

## TRANSMITTAL

To: **THE COUNCIL**

Date: **11/01/19**

From: **THE MAYOR**

TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.

A handwritten signature in blue ink, appearing to be 'Eric Garcetti', is written over the printed name.

(Ana Guerrero) for

**ERIC GARCETTI**  
Mayor



Eric Garcetti, Mayor  
Rushmore D. Cervantes, General Manager

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Council File: 18 – 0610, 18-0610-s1, 18-0610-s2  
Council Districts: City-wide  
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The Honorable Eric Garcetti  
Mayor, City of Los Angeles  
Room 300, City Hall  
200 North Spring Street  
Los Angeles, CA 90012

Attention: Heleen Ramirez, Legislative Coordinator

**COUNCIL TRANSMITTAL: THE LOS ANGELES HOUSING + COMMUNITY INVESTMENT DEPARTMENT’S REPORT BACK REGARDING RECOMMENDATIONS FOR A CITY OF LOS ANGELES EVICTION DEFENSE PROGRAM**

**SUMMARY**

The General Manager of the Los Angeles Housing + Community Investment Department (HCIDLA) respectfully requests that your office review and approve this transmittal and forward it to City Council for further consideration. Through this transmittal, HCIDLA requests authority to adopt an Eviction Defense Program framework for Los Angeles, carry out the program details for the first-year phased-in approach, and allocate program staff and other required resources as outlined in this report.

On August 17, 2018, the City Council directed HCIDLA to work with the Chief Legislative Analyst (CLA) and the City Attorney to develop recommendations, including prospective costs and funding sources, for a City of Los Angeles “Right to Counsel” ordinance and/or a program to ensure that tenants have access to the information and representation when facing landlord harassment, rental agreement and lease issues, and eviction. On February 13, 2019 Councilmember Koretz introduced an additional motion directing the Office of the City Administrative Officer (CAO), the Mayor’s Office, and the City Council to identify \$10 million for a Right to Counsel Program. Ultimately, the FY 2019-20 Consolidated Plan included \$937,000 for the Right to Counsel and an additional \$150,000 for tenant outreach conducted by the community-based organization Inquilinos Unidos. During the 2019 City Council Budget Hearing meetings, the City Council allocated an additional \$2 million from the City’s General Fund for an Eviction Defense Program - resulting in a total of \$3.087 million dedicated to assisting tenants in eviction prevention and eviction response services in FY 2019-20.

As directed, HCIDLA has consulted and worked with the CLA, City Attorney, the Mayor's Office and Council Offices, as well as tenant advocate groups, legal aid organizations, property owner associations and other jurisdictions to prepare this report. HCIDLA has conducted extensive research by examining Eviction Defense Programs and Right to Counsel programs in other cities and the existing city and state resources for eviction and pre-eviction services.

Additionally, HCIDLA, Councilmember Koretz's Office, and the Mayor's Office have held multiple meetings with Los Angeles County's Department of Consumer and Business Affairs to explore a City/County Partnership to maximize the impact of both jurisdiction's proposed programs, and to norm the customer experience of clients across the region. The results of those conversations are reflected in the recommendations.

This resulting report provides both a broad-based framework for a comprehensive city-wide program and outlines detailed recommendations for an initial, geographically limited Phase 1, currently funded at \$3.087 million.

## **RECOMMENDATIONS**

- I. That the Mayor review this transmittal and forward to the City Council for further action;
- II. That the City Council, subject to the approval of the Mayor, pending the identification of funding (CF: 19-1239):
  - A. Adopt HCIDLA, recommendations for an Eviction Defense Program design for Phase 1;
  - B. Authorize the HCIDLA General Manager or designee to "piggy back" on the Los Angeles County's contract(s) for an Eviction Defense program;
  - C. Authorize the HCIDLA General Manager or designee to enter into a Memorandum of Understanding (MOU) with Los Angeles County to develop and implement an Eviction Defense program, to collectively fund and implement a comprehensive eviction defense program that includes pre-eviction legal services, unlawful detainer defense, community outreach and education, emergency and ongoing rental assistance, and wrap around social services and support;
  - D. Authorize the HCIDLA General Manager or designee to prepare and release a Request for Proposals (RFP) for the Eviction Defense Program, if deemed in the best interest for the City and determined by HCIDLA, subject to City Attorney review as to form, per the draft RFP attached (Attachment C) and authorize submission of recommendations to the Mayor and the City Council for the selection of the subject contractor and funding for the RFP contract;
  - E. Authorize the HCIDLA General Manager or designee to amend the existing FamilySource Center contracts to expand case management services and provide ongoing rental assistance to eligible households within the designated zip codes;

- F. Instruct HCIDLA, upon the conclusion of the Emergency Renters Relief Program (CF: 19-1239) to report to Council and Mayor on remaining funding from the program. Unutilized funds shall be utilized for the Eviction Defense Program;
- G. Direct CAO and CLA to report back with the amount required to fund the Eviction Defense Program’s budget gap resulting from the remaining available balance from the Emergency Renters Relief Program;
- H. Authorize by resolution authority the following new positions for Fiscal Year 2019-20 from January 1, 2020 through June 30, 2020, subject to allocation by the Civil Service Commission, and, as appropriate, pay grade determination and salary setting by the City Administrative Officer (CAO), and authorize filling of these positions:

<u>Class Code</u>	<u>Class Title</u>	<u>No. of Positions</u>
1538	Sr. Project Coordinator	1
1539	Management Assistant	1
1368	Sr. Administrative Clerk	1
1596	Systems Analyst	1

- I. Approve the funding of one (1) existing Housing, Planning & Economic Analyst (HPEA) (Class Code 8504), to be funded up to 50 percent of the position’s salary for Fiscal Year 2019-20 from January 1, 2020 through June 30, 2020;
- J. Authorize the Controller to transfer \$2,000,000 from the Unappropriated Balance Fund and Account No. 100/580309 - Eviction Prevention and Homeless Prevention Services to Housing and Community Investment Department, Fund No. 100/43 and appropriate as noted below;

<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
100/43	1010	Salaries	\$ 263,316
100/43	3040	Contractual Services	\$ 1,704,536
100/43	6030	Lease	<u>\$ 32,148</u>
Total:			\$ 2,000,000

- K. Authorize the General Manager of HCIDLA, or designee, to prepare Controller Instructions and make necessary technical adjustments consistent with the Mayor and City Council actions, subject to the approval of the City Administrative Officer, and authorize the Controller to implement these instructions; and
- L. Instruct the City Attorney to prepare a citywide eviction filing requirement ordinance in consultation with HCIDLA.

**BACKGROUND**

Evictions or the threat of eviction causes severe housing instability for thousands of Los Angeles tenants each year, often resulting in displacement or homelessness. Approximately 60,000 evictions are filed

annually countywide. Of this number, an estimated 30,000 are filed in the City of Los Angeles. As it stands, landlords maintain a disproportionate amount of leverage in the landlord-tenant relationship. Tenants who cannot afford a lawyer often do not contest an eviction notice, even if the notice is unlawfully issued. As a result, approximately 40% of unlawful detainers in Los Angeles County end in default judgments. Tenants who choose to contest evictions and represent themselves in court lack the legal expertise to win their case or advocate for a favorable settlement that could allow additional time to relocate or prevent the eviction from impacting the tenant's credit score or rental history.

Conversely, in October 2017, a Pew Charitable Trust study found that 85% to 90% of landlords across the country have legal counsel in their eviction actions. Because of this unbalanced playing field, low-income tenants facing an eviction are often displaced or fall into homelessness. Based on data from the 2017 Point-in-Time Count, one in four newly homeless families became homeless, at least in part, because of an eviction. The most recent 2019 Greater Los Angeles County Homeless Count results indicate a 12% increase in homelessness in Los Angeles County and a 16% increase in the City. This stark uptick requires immediate targeted intervention, which the program outlined herein seeks to accomplish by preventing new homelessness and displacement.

Early negotiations between landlords and tenants (and HCIDLA in the case of units subject to the Rent Stabilization Ordinance (RSO)) can help resolve eviction-related issues before an unlawful detainer is issued. This kind of early intervention, particularly if it's combined with dedicated rental assistance, provides a faster and less costly response for tenants and landlords. Further, the recent adoption of AB 1482, effective January 1, 2020, prohibits landlords from increasing rents beyond 5 percent plus inflation and evicting tenants without just cause warrants additional protections that will be integrated into the City's new EDP.

Evictions not only impact a tenant's short-term housing stability but can have dire impacts on a household's ability to remain stably housed for decades. Eviction records tarnish lease-holder's credit ratings which makes it more difficult to qualify for rental housing or obtain a home loan, auto loan, or even employment. For this reason, studies have shown that following an eviction, families are more likely to accept substandard housing and relocate to a neighborhood that is more disadvantaged than the one they left (King County Bar Association & Seattle Women's Commission (2018). *Losing Home – The Human Cost of Eviction in Seattle*). In addition, once evicted, the cycle of homelessness can be difficult and expensive to break. Losing one's home can set off a chain reaction leading to job loss, negative health impacts and more, making it even harder to secure new housing. Furthermore, according to a 2009 Los Angeles study by the Economic Roundtable, providing services and emergency response to homeless individuals can cost taxpayers nearly \$35,000 per person a year; meanwhile, an upfront investment in keeping Angelenos housed could save hundreds of thousands of dollars.

