbitant rent increases or unfair evictions, fundamentally undermining their housing stability. This is beginning to change. On November 20, 2018, the Los Angeles County Board of Supervisors passed an Interim Ordinance instituting rent stabilization and eviction protections for tenants in unincorporated areas of the County.² On April 16, 2019, the Board extended the Interim Ordinance until December 31, 2019.³ The Board will soon consider whether and how to make these protections permanent. This report aims to inform the Board's decision by contributing original quantitative data and analysis concerning the housing crisis in unincorporated Los Angeles County, lifting up the stories of tenants living through this crisis, and offering a set of specific policy recommendations to address the problem. While inspired by the circumstances in Los Angeles County, it is the authors' hope that this report is also a useful resource for other cities and counties throughout the state of California and beyond as tenants continue to fight eviction and displacement. Adopting strong, permanent tenant protections for unincorporated Los Angeles County will quickly, cheaply, and effectively improve the housing stability of hundreds of thousands of residents.



BOARD OF SUPERVISORS OF LOS ANGELES COUNTY



UCLA | SCHOOL OF LAW





Tenants in Unincorporated Los Angeles County will enjoy improved housing stability with comprehensive tenant protection policies

With 10.2 million residents, Los Angeles County is the most populous county in the United States.⁴ Over 1 million people live in unincorporated areas of Los Angeles County. If these areas comprised a single city, it would be the third largest city in California, behind only Los Angeles and San Diego.⁵ There are over 400,000 tenants in unincorporated Los Angeles County. These tenants face skyrocketing housing costs and market conditions that threaten the stability of their communities. With the 2019 Greater Los Angeles Homeless Count estimating that there are 58,936 County residents already experiencing homelessness on any given night, it is imperative that the County act now to protect tenants and prevent more families from falling into homelessness.⁶

Our analysis of census data reveals that tenants living in unincorporated Los Angeles County are disproportionately low-income and people of color. Census data also shows that most tenants in unincorporated Los Angeles County are “rent burdened,” meaning they pay more than 30% of their income to rent.⁷ Nearly one-third are “severely rent burdened,” paying more than half their income to rent. These rates are among the highest in the nation.⁸ Women, low-income people, and people of color have even higher rates of rent burden and severe rent burden. And since 2010, there have been more than half a million eviction lawsuits, also known as “Unlawful Detainer” lawsuits, filed in Los Angeles County, more than any other county in the state. These numbers do not include the countless instances where tenants are displaced without



Rent Burden and Severe Rent Burden in Unincorporated Los Angeles County

court involvement due to landlord harassment, uninhabitable rental units, or untenable rent increases. In fact, 53% of people experiencing first-time homelessness cited “economic hardship” as a leading factor.

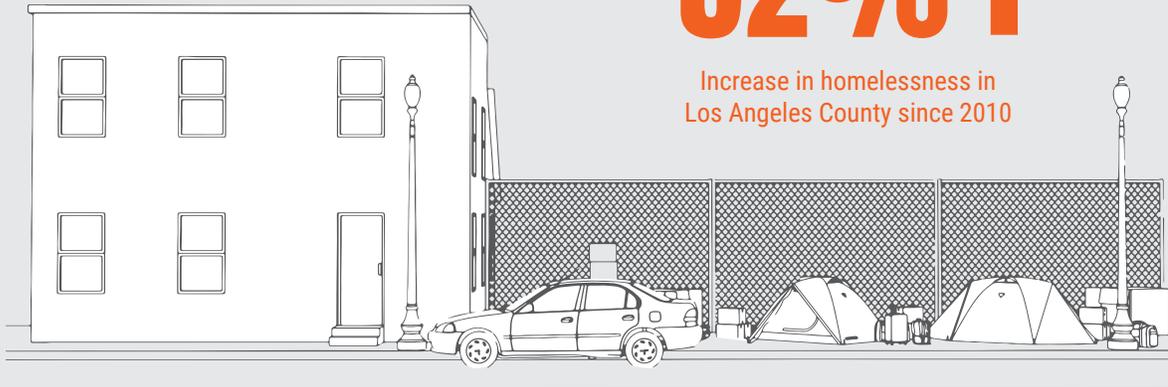
The negative effects of housing insecurity caused by rent burden, unchecked rent increases, and evictions are well documented. For tenants that are rent burdened or severely rent burdened, simply keeping a roof over their head can mean sacrificing other necessities like food, clothing, transportation, and medical care.⁹ For tenants that are evicted, it can result in the loss of jobs, schools, and other community assets. These sacrifices can cause and exacerbate a host of mental and physical ailments, including anxiety, depression, substance abuse, poor educational attainment, and even suicide. These ailments are made even worse when a tenant becomes homeless, often as a result of an exorbitant rent increase or a no-cause eviction. A 2017 study found that in Los Angeles County, just a 5% rent increase would push an additional 2,000 residents into homelessness.¹⁰ The homeless count for Los Angeles County has skyrocketed in the past decade, increasing 52% since 2010, including a 12% increase in the past year alone. Our interviews with individual unincorporated Los Angeles County residents illustrate the personal toll that residents face in this housing crisis. Some of these residents have already experienced homelessness, evictions, and large rent increases – the others consistently worry that the next month will bring an eviction notice or an unaffordable rent increase. Some

