

FEBRUARY 2023

What You Need to Know About How You Are Protected as a LA Renter

With the passage of new laws and the expiration of existing protections renters are faced with the challenge of know what rights they now have. It is extremely confusing. CES has attempted to provide this information to tenants.

The City of Los Angeles Declaration of Local Emergency regarding COVID 19 terminated on February 1, 2023. What does this mean for LA Renters?

How the Current City of Los Angeles Tenant Laws Protect You :

Non-Payment of Rent

The City's local COVID emergency order expired on January 31, 2023. **Beginning February 1, 2023, tenants must pay their full current monthly rent in order to avoid eviction for non-payment of rent.**



Low-income renters with income at or below 80% of the Area Median Income (AMI) that cannot pay rent due to COVID-19 financial impact continue to have protections through March 31, 2023. Renters must notify their landlord within 7 days of the rent due date unless extenuating circumstances exist. [Click here](#) for a notice you can use to provide to your landlord.

Household Size

AMI%	1	2	3	4	5	6	7	8
80%	\$66,750	\$76,250	\$85,800	95,300	\$102,950	\$110,550	\$118,200	\$125,800

State Law on 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 non-payment of rent from that period. A landlord can 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 non-payment of rent from that period. A landlord can pursue a court action in small claims court for this rent.

COVID-19 Rental Debt

Tenants who are not covered by the Declaration of Financial Distress process described above continue to have 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.



No-Fault Evictions

- Notice of "No-Fault" evictions for reasons such as owner occupancy, move-in of a resident manager, for compliance with a government order, or for demolition or permanent removal under the Ellis Act process, can resume for all rental units on February 1, 2023.
- Landlords are required to submit a Declaration of Intent to Evict with LAHD for all no-fault evictions for rental units subject to the City's Rent Stabilization Ordinance (RSO). Landlords may begin filing these notifications with LAHD on or after February 1, 2023.
- Tenants who received a notice to terminate their tenancy

based on an Ellis Act eviction prior to March 4, 2020, will receive an additional 60 days and cannot be evicted until April 1, 2023.

At-Fault Evictions for Additional Tenants and Pets

Eviction protections for unauthorized occupants or pets due to COVID-19 will continue through January 31, 2024.



Universal Just Cause Tenant Eviction Protections (New)

Effective January 27, 2023, eviction protections now apply to most rental properties in the City of Los Angeles, including single family homes, condominiums, and new construction that are not currently protected under the City's Rent Stabilization Ordinance (RSO). The new protections provide for at-fault evictions in which a landlord must have a legal reason to evict a tenant. No-fault evictions require the payment of

relocation assistance such as owner occupancy, government order, demolition, or

withdrawal of the rental property from the rental housing market.

Under the new protection, all residential tenants in the City of Los Angeles have the right to Just Cause for Eviction. This means that approximately 650,000 additional tenants will be covered by Just Cause rules going forward. The new protection applies after the first 6 months of the tenancy (or at the expiration of the initial lease term if it is shorter than 6 months).

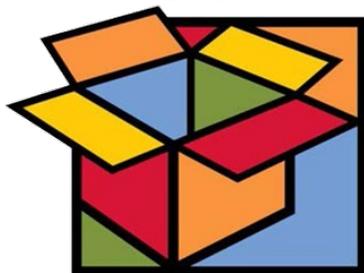
RSO Rent Increase

Annual rent increases for rental units subject to the City of Los Angeles Rent Stabilization Ordinance (RSO) are prohibited through January 31, 2024.

Beginning April 1, 2023, landlords may collect LAHD approved cost recovery surcharges (capital improvement, seismic retrofit, primary renovation & rehabilitation work), provided a 30 day written notice is served to the tenant. To find out if your unit is subject to the RSO, click [here](https://zimas.lacity.org). (zimas.lacity.org). Enter your address, click the Housing tab, and the RSO status will be indicated for the property. For questions please call the LAHD hotline at **866-557-7368**.



RELOCATION ASSISTANCE PROGRAM



Relocation Assistance for Tenants Displaced by Large Rent Increases (New)

The City Council is also set to approve an ordinance requiring relocation assistance for tenants displaced by large rent increases. This protection will mainly apply to tenants living in units built within the last 15 years (84,000) and are not protect by the RSO or State Tenant Protection Act. It will be effective after the first 6 months of tenancy in most cases. It will apply to rent increases that exceed 5% + CPI, or 10%, whichever is lower.

Tenants faced with a notice for a large rent increase have several options:

1. Accept the increase: If the tenant is able to budget for and afford the rent increase, they may accept it and begin paying the new amount when the increase takes effect.
2. Take the relocation assistance: If a tenant cannot afford to pay rent given the increase, they can notify the landlord that and take the relocation assistance instead - refer to the chart above to figure out how much that would be. Tenants should give written notice that they intend to vacate and will require relocation assistance.
3. Negotiate: If the tenant could make a smaller increase work, it may make sense to negotiate a smaller rent increase with the landlord.

This policy will also apply to tenants who live in buildings where affordable housing covenants are expiring.

Small landlords have a reduced relocation assistance obligation of one month's actual rent (or a credit for that amount) if the owner is "a natural person, including natural persons who hold properties in a trust or registered legal entity controlled by that natural person, who owns no more than four dwelling units and a single-family home on a separate lot in the City of Los Angeles."

How Will These Protections Be Enforced?

Affirmative Defense

Tenants facing eviction have an affirmative defense if the proposed eviction is for non-payment of rent and the tenant's inability to pay rent results from circumstances related to the COVID-19 emergency. Tenants or their attorneys can raise the existence of this moratorium as a defense in an Unlawful Detainer action. Tenants and their attorneys may argue that they are an Affected Tenant by providing documentation to the Landlord that they have lost substantial income.