Given both the humanitarian crisis of homelessness and the affordability in the City - as evidenced by the 2019 Point-in-Time Count data and recent reports citing the LA Metro area as the most unaffordable region in the nation - it is imperative that the City develop and implement new, proven strategies to prevent homelessness. Cities across the nation, including Philadelphia, Newark, San Francisco, Denver, Detroit and New York City, are either establishing or have already adopted and codified a Tenant Right to Counsel or an eviction prevention program to strengthen housing stability for lower-income people and stem the tide of homelessness and displacement.

## **Right to Counsel in Other Cities**

An established Right to Counsel is a codified right that provides access to legal representation for all eligible tenants as well as free legal representation for low-income tenants. The universality of a Right to Counsel framework distinguishes the model from typical public assistance programs which are usually oversubscribed and subject to changing funding priorities. New York and San Francisco's Right to Counsel Ordinances are remarkable in that they provide a political, ideological, and financial commitment to keeping families housed and preventing evictions for the long term. New York's ordinance (adopted in 2017) guarantees free legal representation to all low-income residents facing eviction, establishes a five year, zip-code level phase-in, and allocates \$62.2 million for Phase 1 with annual funding increases reaching \$155.5 million by FY 2022. Any tenant at a 200% poverty level or below is eligible for the cost-free services. In FY 2018, the first year of the phased-in implementation, more than 87,000 low-income New York tenants received assistance.

Similarly, the City and County of San Francisco's 2018 ballot measure (Measure F) established a right to legal representation for *all* tenants facing eviction lawsuits. The program is expected to begin in July 2019 and San Francisco is still developing the details of the program and determining who will be eligible for cost-free assistance. San Francisco has already committed \$5.8 million for the next two years by drawing upon Community Development Block Grants (CDBG), General Fund, local tax initiatives targeted for affordable housing, and a new corporate income tax.

Based on conversations with individuals from New York City (NYC) and San Francisco (SF), a successful Right to Counsel should include the following, at minimum: 1) a codified ordinance to institutionalize the city's commitment to universal access to legal representation, 2) a long-term vision for the program and the funding resources to support it, 3) robust prevention and education programs including rental assistance, 4) a phased-in implementation, and 5) sufficient staffing to execute the program. New York and San Francisco relied on existing prevention, education and rental assistance programs to complement their investment in legal defense. Los Angeles, on the other hand, will need to create one fully integrated, comprehensive Right to Counsel program that draws upon existing resources and efforts, while also providing additional resources to meet service gaps and better coordination and evaluation.

For more details comparing other cities' Right to Counsel Ordinances and programs, see Attachment A.

## **EXISTING EVICTION PREVENTION AND RESPONSE INFRASTRUCTURE IN LA CITY**

Although there have been various efforts to provide prevention and legal services to tenants facing eviction in the City, substantially more resources and increased coordination are needed to address the growing need. HCIDLA's proposed program provides an opportunity to leverage and learn from existing programs to eventually achieve universal access to legal representation (with cost-free service provided to those who qualify), integrated pre-eviction services and wrap around support (including rental assistance) for tenants city-wide.

### **Existing Pre-Eviction Services**

Based on lessons learned from other cities, a robust pre-eviction infrastructure that includes outreach and education and the ability to respond early in the eviction process is the most effective method for reducing litigation and securing the best outcomes for both tenants and landlords. Existing pre-eviction services in

the City are delivered both by HCIDLA and non-profit, community based organizations; however, there is no coordination of public and private efforts or shared tracking and evaluation. Additionally, while HCIDLA is able to respond to eviction threats and three-day notices for RSO tenants, it has limited purview over non-RSO units.

Currently, if a tenant living in an RSO unit receives a three-day Notice to Quit or Cure and files a complaint with HCIDLA, investigators will conduct an immediate investigation and issue a letter instructing the landlord to rescind the illegal eviction notice. However, if a tenant already has an unlawful detainer (UD), meaning the landlord has already filed the eviction in court, HCIDLA will refer the tenant to seek immediate assistance from a legal service provider if the landlord does not withdraw the UD. HCIDLA investigates over 10,000 annual tenant complaints of possible RSO violations each year; approximately 36% are related to a three-day notice or eviction filing.

In order for HCIDLA to provide pre-eviction services to RSO tenants, the tenants have to know their rights and file a complaint. To ensure that tenants are aware of their rights, HCIDLA has expanded its public outreach and education efforts, including implementing a robust program of community workshops, partnering with landlord and tenant organizations, updating and simplifying informational materials and developing an RSO Awareness Campaign utilizing targeted transit ads at bus shelters, subway stations, Metro and DASH buses. Non-profit community-based organizations that operate tenant clinics throughout the city educate tenants about their rights and help tenants file complaints with HCIDLA. Many of these organizations are funded by foundations, the state, and/or the federal government to provide education, outreach, prevention, and legal defense. However, the current level of funding is insufficient and the patchwork of resources and organizations make coordination and collective evaluation difficult.

Tenants, particularly long-term RSO tenants, may live in units where the landlord refuses to make repairs or maintain the unit in a habitable condition. Allowing a unit to deteriorate and not responding to tenant complaints is a form of harassment used to force tenant turnover, particularly for long-term RSO tenants in gentrifying areas of the City. To prevent this indirect form of eviction, the City of Los Angeles manages a number of programs to ensure safe, habitable housing for its residents including: The Rent Stabilization Ordinance (RSO), Systematic Code Enforcement Program (SCEP), Rent Escrow Account Program (REAP), a Utility Maintenance Program (UMP), Urgent Repair Program (URP), and the Tenant Relocation Assistance Program (TRAP). These programs have successfully improved housing conditions and increased RSO awareness while preventing displacement or relocation for thousands of rental households throughout the city.

### **Existing Legal Defense Services**

The City of Los Angeles currently does not provide any City resources to represent tenants in court when they are served with an unlawful detainer (eviction notice). Tenants facing eviction may seek legal assistance from legal service providers that provide either cost-free service to qualified tenants or representation on a sliding-scale basis. These programs are historically oversubscribed, often have rigid eligibility requirements, and are currently unable to service all tenants in need. For example, the Sargent Shriver Civil Counsel Act Program (Shriver Program), which was enacted by AB 590 and funded by the state, can only represent tenants who have an unlawful detainer, meet certain “merit vulnerability scale” requirements, and whose landlords have legal representation. This means that legal service providers cannot assist tenants early on in the eviction process, for example, when a tenant receives an eviction

threat or a three-day notice. Additionally, under the Shriver Program, the court can limit how Shriver agencies provide legal services, and in recent years, courts have pressured legal services to shift to a self-help service model rather than full-scope representation. According to the providers, self-help is substantially less effective than full-scope representation in ensuring housing stability. As a result of the Shriver Program’s funding and programmatic limitations, legal service providers are only able to provide services to approximately 23% of households that apply, meaning that 77% of households at risk of eviction are turned away each year.

The Shriver Project is unquestionably the largest funding source for direct court representation; however, there are several other pre-eviction support services and rental assistance programs in the City that are currently not affiliated, funded or coordinated by the Shriver Project.

**Existing Rental Assistance Programs**

HCIDLA currently does not directly administer any rental assistance programs. However, its FamilySource Centers (FSCs) provide a very small amount of rental assistance to some families in need. Measure H also provides rental assistance combined with legal services, but legal service providers report that bureaucratic delays limit the ability of the rental assistance to urgently prevent evictions. According to legal service providers, previous rental assistance programs like the Homelessness Prevention and Rapid Re-Housing Program (HPRP) were more effective at dispersing rental assistance to stop evictions and prevent homelessness. That program, created by the American Recovery and Reinvestment Act of 2009, allowed legal service providers to negotiate with landlords and allocate rental assistance directly and prioritized consideration for tenants in subsidized or rent-stabilized housing, households living on fixed government benefits, households in which the head-of-household was disabled or 62+ years of age, and households who were homeless in the previous 24 months. HPRP is no longer funded, but could serve as a model for a rental assistance component of the proposed Eviction Defense Program.

Summary of Existing Eviction Defense Programs in LA City and County		
Pre-eviction	Court Representation	Rental Assistance
<p>Tenant clinics and legal services provided by non-profit legal service providers and community based organizations, which are limited in scope and reach.</p> <p>HCIDLA conducts a range of RSO Awareness activities, including holding about 200 annual workshops, publishing a variety of informational materials and staffing the Landlord-Tenant Hotline which intakes approximately 150,000 annual calls.</p> <p>HCIDLA currently investigates approximately 10,000 RSO complaints a year, 36% of which are for allegations of illegal evictions and 9% for non-payment of relocation</p>	<p>Shriver Project- Out of a total of 65,828 requests, Shriver served about 14,884 renters over a six-year period with some form of legal representation (56% assisted w/limited scope and 44% w/full scope representation); on an annual basis, roughly only 2,480 renters were served out of a total of 10,971 (approximately 23%).</p>	<p>L.A. City’s FamilySource Centers (FSCs) - provide a total of \$160K in crisis related supportive services that can be used for rental assistance. The FSCs serve about 50,000 individuals per year.</p> <p>L.A. County - Measure H also funds rental assistance as part of its prevention component for families and individuals. For FY 2018-19, a total of \$2M was expended to assist individuals with rental assistance. Of this total, the average service expense amount is \$1,123. In FY 2018-19, a total of \$1.85M was expended to assist families with rental assistance. Of this total, the average service expense amount is \$1,422. Rental assistance is</p>