505,924

Court evictions filed in
Los Angeles County since 2010

52% ↑

Increase in homelessness in
Los Angeles County since 2010



have had to quit school or be separated from their family in order to keep a roof over their head.

In the face of this crisis, there has been a resurgence of tenant activism across Los Angeles County. Many cities have seen movements calling for stronger tenant protection policies, including rent stabilization and just cause eviction protections. For several of the largest cities in the metropolitan areas of the state, these types of tenant protections were implemented in the 1970s and 1980s in response to tenant advocacy. As a result, policies such as rent stabilization have been legally tested and upheld by courts and have proven to be an effective policy tool that can be quickly implemented to protect a large swath of residents with little public expense.

Eastside LEADS, a coalition of community-based organizations and residents from the eastside of Los Angeles, has supported the Board of Supervisors' progress towards implementing permanent tenant protection policies for unincorporated Los Angeles County. Working with Unincorporated Tenants United, a countywide coalition of tenant advocates, residents and community groups, and the UCLA School of Law's Community Economic Development Clinic, Eastside LEADS developed a set of recommendations for the County Board of Supervisors to consider as it

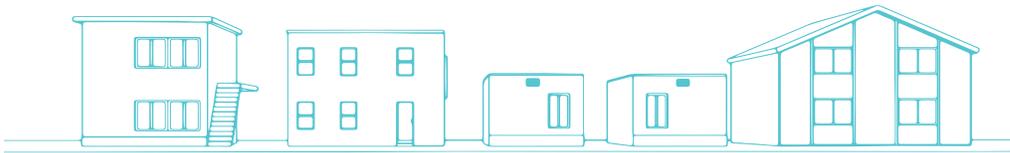
takes the next step towards protecting County residents. These recommendations are also influenced by, and at times closely track, the policies recommended by the County Tenant Protections Working Group, a group of experts convened by the Los Angeles County Board of Supervisors during the first half of 2018.

The recommendations of Eastside LEADS and Unincorporated Tenants United are as follows:

Recommended Tenant Protections for Unincorporated Los Angeles County

Adopt a permanent rent stabilization ordinance.

- Limit annual rent increases to the change in the Consumer Price Index to track inflation, with a floor of 0% and a ceiling of 5%
- Create a Rent Board to implement the ordinance and announce annual allowable rent increases
- The Rent Board should consist of nine members representative of the County's residents along the lines of gender, race, immigration status, income, and spoken language
- Do not allow landlords to "bank" unused rent increases for future years
- Create a process that allows landlords to pass partial costs of capital improvements to tenants



Adopt a permanent just cause eviction ordinance.

- Limit allowable evictions to the six grounds listed in the County's Interim Ordinance
- Provide relocation assistance to tenants evicted on "no-fault" grounds
- Ensure that tenants living in a unit that is foreclosed on or has a change of ownership are still protected under just cause eviction protections
- Prevent no-fault evictions for households that have a school age child until that child is on a school break
- Allow tenants evicted through the Ellis Act a "right to return" if their unit is re-rented and minimize loss of rent stabilized units to the full extent allowed under state law



Finance the administration of these tenant protection policies with a modest fee paid by landlords. Consider partially subsidizing these costs with an expenditure from the County general fund.

Explore all possible options for protecting tenants in single family homes and other units ineligible for rent stabilization, including an economic displacement assistance policy, which would allow tenants to request relocation assistance instead of accepting a significant rent increase.



