

The Clock is Now Ticking on the City of LA's COVID State of Emergency & Tenant Eviction Protections



DECEMBER 2022

LA City Council Votes to End COVID State of Emergency

The Los Angeles City Council voted on December 7, to end the COVID State of Emergency on February 1, 2023 on the request of Mayor Eric Garcetti with no prior notice to the public. This when COVID cases are rising at a level not seen in some time.

Los Angeles County is currently facing a surge in COVID-19 cases. The seven-day average daily rate of people testing positive for the virus was 13.5% as of Tuesday, up from 12.6% a week ago, and the number of new infections reported daily has been rising in recent weeks.

Los Angeles Times

CALIFORNIA

L.A. County facing a full-blown coronavirus surge as cases double, deaths rise



If coronavirus rates continue to rise, Los Angeles could see a return to indoor mask mandates. (Irfan Khan / Los Angeles Times)

BY LUKE MONEY, RONG-GONG LIN II
DEC. 6, 2022 UPDATED 4:16 PM PT

Los Angeles County appears in the midst of another [full-blown coronavirus surge](#), with cases doubling since Thanksgiving.

The county has already moved into the U.S. Centers for Disease Control and Prevention's medium virus activity level, after weeks in the low category. The county could move into the high category as early as this week, if the weekly rate of new infections reaches 200 per 100,000 residents.

On a 9-3 vote with Councilmember Mike Bonin, Marqueece Harris-Dawson and Nithya Raman opposing it, the Council approved an amendment to the item extending the State of Emergency with now end it in February.

Mayor Garcetti issued the following directive:

NOW THEREFORE, I hereby recommend that the City Council terminate the local emergency of March 4, 2020, effective on FEBRUARY 1, 2023.

I FURTHER DIRECT, that a copy of this Notice of Status of Local Emergency be forwarded to the President of the City Council; and hereby request, pursuant to Los Angeles Administrative Code Section 8.31, that the City Council declare and publicize the termination of Local Emergency at the earliest possible date; and

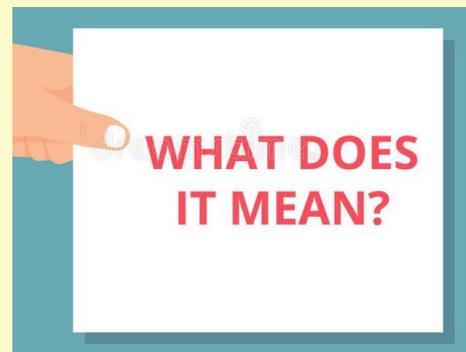
I FURTHER ADVISE, that pursuant to Los Angeles Administrative Code Section 8.31, upon the announcement by the City Council of the termination of the existence of the local emergency effective February 1, 2023, by operation of law, such rules, regulations, orders and directives shall terminate on February 1, 2023 and be of no further force or effect; and

I FURTHER DIRECT, that all City Departments that have functions related to the City of Los Angeles Renter Protections, including the Los Angeles Housing Department, continue to advise all property owners and tenants of the fact that tenants will have up to 12 months following the expiration of the local emergency to repay any back rent due. On March 30, 2020, the City Council extended the repayment period from 6 to 12 months.

The City Council action, on the last Council meeting day of the year, essentially adopts this directive.

What Does This Mean for LA renters?

The emergency protections covered a number of things: it stopped owner-occupancy related evictions and Ellis Act evictions; it stopped owners from evicting tenants if they added people or pets to their unit; it pretty much covered everything. After January 31, these various kinds of those no-fault evictions will be allowed again.



In regard to rents that tenants may owe, Tenants continue to have eviction protections for unpaid COVID-19 rental debt and must pay their debt as follows in order to avoid eviction:

- Rent owed from March 1, 2020 to September 30, 2021, tenants must pay by August 1, 2023.

- Rent owed from October 1, 2021 to January 31, 2023, tenants must pay by February 1, 2024.

State Law Non-Payment of Rent Eviction Protections

Tenants who provided their landlord with a COVID-19 Related Declaration of Financial Distress Form by the 15-Day deadline for rent owed from March 1, 2020 through August 31, 2020, cannot be evicted for nonpayment of rent. A landlord must pursue a court action in small claims court for this rent.



Tenants who provided their landlord with a COVID-19 Related Declaration of Financial Distress Form by the 15-Day deadline AND paid 25% of their rent to the landlord for rent owed from September 1, 2020 through September 30, 2021, cannot be evicted for nonpayment of rent. A landlord must pursue a court action in small claims court for this rent.

New Tenant Protections Promised Now in Jeopardy

Ending the State of Emergency in this manner could undermine an agreement to put new tenant protections in place prior to the expiration of the COVID protections due to expire on January 31, 2023,



The City Council had previously adopted the following which is still has not been acted on:

- Extending Just Cause Eviction protections and relocation assistance to all non RSO units.
- A report back on recommendations regarding potential changes to require landlords and building managers to make an exception of any pets in violation of a lease that predates the emergency order and treat the pet as an Emotional Support Animal (ESA) companion animal or therapy animal using the guidelines such as those predicated by the Federal Fair Housing Act for the rest of their natural lives, the duration of the tenancy of the tenants lease, or until such time the tenant voluntarily relocates the pet or themselves.
- Require written notification by landlords to inform tenants of their rights at the onset of a tenancy and the posting of a Tenant Protections Notification in a common area of the rental property in the format prescribed by LAHD.
- Conduct a study on staffing resources needed for enforcement of expanded eviction protections and tenant anti-harassment programs,

enhanced relocation assistance, and implementation of an eviction filing system.

- Conduct an expedited economic study of the formula for setting the RSO annual allowable rent increase.
 - LAHD to provide s report back in 30 days on a comprehensive outreach campaign to inform tenants, landlords and other interested parties about the Los Angeles City and County COVID-19 Tenant Protections applicable to Los Angeles City residents, with consideration for language access, and particular efforts targeted to tenants in areas identified as having high vulnerability.
 - Among additional protections tenant groups are seeking include: protections against evictions for tenants who are struggling to pay rent, a right to counsel for tenants in eviction proceedings, a cap on rent increase for rent- stabilized units and relocation assistance for displacement due to large rent increases.
-

KNOW YOUR TENANT RIGHTS!

ATTENTION ALL RENTERS!

***Attend the* Coalition for Economic Survival Tenants' Rights Zoom Clinic**

To sign up for the next [Coalition for Economic Survival Tenants' Rights Clinic](#) via ZOOM

Request a Link by emailing:
HelpingLarenters@gmail.com

The Clinic serves the entire Southern California area.
Accommodations for Spanish and Russian speakers are provided.

CES holds the Clinic **Every Saturday** via Zoom at 10 am.
and every Wednesday at 6 pm for West Hollywood Renter

To request a link to register for any Clinic email:
HelpingLarenters@gmail.com.

COALITION FOR ECONOMIC SURVIVAL TENANTS' RIGHTS ZOOM CLINIC



EVERY SATURDAY AT 10 AM

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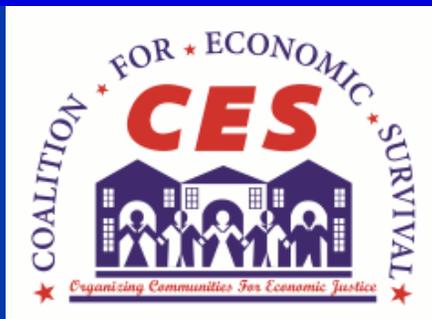
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