<p>assistance. Currently, support from the department is limited in scope and reach.</p> <p>L.A. County - Measure H funds eviction prevention as part of homelessness prevention strategies which provide resources to families and individuals at risk of becoming homeless. For FY 2019-20, Measure H funded prevention efforts at \$23M.</p>		<p>issued by non-legal service providers and paid directly to landlords on behalf of the tenants in need; metrics are used to determine the percentage of families and individuals who exit the program and retain their housing or transition directly into other permanent housing.</p>
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## **OVERVIEW OF THE PROPOSED PROGRAM FOR LOS ANGELES**

Based on an extensive review of other cities, an analysis of the gaps in the existing publicly and privately funded programs, and various discussions with legal service providers, advocates, and landlord associations, HCIDLA proposes a program framework that includes the following key components:

- Education and public awareness (landlords and tenants);
- Eviction prevention interventions (landlords and tenants);
- Full-scope representation for eligible tenants in eviction proceedings;
- Rental assistance;
- Ongoing support services for tenant stability;
- Evaluation/monitoring; and
- Eviction filing system and data collection

This comprehensive framework is unique to the City of Los Angeles and will include contracted services provided by nonprofit legal service organizations, community based organizations (non-legal) and FamilySource Centers. Due to the limited start-up funding, a Citywide program cannot be implemented. Therefore, HCIDLA proposes that specific zip codes within the City be phased-in based on funding availability, until the entire city is included. Each phased-in zip code 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 or below 80% area median income (AMI). The program design will emphasize prevention and encourage tenants and landlords to seek assistance at the first signs of any eviction-related issues, rather than waiting until an unlawful detainer has been filed.

The outline of services described below is reflective of a framework for a broad city-wide program and is not limited to current funding levels. For a discussion of how all seven program elements will be incorporated in the first fiscal year and funding allocations, see the budget section on pages 12-13 and the draft RFP in Attachment C.

### **A. Education and Public Awareness**

The preventive approach to reducing evictions starts with education and public awareness. HCIDLA and contracted outreach partners will conduct extensive community education and awareness campaigns targeted at both landlords and tenants. A comprehensive “Know Your Rights Campaign” will help tenants, particularly tenants most vulnerable to eviction understand their rights and responsibilities.

Landlords will be required to provide tenants with information about the program once the tenancy commences, by posting Eviction Defense information in common areas of rental properties, and by serving a HCIDLA approved Eviction Defense notification with any termination notice. HCIDLA will also provide targeted education to landlords, particularly small operators that may require more direct assistance from the City to prevent the issuance of illegal UDs and three-day notices.

All outreach efforts will be closely coordinated through HCIDLA and leverage L.A. City resources and sites such as HCIDLA offices, libraries, recreation centers and parks, senior centers, City Council offices and other facilities frequented by City residents. HCIDLA and contracted service providers will also work together to identify landlords that continually engage in illegal practices and proactively conduct outreach to tenants living in at-risk buildings.

## **B. Eviction Prevention Interventions**

Effective eviction response and prevention should include an appropriate, timely intervention to help stabilize the landlord/tenant relationship and prevent an eviction. In general, the earlier the intervention, the less costly and more effective the intervention is. Tenants who anticipate an eviction or have received a three-day notice will be able to access services and/or referrals at a variety of entry points including HCIDLA offices, the HCIDLA hotline, the office of legal service providers/community organizations, and through designated tenant clinics. Designated tenant clinics will be located in accessible locations and staffed by contracted service providers who can provide assessments and referrals depending on the tenant's situation (see Attachment B for a flow chart of interventions).

Tenants who are income qualified (80% AMI or below) and live in the designated zip code(s) will be eligible to receive:

- Assistance filing and monitoring complaints (RSO, code enforcement, and fair housing);
- Legal assistance negotiating agreements with a landlord;
- Assistance responding to a three-day notice;
- Tenant Stability Planning – including financial coaching (administered by the Family Source Centers, and described in greater detail below); and
- Emergency or ongoing-rental assistance (described below).

The clinic in-take system will be designed so that tenants can access prevention/direct legal representation in the same location and with the same providers whenever possible. Referrals to HCIDLA and other appropriate agencies will be included as part of the process and HCIDLA's investigations will occur concurrently with the contracted prevention/defense process.

Tenants who are not eligible for assistance will be referred to sliding-scale attorneys or other organizations that can provide assistance.

Contracted legal service providers will be encouraged to identify amicable and fair solutions that provide beneficial outcomes for tenants and landlords as often and as early as possible. However, the legal service providers would not be expected to represent the landlords or provide neutral mediation since doing so will hinder their ability to represent tenant clients later in the eviction process. In addition, legal services providers will be asked to provide, as necessary, referrals to landlords that may need legal assistance or representation to resources such as the Los Angeles County Bar Association.

### **C. Rental Assistance**

Rental assistance is a vital component of the pre-eviction infrastructure and will facilitate better negotiations with landlords and reduce the risk of homelessness and displacement. Rental assistance is defined as: funding to cover the whole or part of the cost of rental arrears and regular rental payments for a time-limited period, which must be paid directly to the landlord, not the tenant. Tenants will be eligible for rental assistance at any stage of the eviction process (i.e., before a notice, after a notice, and after an unlawful detainer).

Rental assistance that is needed to prevent or resolve an eviction will be administered by legal services providers and consist of a negotiated one-time payment to pause or stop the eviction process. Any longer term rental assistance will be administered by the FSCs and accompanied by case management services. Similar to the previous Homelessness Prevention and Rapid Re-Housing Program, tenants who are low-income and at greatest risk of housing insecurity will receive priority assistance. Tenant eligibility and the duration of rental assistance will depend on funding restrictions as well as adopted program criteria.

HCIDLA will report back with further recommendations regarding program service details which will include but not limited to the number of households the program intends to serve with rental assistance (e.g. number of households to be served), eligibility criteria, maximum number of service months, and tracking methodology to determine program success.

### **D. Ongoing Support for Tenants**

To better serve tenants facing eviction, HCIDLA proposes to draw upon the existing network of FSCs to fully integrate case management services (including financial coaching) with the legal service provision. A Tenant Stability Advisor (TSA) located at the FSCs will work with identified tenants/households to stabilize their living conditions through supportive services and temporary financial assistance. Once housing has been stabilized, the TSA will provide case management services through an integrated financial coaching model. The TSA will conduct a comprehensive assessment for each tenant, which will include a financial health evaluation of the household's banking, credit, debt, and savings. Using this information, a housing stability plan will be developed in coordination with the household to ensure they are able to sustain themselves in their homes. This plan will include overall goals with specific action steps, measurable objectives, and techniques used to achieve objectives.

Services include:

- Intensive case management;
- Temporary financial assistance;
- Relocation assistance, including housing navigation;
- Financial education workshops;
- Financial coaching;
- Credit counseling;
- Credit building;
- Access to safe and affordable financial products;
- Tax preparation;
- Individual taxpayer identification number (ITIN) processing;
- Public benefit access;
- Referral to any other sources to address non-housing related concerns;

- Incentivized savings program; and
- Asset ownership programs.

TSA's will work closely with the legal service providers and the community-based clinic staff to create a systematized and streamlined referral process that is tenant-centered and able to respond quickly to tenants in urgent need. TSA's will be funded directly through the Eviction Defense Program but may also leverage other funding sources as necessary.

### **E. Full Representation**

Income eligible tenants who live in a participating zip code and have received an Unlawful Detainer would be able to access full-scope legal representation. Legal service attorneys would represent impacted tenants throughout the pre-eviction and eviction process - in settlement negotiations through trial, if necessary. Tenants living in subsidized housing would also have access to full-scope legal representation for other cases such as administrative hearings.

### **F. Evaluation**

A comprehensive initiative will include mechanisms to monitor and continuously improve. The purpose of data collection and evaluation is to (1) Inform policy implementation and targeting of efforts - for example, where formal and informal evictions occur most frequently and impacts on different demographic populations and neighborhoods; (2) Assess program effectiveness and outcomes of interventions; and (3) Identify best practices (e.g., clinics, reasonable accommodations, etc.) and make necessary adjustments to the program as needed.

Program evaluation may include, but is not limited to:

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

As access to resources increases, HCIDLA will contract with a qualified program evaluation consultant and work collectively with an advisory committee to review program evaluation reports and develop recommendations. The evaluation consultant may also be contracted to complete a cost-savings analysis to assess the fiscal impact of investing in eviction legal services and tenant education in terms of savings for other public services. Based on analyses from other cities, reducing evictions and displacement through the implementation of an Eviction Defense Program could save the City money by preventing additional spending on homelessness and other public services.

### **G. Data Collection and Required Eviction Filings**

HCIDLA has attempted to access eviction data from the courts for years with little to no success. In order to effectively track and monitor evictions and assist in the assessment of the efficacy of the program, HCIDLA recommends that landlords be required to file a notification for all evictions within the City. Once approved, HCIDLA would design a system to collect, monitor and report on the data, which will provide valuable insight on the frequency, location and reason for evictions. This requirement should be

implemented city-wide from the onset, rather than being phased in. This new filing notification will enable the City to accurately track the number of eviction related filings in the city as well as provide vital information for purposes of program implementation, scale up, budget, program adjustments, etc.