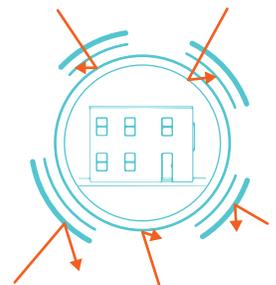
Create Know Your Rights materials in the languages commonly spoken by tenants and require landlords to provide these materials at lease-up, when issuing a rent increase, and if issuing a notice of eviction.



Regulate and track tenant buyout agreements to ensure tenants are aware of their rights prior to leaving their rental unit and can negotiate fairly with their landlord.

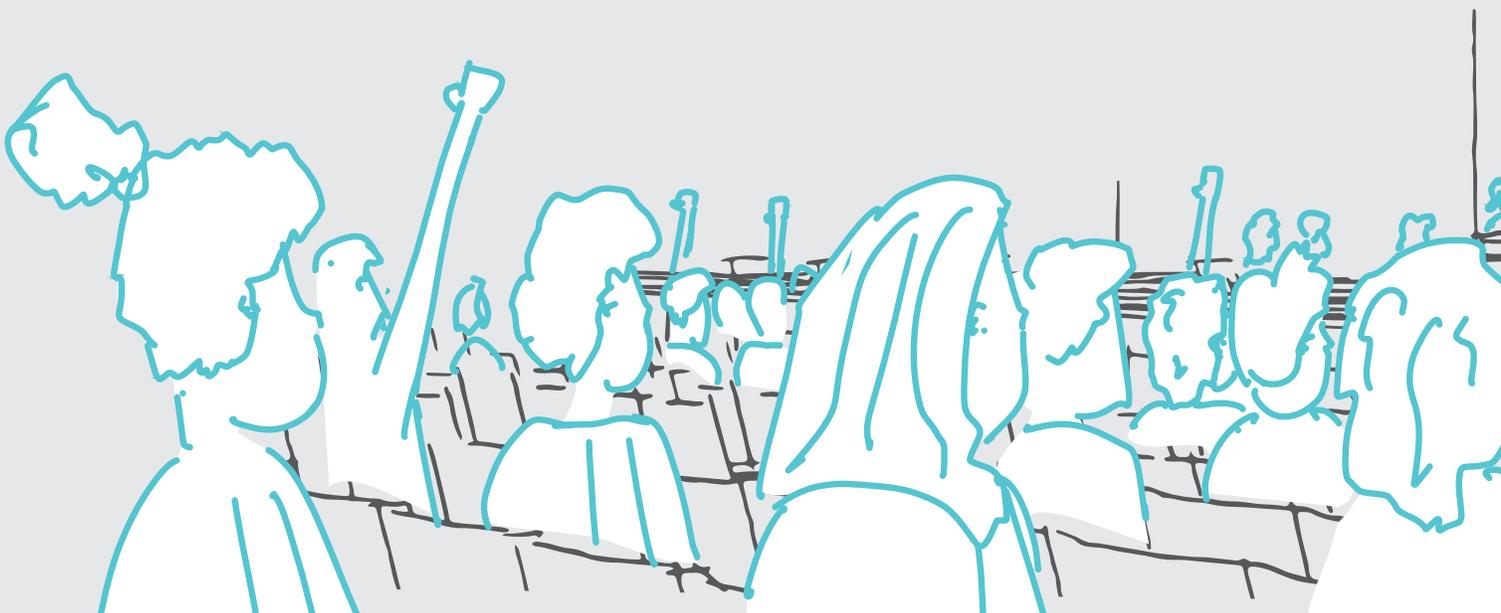
Enact complementary tenant protection policies that will strengthen the rent stabilization and just cause eviction ordinances.