LAHD Administrative Process

Additionally, the Los Angeles Housing Department (LAHD) will intake tenant complaints and inform both landlords and tenants of the requirements of the renter protections. LAHD will conduct an investigation similar to the existing process for enforcement of tenant protections under the City's Rent Stabilization Ordinance (RSO).

Eviction complaints can be filed:

Electronically at: housing.lacity.org/File-a-Complaint

Telephone Hotline at **(866) 557-7368**.

Complaints will be assigned to a Housing Investigator, who will investigate the tenant's claim and advise the landlord and tenant of their findings.



County of Los Angeles Tenant Protections

On Tuesday, Jan. 24, 2023, the Los Angeles County Board of Supervisors voted to extend and update the COVID-19 Tenant Protections. The protections will now expire at the end of March.

These protections apply to all County unincorporated areas and cities that do not have their own protections in place or if those protections are weaker than the County's.

Because some of LA City's protection expire at the end of January, the county's protections will apply to residents of the City of Los Angeles starting February 1.

PROTECTIONS EXTENDED THROUGH MARCH 31, 2023

The following protections are currently in place through March 31, 2023 for Residential Tenants, including Mobilehome Space Renters:

- Rent increase freeze (including new pass-throughs or related charges) for rent-stabilized units in unincorporated areas of the County; and
- Anti-harassment and retaliation protections
- Protections against evictions for:
 - o Non-payment of rent due between July 1, 2022 and March 31, 2023 due to a COVID-19 financial hardship, only for tenant households with income at or below 80% of the Area Median Income (AMI);
 - o No-Fault eviction reasons (except for qualified Owner Move-in);
 - o Nuisance; and

- o Unauthorized occupants or pets

PROTECTIONS EXTENDED BEYOND MARCH 31, 2023

While many of the emergency tenant protections under the Resolution will be expiring, the following protections will be extended beyond March 31, 2023:

- For residential tenants and mobilehome space renters who utilized the County's **non-payment of rent protections** between July 1, 2022 and March 31, 2023: except for qualified Owner Move-in Evictions
 - o Protected against eviction for **No-Fault evictions reasons**, except for qualified Owner Move-in
 - o **Anti-harassment and retaliation protections** during the Resolution's protection periods
 - o Starting **April 1, 2023**, landlords are required to serve tenants with a written 30-Day Notice prior to filing an eviction based on nonpayment of rent for rent accrued through March 31, 2023.
- For residential tenants and mobilehome space renters with **unauthorized occupants or pets** due to COVID-19 who began residing in the unit **on or before January 20, 2023**:
 - o **Anti-harassment and retaliation protections** during the Resolution's protection periods
 - o Starting **April 1, 2023**, landlords are required to serve tenants with a written 30-Day Notice prior to filing an eviction for the presence of unauthorized occupants or pets.

WHAT IF YOU ARE UNABLE TO PAY RENT THROUGH MARCH 31, 2023?

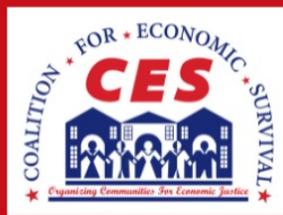
Residential tenants and mobilehome space renters with household incomes at or below 80% of the Area Median Income (AMI) will be protected for nonpayment of rent due to a COVID-19 financial hardship for rent owed between July 1, 2022 and March 31, 2023.

In addition to the AMI threshold, residential tenants and mobilehome space renters must have experienced a substantial loss of monthly household income of at least 10% and/or have increased unreimbursed household costs of more than 7.5% in order to be protected against eviction for non-payment of rent between July 1, 2022 and March 31, 2023. Tenants who fulfill the requirements under the Resolution may have an affirmative defense to an Unlawful Detainer (eviction) action.

Please note: The County's Resolution does **not** cancel or stop the rent from being owed or stop the accumulation of back-rent owed. Tenants should pay their rent if they are able and are encouraged to work out a repayment plan with their landlord. Tenants will have up to twelve (12) months to repay any past-due rent.

HAVE MORE QUESTIONS ABOUT THE LA COUNTY LAW?

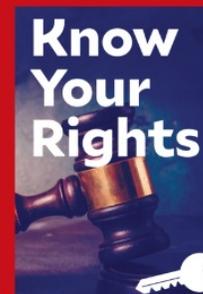
Call: 800-593-8222 • Email: rent@dca.lacounty.gov.



COALITION FOR ECONOMIC SURVIVAL



TENANTS' RIGHTS CLINIC



Saturdays - 10 am

Email: HelpingLARenters@gmail.com
to Request a Link to Register for Clinic

Serving All LA Area Tenants
Language Accommodations for Spanish and Russian

ATTENTION ALL RENTERS! ***Know Your Rights By Attending 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, Russian speakers are provided.

One-On-One Assistance With an Attorney.

CES holds the Clinic **Every Saturday** via Zoom at 10 am.
and every Wednesday at 6 pm for West Hollywood Renters.
To request a link to register for any Clinic
email: HelpingLARenters@gmail.com.

Donate Now to the Coalition for Economic Survival



Donate to the Coalition for Economic Survival (CES)

Help Support the Coalition for Economic Survival. Donate Now!

One-Time

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\$10

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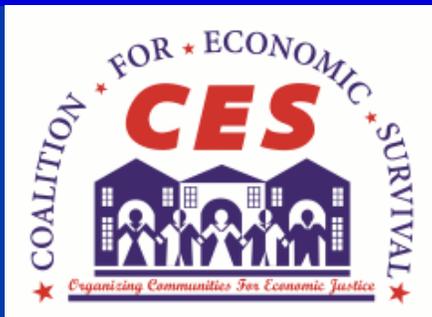
\$100

\$250

\$500

\$1,000

\$ Other



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