Staffing necessary for this new program include one Management Assistant (Class Code 1539) and a Senior Administrative Clerk (Class Code 1368), as well as a half-time Systems Analyst (Class Code 1596). These staff will be responsible for intake and processing of an estimated 20,000 to 25,000 annual eviction notification filings by landlords. Duties will include monitoring and tracking eviction filings, answering public inquiries and providing assistance on compliance with the new eviction filing requirement, providing information and referrals to legal services providers to tenants, conducting public presentations, and generating statistical reports. The half-time Systems Analyst will maintain and trouble-shoot the Eviction Filings system and online portal and its integration with the Rent System modules for tenant complaints and landlord declaration.

In addition, the program will require a Housing, Planning & Economic Analyst (HPEA) (Class Code 8504) to analyze data from the eviction data filing system, as well as develop reports based on data collected from legal service and tenant advocacy organizations, HCIDLA's Rent division, and the FamilySource Centers. Furthermore, the HPEA will work with the Senior Project Coordinator in conducting focus groups on best practices/lessons learned. The HPEA will also convening the program's advisory committee, track legislation and conduct legislative analyses of additional funding sources at the state level to support the Eviction Defense Program, monitoring the progress and development of eviction-related initiatives in other cities, as well as carry out various other analytical assignments and studies to implement the City's Eviction Defense Program.

### **PROPOSED PHASE-IN AND PROGRAM DESIGN FOR PHASE 1**

A successful program should incorporate all of the program elements described above and provide sufficient resources to meet the need. Because of the limited budget for Phase 1, HCIDLA proposes a phase-in approach that saturates two to three zip codes with all of the necessary program components. It is important to note that even with this limited geography, the program may be oversubscribed, preventing or diluting the limited resources for the first program year. Therefore, HCIDLA recommends maintaining the same geographic areas for Phase 2 while allocating substantially more resources such that every low-income tenant who faces eviction and lives within the predetermined zip codes can receive assistance. Because of funding restrictions and geographic limitations for Phase 1, HCIDLA recommends referring to the first phase of the program as an Eviction Defense Program. After Phase 1, HCIDLA will report back to the City Council on Phase 1 results as well as provide recommendations to effectively scale the program city-wide through a codified "Right to Counsel" or "Eviction Defense" ordinance proposal.

#### **Selecting the Zip Codes**

HCIDLA has developed three statistical indices (Tenant Vulnerability Index, a Neighborhood Displacement Index, and a Housing Condition index) to identify potential zip codes for the initial phase of the Eviction Defense Program. The Tenant Vulnerability index identifies areas with the largest population of households at risk-of eviction, the Neighborhood Displacement index identifies areas experiencing greater displacement/gentrification pressures, and the Housing Condition index identifies areas with housing units that, due to regulatory conditions, may have greater rates of eviction or need additional legal counsel (including Section 8 units, non-RSO units, etc.). For a complete explanation of

the indices including the list of variables, methodology, and limitations see Attachment E. For maps of the outcomes, see Attachments G, H and I.

After weighing a variety of options, HCIDLA decided to prioritize the three zip codes located entirely within the city limits with the highest tenant vulnerability indices: 90011 (Historic South Central/Central Alameda/South Park), 90003 (Southeast Los Angeles), and 90006 (Pico Union/Harvard Heights). Although housing conditions and displacement pressures unquestionably compound eviction risk, research suggests that neighborhoods with higher rent burden, lower-incomes, and more black and Latino residents have the highest rates of eviction filings. Targeting the areas with the highest socioeconomic vulnerability for Phase 1 is consistent with the program's goal of reducing homelessness and will allow HCIDLA to better direct resources to areas with the highest concentration of income-eligible, at-risk tenants.

As the program progresses, HCIDLA will be better able to identify and predict eviction hotspots by overlaying data from the proposed eviction filing system with data from the three indices. This analysis will allow the department to create a data-driven approach to identifying and selecting additional zip codes for subsequent phases of the program.

### **City/County Partnership**

In addition to the three zip codes as identified above, the City is also pursuing a partnership with the Los Angeles County to collaboratively fund zip code(s) that have been selected by the County Board of Supervisors but are located within the City of Los Angeles. By leveraging both City and County resources, the City will be able to leverage allocated resources to increase its initial geographic coverage. Based on initial discussions with the County, the County would fund and implement three initial components: unlawful detainer legal defense representation, outreach and know your rights workshops, and emergency rental assistance. The City would fund and implement pre-eviction legal services and ongoing rental assistance to eligible households within LA County's selected zip codes. Depending on the number and need in the selected zip codes, HCIDLA will need to make adjustments to the budget outlined below and/or seek additional funding.

Furthermore, due to the urgent need to provide eviction defense services, Los Angeles County, through its Department of Consumer and Business Affairs, is considering contracting with a lead legal services agency to administer the County's eviction defense program on a temporary basis while the County evaluates a process for competitive procurement. The lead legal services provider would likely be authorized to subcontract with other legal services providers and organizations as needed to implement the program in multiple areas countywide. In addition to legal services, the contract would likely include language for the full scope of services outlined in this report, allowing the City to provide additional services in the County/City partnership zip codes.

### **City/County MOU**

In an effort to collaborate with the County, the City intends to enter into an MOU with the County to create and implement an Eviction Defense program as long as funding remains available in the selected zip code(s). The MOU will include program service delivery commitments for both City and County, evaluation and reporting requirements to assess the program's outcomes, and service term details as follows:

- A description of the County's expectation to fund legal representation in unlawful detainer (UD) proceedings, outreach and know your rights workshops, and emergency rental assistance;
- Details pertaining to the City's commitment to fund pre-eviction legal services and ongoing rental assistance, these components will provide additional services to fill the gap of the County's core services;
- An agreed approach pertaining to collecting/sharing data, issuing joint quarterly reports to respective City and County governing bodies and the public, as well as studying impacts and determining outcomes for future program enhancements; and
- A statement referring to the duration of contracted services, an agreement regarding the City and County's individual service requirements, and specification about zip code(s) to receive services through pilot program.

## Budget Allocation

As previously mentioned, the proposed geographic phase-in will allow for a comprehensive program that reflects the framework and goals of the program even at a limited budget. With the current budget of \$3.087 million, HCIDLA proposes the following allocations (for a complete budget breakdown see Attachment D). HCIDLA will return with a revised budget that reflects a County/City partnership serving the selected County/City zip codes.

- **Pre-Eviction and Full Service Legal Assistance:** HCIDLA proposes allocating 45% of resources (\$1,381,435) for pre-eviction and legal response representation at all stages of the eviction process (including pre-eviction and UD defense). With this budget, we estimate approximately 1,067 households could be served at an estimated cost of \$1,300 per case. Legal service providers will be encouraged to work with HCIDLA and other community-based organizations to identify and intervene in an eviction at the earliest possible stage. The goal is to assist tenants as effectively as possible at the pre-eviction phase to proactively prevent an eviction or UD filing, but if necessary, providers will serve tenants through the entire legal process leading to full-scope representation.
- **Education and Public Awareness:** HCIDLA proposes \$394,935 (inclusive of the \$150,000 Inquilino Unidos contract) for contracted community-based organizations or legal service providers to conduct prevention services, including staffing tenant clinics and conducting targeted outreach and "Know Your Rights" workshops. This additional targeted outreach will complement and strengthen the existing citywide RSO campaigns developed and implemented by HCIDLA. The \$394,935 in contracted services would be complemented with an additional \$30,000 for HCIDLA to update its existing educational campaign materials with information on the Eviction Defense Program.
- **Wrap Around Services:** The Phase 1 budget proposes two Tenant Stability Advisors who will be based out of two of the FamilySource Centers (one of the Tenant Stability Advisors will be assigned to serve two FSC sites). As discussed above, the Tenant Stability Advisors provide wrap around services to tenants in crisis and at-risk of homelessness including longer term rental assistance (three to six months), financial coaching, pre-employment and employment support, food distribution, etc. The proposed cost for two full time positions at each of the selected FSCs is \$140,000.
- **Rental Assistance:** For Phase 1, HCIDLA is proposing a total of \$645,166 for rental assistance approximately 37% of which will be provided by legal services organizations as emergency one-time payments and 63% of which will be administered by the FamilySource Centers for tenants in need of longer-term assistance (to either assist tenants in becoming current on rent balance and/or

helping tenants find alternative housing). HCIDLA can report back to the City Council on the specific eligibility requirements for rental assistance once the Department establishes the criteria for both short- and long-term rental assistance.

- **Eviction Filing System:** To design and implement an eviction system filing system city-wide, HCIDLA will require a total of \$349,044, \$200,000 for the initial (one-time) system design and installation and \$149,044 for staffing (which includes (1) Management Assistant, (1) Senior Administrative Clerk, and (1) Systems Analyst).
- **HCIDLA Administrative Staffing:** The HCIDLA administrative staff cost for Phase 1 will include one (1) full-time (100%) Senior Project Coordinator and one (1) half-time (50%) Housing, Planning & Economic Analyst (HPEA) for a total cost of \$146,420, 5% of the total program budget. The department will also leverage other existing resources, including one (1) Communication Information Representative and two Housing Investigators specifically for the new program.

For Phase 1, services funded through the program as recommended would only be available in the designated zip codes and the contractors that will provide pre-eviction/legal response assistance and education and outreach will be selected through a Request for Proposals as proposed herein. HCIDLA will evaluate the effectiveness of each component of the program in Phase 1 and provide recommendations to the Mayor and City Council to broaden the service areas and implement any adjustments to the service model. As more funding becomes available, HCIDLA will develop recommendations on how to effectively scale the program city-wide, then report back to the City Council and the Mayor with recommendations on program adjustments and expansion including codifying the City's commitment to universal access to legal representation through a "Right to Counsel" Ordinance.