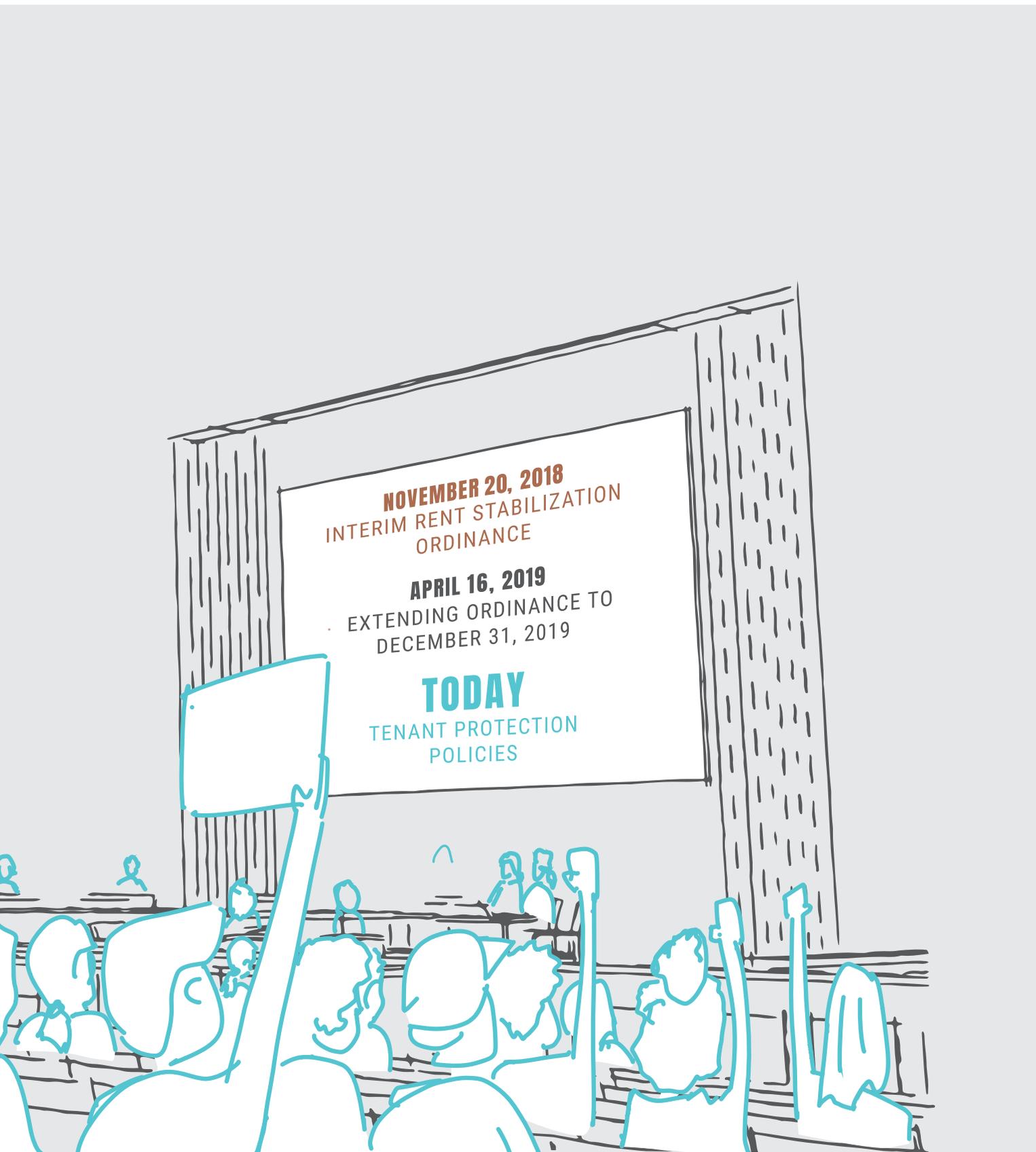
- Fund a robust, proactive code enforcement program to address habitability issues
- Fund assistance programs for low-income landlords to make necessary repairs
- Guarantee a funded right to counsel for tenants, including pre-eviction services and rental assistance to tenants at risk of eviction
- Support tenant and landlord outreach and education programs
- Regulate condominium conversions and demolitions in order to close loopholes that allow the removal of rental housing from the market



Support state bills that promote tenant protections across the state, including the right to counsel, anti-rent gouging, Costa Hawkins and Ellis Act reform, just cause eviction protections, and the right to organize tenant associations without fear of retaliation.

This report contributes important new data on the breadth and scale of housing instability in unincorporated Los Angeles County, elevates the stories and voices of those most impacted by this crisis, demystifies the legal and policy mechanics of rent control policies, and presents community-centered and data-driven policy recommendations. We hope this report informs dialogue around the adoption of a permanent rent stabilization ordinance and complementary tenant protection policies for unincorporated Los Angeles County. We also hope to see the Board of Supervisors support local jurisdictions in passing stronger tenant protection policies and support state legislation that would promote stronger tenant rights throughout the state.





NOVEMBER 20, 2018
INTERIM RENT STABILIZATION
ORDINANCE

APRIL 16, 2019
EXTENDING ORDINANCE TO
DECEMBER 31, 2019

TODAY
TENANT PROTECTION
POLICIES

FAIR
RENT
FOR
ALL!