### **LONG TERM FUNDING & SUPPORT FOR EVICTION PREVENTION PROGRAM**

As HCIDLA begins implementing the first phase of the program, City Council should begin identifying and prioritizing funding resources to allow the program to scale up city-wide. HCIDLA estimates that a city-wide program that includes all seven scaled up components as described previously would cost upwards of \$40 million. HCIDLA has explored potential funding sources that can be used to help scale the Right to Counsel city-wide including, but not limited to:

- 1) State Homeless Emergency Aid Program (HEAP) Funds (Now HHAP) – For the past two years, Los Angeles has requested and received HEAP Funds from the State. In 2019, Los Angeles will receive approximately \$124 million for homelessness prevention and assistance. Funding for 2019 includes allowable uses for eviction prevention and response efforts, including rental assistance.
- 2) SB 2 Funding –SB 2 is a permanent source of funding for affordable housing. The funding is eligible to be used as follows: assisting persons who are experiencing or at-risk of homelessness, including providing rapid rehousing, rental assistance, navigation centers, emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing. Los Angeles is expected to receive approximately \$20 million each year (beginning January 2020). HCIDLA is currently working on an expenditure plan to submit to the California Department of Housing and Community Development by the fall 2019.
- 3) Taxes/Fees –Various cities around the country are adopting creative policies to raise funding to meet the needs of its residents. For example, the City of Boston recently proposed levying fees

on high-end real estate deals to help pay for more housing and address the affordable housing crisis in Boston. The proposal would set a tax of up to six percent on many commercial and residential sales over \$2 million and establish a “flipping” tax of up to 25% on some properties that are sold twice within two years.<sup>1</sup> Los Angeles City’s real estate market is currently booming, yet the City has a severe affordable housing crisis, so a flipping tax similar to Boston’s tax would financially benefit Los Angeles. A tax on L.A.’s real estate sales over a certain threshold could be a viable option that generates much needed funding to help fund the new Eviction Defense Program.

- 4) Funding for the Eviction Defense Program could also be provided by revenue from a Vacancy Tax. On June 11, 2019, Council introduced motion (CF No. 19-0623) asking HCIDLA to examine an empty home penalty or tax on vacant and habitable housing units. Part of the funding from this tax/fee could be used to support the Eviction Defense Program.
- 5) Statewide Funding for Legal Assistance – This year Senator Nancy Skinner introduced SB 18 which would have allocated state general funds for a competitive grant program to support legal assistance and pre-eviction programs. The legal assistance component was ultimately removed from the bill, but HCIDLA will continue to work with the City Council and the Mayor’s Office to push for statewide funding to support local Eviction Prevention and Response efforts.

<sup>1</sup> Logan, T. & Valencia, M. (2019). Boston officials propose new taxes on some real estate deals to pay for more housing. *The Boston Globe*.

## **PROVISION OF PROGRAM SERVICES**

HCIDLA has evaluated the level of work needed to implement the Eviction Defense Program. The Department has analyzed the expertise of current staffing and determined that in order to effectively carry out the program's scope of work, there is a need to seek and select impartial service providers possessing the required program delivery skill sets in Phase 1. If it is in the best interest of the City, HCIDLA will carry out and implement an RFP process to select qualified contractors for the full scope of services for a comprehensive EDP as outlined herein

On July 24, 2019, pursuant to the provisions of Charter Section 1022, HCIDLA requested a determination from the Personnel Department, which determined that City employees do not have the necessary qualifications to perform the required services sought under this RFP.

The attached draft Request for Proposals (RFP) illustrates HCIDLA's eligibility criteria and requirements for selecting contractors to carry out the program framework during Phase 1 (See Attachment C). The City's program seeks to secure qualified legal service providers and other community based organizations (i.e., non-legal service providers) to fulfill program expectations, and demonstrate measurable outcomes as quickly as possible.

HCIDLA proposes to issue the attached RFP for the program. At least one qualified firm will be selected as a lead agency, overseeing a consortia of partner organizations that will work collaboratively to reduce homelessness, prevent and respond to eviction filings, and reduce the displacement of tenants. In addition, the selected contractor is to leverage current City resources as it relates to tenant/landlord education, workshops, and providing other public information.

The RFP will be posted on the Los Angeles Business Assistance Virtual Network (LABAVN) and will be advertised in a local newspaper, as well as to other interested parties. The policies and parameters of the RFP are summarized below.

### ***Eligible Proposers***

The lead respondent for the RFP must be an Interest on Lawyers Trust Accounts (IOLTA) recipient and the majority of the sub-contracted organizations providing legal representation must also be IOLTA recipients. IOLTA recipients are all nonprofit organizations that provide free civil legal services to low-income Californians. These organizations are better able to leverage additional funds, both public and private funds, and have proven track-records of implementing grants and reporting to public agencies.

Proposers must be in good standing with relevant regulatory oversight agencies. Proposals will be accepted only from firms having at least five years of experience as a community-based organization (CBO) in assisting tenants through outreach, education, advocacy efforts, referral to needed services, and carrying out services to prevent and reduce tenant evictions. Eligible firms must have at least five years of experience as a legal service provider in assisting tenants with eligibility assessments, direct legal representation to address eviction notices and filings, negotiating with landlords and issuing emergency rental assistance. Regardless of the merits of the submission, an applicant may not be recommended for funding if it has a history of contract non-compliance or current disputed or disallowed costs with the City or any other funding source.

***Evaluation Process and Criteria***

Upon approval of the proposed RFP process and solicitation of proposals, an RFP evaluation team composed of HCIDLA staff or others with relevant expertise will review proposals. Each proposal will be evaluated on its own merits for content, responsiveness, conciseness, clarity, relevance, and strict adherence to the instructions in the RFP. Each proposal will be reviewed for threshold requirements and those passing threshold will be evaluated based on the following categories:

Area	Evaluation Criteria	Maximum Points
1	<b>DEMONSTRATED ABILITY AND CAPACITY</b> Previous work experience and staff capacity	25
2	<b>PROGRAM DESIGN</b> Approach to providing required scope of work services	25
3	<b>TENANT OUTREACH AND EDUCATION/LEGAL ASSISTANCE EXPERIENCE AND KNOWLEDGE</b> Tenant education, outreach, and displacement prevention competency and knowledge; experience in addressing tenant housing complaints and habitability issues, fair housing concerns, and providing legal representation and other legal services to prevent evictions; and experience in collecting data and utilizing a data tracking system designed to assist in the measurement of program outcomes	30
4	<b>COST REASONABLENESS</b> Proposed costs and budget	20
	<b>Total Points</b>	<b>100</b>

HCIDLA will notify all proposers in writing of the results of the proposal evaluations. Proposers may appeal procedural issues only, by submitting a letter to the HCIDLA within five (5) business days of receiving notification of the results of the RFP. Appeals will be reviewed before a panel of experts from HCIDLA. The City Council and the Mayor will exercise final authority in the approval of the recommended contractor, as well as the allocation of funds to be awarded through this RFP.

**EVICTIION DEFENSE PROGRAM STAFFING**

Implementation of the Eviction Defense Program requires funding and approval of the following positions:

- Senior Project Coordinator (Class Code 1538)
- Housing, Planning & Economic Analyst (Class Code 8504)
- Management Assistant (Class Code 1539)
- Senior Administrative Clerk (Class Code 1368)
- Systems Analyst (Class Code 1596)

The Senior Project Coordinator and Housing, Planning & Economic Analyst are required for program coordination and implementation of the Eviction Defense Program. The duties of the Senior Project Coordinator will include contract administration and monitoring of the legal services and outreach components, serving as a liaison between the advisory committee and the City, and coordinating the development and distribution of outreach materials.

The Housing Planning, & Economic Analyst will assist the Senior Project Coordinator, while also in charge of carrying out various analytical assignments and program evaluation tasks as previously described in this report.

The Management Assistant, Senior Administrative Clerk and Systems Analyst positions are required for the administration and maintenance of the data collection and eviction filing system, discussed on page 11. Evidence for staffing for this new program is demonstrated by the increase in the number of no-fault eviction filings in the last three years (see table below). These type of evictions require that property owners file forms with the City when evicting a tenant from an RSO unit due to a legal no-fault reason. An increase in these types of evictions signals an increase in overall eviction activity. The number of no-fault evictions filed represents a fraction of the annual total evictions citywide, estimated at 20,000 to 25,000 per year that will require adequate staffing for intake and reporting under the new Eviction Defense Program.

<b>No Fault Eviction Filings by Year</b>		
<b>2016</b>	<b>2017</b>	<b>2018</b>
656	788	995

## **CONCLUSION AND SUMMARY**

Amidst soaring rents and ongoing displacement pressures, increased threat of homelessness, Los Angeles renters struggle to remain stably housed. A city-wide program that provides free pre-eviction and legal representation services to eligible residents will help reduce the number of evictions in Los Angeles, minimize illegal violations by landlords, and promote long-term housing stability for vulnerable residents, while saving the City money. As the second largest city in the country, Los Angeles must seize this opportune moment to proactively address one of the root causes of homelessness and displacement.

## **FISCAL IMPACT STATEMENT**

The Phase 1 Eviction Defense Program is to be funded with \$937,000 in CDBG funds and \$2 million in General Funds for a total amount of \$2,937,000. The services are to also be carried out by an additional,

previously approved, \$150,000 CDBG contract with Inquilinos Unidos, resulting in the grand total amount of \$3.087 million.

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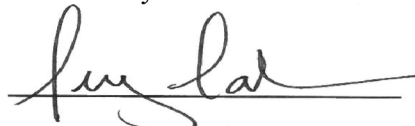
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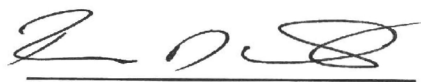
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Approved By:



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General Manager

ATTACHMENTS:

RTC City Comparison  
Draft Flow Chart  
Draft RFP  
Budget  
Index Methodology  
Index Results  
Tenant Vulnerability Map  
Displacement Map  
Housing Condition Map

Right to Counsel (RTC) Program Comparison Table

STATE OR CITY	NAME	ORIGIN	TARGET GROUP	DURATION/TIME PERIOD	FINANCIAL AMOUNT/SOURCES	KEY OUTCOMES	OTHER INFORMATION
California (Shriver Act)	Sargent Shriver Civil Counsel Act (L.A. County Pilot <sup>1</sup> )	The Sargent Shriver Civil Counsel Act (AB590) established pilot projects to provide legal representation for self-represented <sup>2</sup> low-income parties in civil matters involving critical livelihood issues, one of them including housing. Six pilot projects were selected by the Judicial Council of CA and funded in the fall of 2011 to focus on housing, County of L.A. was one of the selected projects. In 2016, the Governor of CA signed legislation making the Shriver Act permanent.	Incomes at or below 200% of the federal poverty level (FPL)	Since 2011	<b>Annual budget - \$2,323,426</b> -Funded by fee paid to court when certain individuals file cases fees go to the Shriver Project	65,828 sign-ins over 6 year period, of this total 14,884 litigants assisted w/some form of rep. (56% assisted w/limited scope rep. and 44% w/full scope rep.) <sup>3</sup>	% of tenants/landlord retaining possession: Landlord – 4,145   64% Tenant – 1,726   27% Unknown/Missing Data - 618   10%
New York City	The Universal Access Law	In Aug. 2017, Mayor Bill de Blasio signed into law Intro 214-b, legislation passed by the New York City Council that made the City of New York the first city in the U.S. to commit to make legal services available to all tenants facing eviction in housing court and public housing authority termination of tenancy proceedings	-For the first year, the city picked the zip codes based on factors including the number of evictions, shelter entries and rent stabilized unit. Zip code model is temporary -In 5 yrs., or by 2022, zip codes will be irrelevant, and everyone income eligible (income is 200 percent of the federal poverty level or less <sup>4</sup> ) will have the right to an attorney -Requires free legal advice, but not representation, for tenants with higher incomes than 200 percent of FPL	Law signed in 2017; RTC to be implemented over the course of 5 yrs., by zip codes. By 2022, coverage will be universal.	New York City invested more than \$111M in civil legal services in FY2017, an annual budget for civil legal services programs that exceeded \$100M for the first time. In FY2018, this commitment will grow even more to exceed \$142 million, representing a 28% increase in total City funding for civil legal programs. FY2018: Civil legal services funding in the Mayoral baseline budget exceeds \$100 million for the first time, at \$113.0 million. City Council discretionary funding for civil legal programs is likewise at an	In 2013, roughly 1% of tenants facing eviction in Housing Court (HC) had legal representation. In contrast, OCJ's analysis found that in 2016 more than one in four tenants facing an eviction case in court in New York City - 27% - was represented by a lawyer. As of the end of FY 2018, the legal representation rate was even higher. In the last quarter of FY 2018, 30% of tenants who appeared in eviction cases in HC citywide were represented by counsel, and an additional 4% of such tenants received	City tax \$ in General Fund is not tied to a discreet tax (money came into City's GF); funding also derives from the Emergency Solutions Families (like TANF)- City seeks reimbursement from this fund.

<sup>1</sup> A collaboration between four local legal aid agencies – includes Neighborhood Legal Services of Los Angeles County (NLSLA), Inner City Law Center (ICLC), Legal Aid Foundation of Los Angeles (LAFLA), and Public Counsel (PC)

<sup>2</sup> The term “self-represented” is used to refer to litigants who appear in court or undergo their case proceedings without representation by an attorney.

<sup>3</sup> Generally litigants will return more than once if legal agency did not have any appointments on a given day so there may be duplicates included in this total (65,828).

<sup>4</sup> Councilmember Levine introduced legislation, RTC 2.0, which would expand eligibility for appointed counsel from 200% of the FPL to 400% and would also include hearings at some non-housing court venues.

Right to Counsel (RTC) Program Comparison Table

					historical high point at \$29.6 million; nearly triple the level of this funding in Fiscal Year 2013. The 2017 recently signed law commits <b>\$155M</b> over five years to fulfill a right to counsel.	legal advice or other assistance through OCJ's tenant legal services programs (an estimated 34% of tenants appearing Housing Court for eviction cases - more than one in three - received legal services).	
San Francisco	Measure F – Legal Representation for Tenants Ordinance	In June 2018, City passed ballot measure giving tenants facing eviction lawsuits the right to taxpayer-funded legal rep. (in 2012, SF passed ordinance declaring SF to be a right to civil counsel city)	All residents; however, service/target approach is not yet settled. SF is considering: 1) means testing to serve higher income (120% AMI); 2) providing universal access	Voters passed ballot in 2018	<b>A total of \$5.8M</b> secured over the next two years; funding includes \$1.9M this FY and \$3.9M in FY19-20. Funding sources to include CDBG and the rest is in General Fund, including revenue generated by a local tax initiative passed in 2012 - Housing Trust Fund. In Nov. 2018, voters passed a ballot measure called Proposition C that taxes the annual gross receipts of the city's biggest companies and estimated to generate between \$250M and \$300M for the city. Expected to further fund eviction prevention.	Full implementation planned to begin July 2019; eleven groups will be providing the legal services.	The Housing Trust Fund will begin with a set aside of \$20M in general fund revenue and increase to \$50M a year by year thirteen, then index to the city's general fund growth. The Housing Trust Fund will mainly recapture and recycle former Redevelopment Agency Tax increment funds that had been dedicated to affordable housing, as well as the addition of a small portion of Hotel Tax revenues that had already been appropriated yearly for affordable housing, plus an additional \$13M in new General Fund revenue.
Newark	New Ordinance chapter created in Title XIX, of the revised General Ordinances of Newark, establishing access to free legal representation to Newark's low-income residents facing eviction in landlord tenant court	Measure approved by city council in December 2018 creates a new Office of Tenant Legal Services within the city's Dept. of Economic and Housing Development. Newark is the third city to establish a right to counsel for evictions.	A person who does not make more than 200 percent of the federal poverty level would be eligible for the program	Program to begin April 1	<b>Funding for the program is not yet final</b> , the city is to devise a budget. The city will look into creating a landlord-tenant fund to collect donated money from interested law firms that will help pay for the program. The new director of the Department of Economic and Housing Development (once hired) will also submit a proposed annual budget for consideration.	Program has not yet began.  The new director will be responsible for putting out requests for proposals to select non-profit organizations that can provide legal services to residents in Superior Court, where eviction proceedings take place.	Two months earlier, Mayor Ras Baraka announced the city's plan to establish a much larger program alongside the mayor of New York City.



DRAFT- Right to Counsel - Service Provision Flow Chart – the Tenant Experience

**EDUCATION & PUBLIC AWARENESS**

Tenants learn about their rights and landlords learn about their legal responsibilities through a public education campaign – including targeted outreach conducted by contractors and HCID staff and ongoing Know Your Rights workshops and outreach events.

*Eligible tenants experiencing an eviction-related issue come to the eviction response clinic*

**ASSESSMENT & REFERRAL**

Contracted Eviction Prevention Specialist (EPS) completes an intake form, asks the tenant to describe the situation to assess service needs, and checks to see if the tenant qualifies for additional services. Based on the information, the EPS (1) assists the qualified tenant in submitting any applicable complaints related to RSO, code enforcement, and/or fair housing (2) refers the tenant to a legal service provider (either on- or off-site) that can provide full-scope, ongoing representation and (3) refers the tenant to a local Family Source Center if the tenant is interested in longer-term rental assistance or other housing stability services. If the tenant does not qualify the EPS worker provides referrals for sliding-scale legal service providers and encourages the tenant to speak with an HCIDLA investigator if the unit is RSO.

**INTEGRATED SERVICE PROVISION**

*If the tenant anticipates a 3-day notice or has received a threat of eviction*  
**EARLY ACTION**

Legal service providers educate tenants on their rights and responsibilities and attempt to resolve disputes between the landlord and tenant by negotiating potential payment plans, deferred payments, reasonable accommodation requests, relocation plans, and/or other arrangements between the landlord and tenant.

HCIDLA rent investigators follow up on any allegations of RSO Violations, Anti-Tenant Harassment Ordinance Violations\*, or Just Cause Eviction Violations\*

Code Enforcement Officers from HCIDLA, DBS, and the Public Health Department follow up on any applicable complaints

Fair housing organization follows up on any potential violations

If the tenant is interested, Tenant Stability Advisors develops a housing stability plan with the tenant including ongoing rental assistance, job placement assistance, financial health assessment, financial coaching, affordable housing referrals, etc.

*If the tenant has a 3-day notice*  
**URGENT RESPONSE**

Legal service providers formerly respond to the three-day notice, educate tenants on their rights and responsibilities and attempt to resolve disputes between the landlord and tenant by negotiating potential payment plans, deferred payments, rental assistance, reasonable accommodation requests, relocation plans, and/or other arrangements between the landlord and tenant.

If the 3-day notice is in violation of any city laws (including RSO the Anti-Tenant Harassment Ordinance Violations\*, or the Just Cause Eviction ordinance\*), HCIDLA urgently investigates the complaint and issues a letter to the landlord to stop the eviction.

Code Enforcement Officers from HCIDLA, DBS, and the Public Health Department follow up on any applicable complaints

Fair housing organization follows up on any potential violations

If the tenant is interested, Tenant Stability Advisors develops a housing stability plan with the tenant including ongoing rental assistance, job placement assistance, financial health assessment, financial coaching, affordable housing referrals, etc.

\* if adopted by City Council

*If the tenant has an unlawful detainer*  
**EMERGENCY ASSISTANCE**

Legal service provider provides immediate direct full representation until the lawsuit is resolved. This may include negotiated rental assistance.

HCIDLA rent investigators follow up on any allegations of RSO Violations, Anti-Tenant Harassment Ordinance Violations\*, or Just Cause Eviction Violations\*

Code Enforcement Officers from HCIDLA, DBS, and the Public Health Department follow up on any applicable complaints.

Fair housing organization follows up on any potential violations.

If the tenant is interested, Tenant Stability Advisors develops a housing stability plan with the tenant including ongoing rental assistance, job placement assistance, financial health assessment, financial coaching, affordable housing referrals, etc.

- HCIDLA
- FSC Tenant Stability Advisor
- Legal Service Organization
- Government Code Enforcement Agencies
- Legal Service or other CBO
- Fair Housing Contractor



## City of Los Angeles Housing and Community Investment Department



Eric Garcetti, Mayor  
Rushmore D. Cervantes, General Manager

# Request for Proposals (RFP)

## Eviction Defense Program

<b>Release Date</b>	<b>Monday, September 2, 2019</b>
<b>RFP Submission Deadline</b>	<b>Monday, October 28, 2019</b> Proposals shall be accepted no later than <b>4:00 p.m.</b> via hand delivery or courier to address listed below. If mailed, postmarked no later than 11:59 p.m. and addressed to address listed below.
<b>Submission Address</b>	Los Angeles Housing and Community Investment Department Attn: Contracts and Procurement Unit 1200 W. 7 <sup>th</sup> Street, 1 <sup>st</sup> Floor, Public Counter Los Angeles, CA 90017
<b>Mandatory Proposers' Conference</b> (Proposers may participate in person or via webinar, see pages 9-10)	<b>Thursday, September 12, 2019</b> (2:00 p.m. – 4:00 p.m.) Los Angeles Housing and Community Investment Department 1200 W. 7 <sup>th</sup> Street, 9 <sup>th</sup> Floor Conference Room 912 Los Angeles, CA 90017  RSVP by Tuesday, September 10, 2019 via email to: <a href="mailto:hcidla.contractsprocurement@lacity.org">hcidla.contractsprocurement@lacity.org</a>
<b>Request for Technical Assistance Deadline</b>	<b>Monday, October 14, 2019</b> Submit by email only to: <a href="mailto:hcidla.contractsprocurement@lacity.org">hcidla.contractsprocurement@lacity.org</a>  All questions and answers will be made available to all proposers on the LABAVN website at: <a href="http://www.labavn.org">www.labavn.org</a>

*It is the policy of the City of Los Angeles to provide access to its programs and services for persons with disabilities in accordance with Title II of the Americans with Disabilities Act (ADA) of 1990, as amended. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities.*

For more information on the City's business outreach opportunities, visit [www.labavn.org](http://www.labavn.org)

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Housing and Community Investment Department  
Request for Proposals  
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**ATTACHMENTS:**

**ATTACHMENT 1**

Proposal Checklist – Table of Contents

**ATTACHMENT 2**

Living Wage Ordinance and Service Contractor Worker Retention Ordinance

**ATTACHMENT 3**

LWO Statutory Exemptions

**ATTACHMENT 4**

Proposer Workforce Information/Non-Collusion Affidavit

**ATTACHMENT 5**

Business Services Implementation Plan Collaborator Agreements

**ATTACHMENT 6** – *(Not applicable, nothing to submit)*

**ATTACHMENT 7**

Iran Contracting Act of 2010 Compliance Affidavit

**ATTACHMENT 8**

Corporate Documents

**ATTACHMENT 9**

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CEC Form 55 Instructions

**EXHIBITS:**

**BUDGET FORMS/FEE SCHEDULE**

# **I. BACKGROUND**

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## **A. ADMINISTRATIVE ENTITY**

The Los Angeles Housing and Community Investment Department (HCIDLA) administers various programs such as the financing of affordable housing, first-time home buyer, housing rehabilitation, the enforcement of the Rent Stabilization Ordinance, Systematic Code Enforcement Program and other social services that assist low-income, homeless, and special needs populations, and communities in general. The Department also manages the Consolidated Plan, which includes the administration of federal funds (including HOME, ESG, HOPWA, and CDBG) for the City, and support six Commissions. Funding for this request for proposals (RFP) is made available from the City's allocation of Community Development Block Grant (CDBG) and City General Fund resources.

On behalf of the City of Los Angeles (City), the HCIDLA will serve as the administrative entity for this request for proposals (RFP). The HCIDLA has been authorized to release this RFP pursuant to action(s) approved by the Los Angeles City Council and Mayor (City Council File No. XX-XXXX).

## **B. OVERVIEW**

On August 17, 2018, the Los Angeles City Council (City Council) adopted a motion directing the HCIDLA to work with the Chief Legislative Analyst (CLA) and the City Attorney to develop recommendations, including prospective costs and funding sources, for a City of Los Angeles "Right to Counsel" ordinance and/or program to ensure that tenants have access to the information and representation they need when faced with alleged landlord harassment, rental agreement and lease issues, and eviction for any reason. On February 13, 2019, City Council passed the first Right to Counsel (RTC) motion recognizing that low-income tenants face eviction or the threat of eviction, which leads to displacement and ultimately homelessness. Accordingly, through the City's 45<sup>th</sup> Program Year (PY 45) Housing and Community Development Consolidated Plan, the Mayor and City Council expressed its intent to establish a Right to Counsel program, allocating funding for legal representation accompanied by other services to tenants facing eviction.

Through the Bridge Home Initiative - one of many programs the City developed to tackle Los Angeles' homelessness crisis - by providing bridge housing beds for unsheltered individuals experiencing homelessness. The City recognizes that it must implement other programs and policies to effectively address homelessness. In order to continue reducing the number of unhoused City residents, the City must address the inflow of people entering the cycle of homelessness. The 2019 Greater Los Angeles Homeless Count results show that the County of Los Angeles has experienced a 12% increase in homelessness, while the City of Los Angeles has experienced a stark 16% increase. Accordingly, not only is there an urgent need to assist those already experiencing

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homelessness, but there is also an urgent need to prevent those currently housed from becoming homeless.

The RTC program also addresses – and seeks to rectify - the imbalance which exists in and outside the courthouse. While landlords often appear in court with an attorney for an eviction proceeding, tenants, on the other hand, arrive unrepresented due to their inability to afford a lawyer or the extremely limited availability of free legal assistance/representation. The tenants' inability to obtain legal representation is a major factor in tenants losing their housing, as tenants are left to represent themselves without possessing even a rudimentary understanding of the proceeding, and as a result, sometimes even fail to appear in court out of fear.

On May 30, 2019, the City Council and Mayor approved a funding allocation of approximately \$3 million to fund the first year of a RTC program to assist qualifying Los Angeles residents with eviction prevention and direct free legal representation services.

Per the funding allocation, the RTC will be called the Eviction Defense Program (EDP) and implemented in a “phased-in” approach delivering services to eligible tenants in specified geographic areas (by zip codes). These areas were determined using U.S. Census and various program data to identify communities with high index scores of tenant vulnerability, poor housing conditions (e.g., tenant complaints, properties with many code enforcement violations), and displacement pressures. The future objective is to expand the first year zip codes in the subsequent phases of the program, and include additional high index scoring zip codes selected in accordance with available funding and as decided upon by the City Council and Mayor.

The first phase of the EDP will be implemented in the following three zip codes with the highest tenant vulnerability indices: 90011 (Historic South Central/Central Alameda/South Park), 90044 (Vermont Vista/Vermont Knowles/Vermont Slauson), and 90006 (Pico Union/Harvard Heights). Although housing conditions and displacement pressures unquestionably compound eviction risk, research suggests that neighborhoods with higher rent burden, lower-incomes, and more Black and Latino residents have the highest rates of eviction filings. Targeting the areas with the highest socioeconomic vulnerability for the first phase of the EDP is consistent with the program's goal of reducing homelessness and will allow the City to better direct resources to areas with the highest concentration of income-eligible, at-risk tenants.

## II. RFP SPECIFICATIONS

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### A. SERVICES SOLICITED

This RFP seeks to solicit qualified organizations/contractors (Proposer(s) or Contractor(s)) for the first year of the City's EDP to be conducted for the purposes of implementing the Prevention and Legal Response program components of the EDP. Selected Contractor's activities will seek to prevent eviction filings, prevent unlawful detainer court appearances, reduce new incidents of homelessness, as well as leveraging current City resources (i.e., HCIDLA Rent investigation staff, HCIDLA's tenant/landlord educational campaign and workshops, public hotline, and FamilySource Centers (FSC)). Selected Contractor will provide free limited-scope and full-scope legal representation to eligible tenants, which are outlined in this RFP. The City's EDP is intended to demonstrate a commitment to protecting and promoting the fair housing rights of Los Angeles' low-income households and ensuring their housing stability.

Proposers are encouraged to submit proposals as a consortium managed by one lead agency. One contract with a lead agency and a consortia of funded and non-funded partners to provide the services as prescribed in the RFP will be funded.

### B. SCOPE OF WORK

The selected Contractor must carry out the following tasks by working with HCIDLA:

#### Task 1: Education & Outreach

The Contractor will leverage HCIDLA's educational campaign by performing "Know Your Rights" educational workshops, attending outreach events at various locations, and providing services at tenant clinics to reach residents in targeted communities.

#### Task 2: Assessment and Referral

The Contractor will complete an intake form by obtaining answers to a series of questions during initial contact with tenants to assess their housing needs. The Contractor will evaluate the urgency of the tenant's situation and provide services and/or referrals accordingly.

Regularly-scheduled tenant clinics are to be made available in various locations in phased-in geographies by providing advice and brief legal services including, where appropriate:

- Facilitate conflict resolution between landlords and tenants, and conduct negotiations with landlords;
- Submission of any applicable complaints related to the City's Rent Stabilization Ordinance (RSO) housing, Code Enforcement, and/or fair housing issues;
- Requests for reasonable accommodations;

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- Conducting targeted outreach (in compliance with City's policy and HCIDLA investigators in identifying properties with a high number of tenant complaints and code enforcement issues);
- Referral to EDP legal service contractor to receive emergency rental assistance, legal representation/consultation or any other legally related issue;
- Referral to a local FSC if the tenant is interested in or needs long-term rental assistance or services to ensure housing stability; and

### **Task 3: Case Management**

The Contractor will be required to refer tenants to receive case management services from a partner FSC. Referrals will be based on a needs assessment during the intake process. Contractor is to inform tenants who are referred to a designated FSC that all housing stability services are voluntary and not required for legal assistance, except when tenant requires long-term rental assistance.

As part of this program design, the lead agency (i.e., Proposer/Contractor) will partner with a FSC "Tenant Stability Advisor" (TSA). The TSA will serve as a liaison between the tenant and FSC staff to maintain housing stability for the tenant. The tenant is to receive supportive services whether or not the tenant is receiving legal assistance from a provider. The TSA will work with the identified tenant(s)/household(s) to stabilize his/her/their living conditions through supportive services and temporary financial assistance. The TSA is to also determine and assist tenant(s) - using a small percentage of the allocated rental assistance - in security deposits and move-in expenses when the tenant(s) has/have to be relocated due to loss of his/her/their housing unit, including support for housing navigation. Once housing has been stabilized, the TSA will provide case management services through a service integrated financial coaching model. The TSA will conduct a comprehensive assessment for each tenant, which will include a financial health evaluation of the household's banking, credit, debt, and savings. Using this information, a housing stability plan will be developed in coordination with the household to ensure they are able to sustain themselves in their home. This plan will include overall goals with specific action steps, measurable objectives, and techniques used to achieve objectives.

The FSC TSA's services will include:

- Intensive case management;
- Temporary financial assistance;
- Relocation assistance, including housing navigation;
- Financial education workshops;
- Financial coaching;
- Credit counseling;
- Credit building;
- Access to safe and affordable financial products;
- Tax preparation;
- Individual taxpayer identification number (ITIN) processing;
- Public benefit access;

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- Referral to any other sources to address non-housing related concerns;
- Incentivized savings program; and
- Asset ownership programs.

#### **Task 4: Legal Assistance**

The Contractor is to provide legal services to tenants at three different levels (early action, urgent response, and emergency assistance) based on the housing needs of the tenants on a case-by-case basis. In addition, the Contractor is to conduct an initial intake process with the tenant to determine income (80% AMI level or below) and geographic eligibility if the tenant was not referred through another component of the EDP program (i.e., education and prevention provider or case management entity) in which this assessment was already performed. The Contractor is to also work closely with the designated FSC representative.

##### **Task 4.1: Early Action Steps**

The Contractor is to serve in the capacity as a legal service provider to assist tenants when they **anticipate** a three-day notice (or other similar notices) or have received a threat of eviction. The Contractor is to educate tenants on their rights and responsibilities; provide assistance with the intent to resolve disputes between the landlord and tenant by negotiating potential rent payment plans, deferred payment, reasonable accommodation requests, relocation plans, and/or other arrangements between the landlord and tenant. During this stage, the Contractor is to determine if early prevention services are needed to assist tenants.

The Contractor is to also refer tenants to a partner FSC TSA for other services as outlined in Task 3 – Case Management section of this scope of work. The Contractor is to inform tenants who are referred to a designated FSC that all housing stability services are voluntary and not required for legal assistance, except when the tenant requires long-term rental assistance.

The Contractor is expected to work with HCIDLA by referring cases to HCIDLA for rent investigators to investigate any allegations such as RSO violations, Anti-Tenant Harassment Ordinance violations, or Just Cause violations.

The Contractor will also refer tenants to HCIDLA in an effort to ensure tenants receive responses to their issues and they are navigated through the proper filing of complaints with the City departments' Code Enforcement sections/units (HCIDLA, LADBS and/or other City/governmental entities such as the Los Angeles County DPH), as well as help tenants seek assistance with any fair housing issues/violations by referring them to a fair housing organization.

##### **Task 4.2: Urgent Response**

The Contractor is to serve in the capacity as a legal service provider to assist tenants when they **receive** a three-day notice from a landlord. The Contractor is to **formally**

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**respond** to the three-day notice, educate tenants on their rights and responsibilities and attempt to resolve disputes between the landlord and tenant by negotiating potential payment plans, deferred payments, rental assistance, reasonable accommodation requests, relocation plans, and/or other arrangements between the landlord and tenant.

During this stage, the Contractor is to determine the need to assist a tenant through rental assistance to ensure housing stability and during the negotiation process with the landlord. Rental assistance for tenants is to cover the whole or part of the cost of their rental arrears and regular rental payments for a one-time period. This payment assistance is to be considered for tenants living in both rent control and non-rent control housing units. The emergency rental assistance is to be paid by the Contractor directly to the landlord on behalf of the tenant.

The Contractor is to also determine and assist tenants using a small percentage of the allocated rental assistance to aid tenant in security deposits and move-in expenses when they have to be relocated due to loss of their housing unit.

The Contractor is to also refer tenants to a partner FSC TSA for other services as outlined in Task 3 – Case Management section of this scope of work. The Contractor is to inform tenants who are referred to a designated FSC that all housing stability services are voluntary and not required for legal assistance, except when the tenant requires long-term rental assistance.

The Contractor is to also determine if the three-day notice is in violation of any applicable laws (including, but not limited to, the City's RSO, the Anti-Tenant Harassment Ordinance violation, or the Just Cause Eviction Ordinance) and refer any potential violations to HCIDLA so the department can open a case to investigate the complaint and issue a letter to the landlord to stop the eviction.

The Contractor will also refer tenants to HCIDLA in an effort to ensure tenants receive responses to their issues and they are navigated through the proper filing of complaints with the City departments' Code Enforcement sections/units (HCIDLA, LADBS and/or other City/governmental entities such as the Los Angeles County DPH), as well as help tenants receive assistance with any fair housing issues/violations by referring them to a fair housing organization.

### **Task 4.3: Emergency Assistance**

The Contractor is to serve in the capacity as a legal service provider to assist tenants when he/she/they has/have received an unlawful detainer (UD) lawsuits filed against him/her/them by a landlord. The Contractor is to immediately assist tenants by providing direct full-scope legal representation services until the lawsuit is resolved. Assistance is to also be provided for administrative hearings. Legal representation should be accessible to tenants with physical and mental disabilities, as well as tenants who speak a language other than English. The only requirements for determining eligibility for legal representation would be based on verification of income and tenant's residence in one of the targeted service zip codes in Los Angeles.

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During this stage, the Contractor is to assist a tenant by providing rental assistance in order to ensure housing stability and provide assistance during the negotiation process with the landlord. Rental assistance for tenants is to cover the whole or part of the cost of their rental arrears and regular rental payments for a one-time period. This payment assistance is to be considered for tenants living in both rent control and non-rent control housing units. The emergency rental assistance is to be paid by the Contractor directly to the landlord on behalf of the tenant.

The Contractor is to also refer tenants to a partner FSC TSA for other services as outlined in Task 3 – Case Management section of this scope of work. The Contractor is to inform tenants who are referred to a designated FSC that all housing stability services are voluntary and not required for legal assistance, except when the tenant requires long-term rental assistance. The FSC TSA contractor is to also determine and assist tenant using a small percentage of the allocated rental assistance to aid tenant in security deposits and move-in expenses when they have to be relocated due to loss of their housing unit.

The Contractor is to also refer cases to HCIDLA for rent investigators to follow-up on any allegations such as RSO violations, the Anti-Tenant Harassment Ordinance violations, or the Just Cause Eviction Ordinance violations.

The Contractor will also refer tenants to HCIDLA in an effort to ensure tenants receive responses to their issues and they are navigated through the proper filing of complaints with the City departments' Code Enforcement sections/units (HCIDLA, LADBS and/or other City/governmental entities such as and/or the Los Angeles County DPH), as well as help tenants receive assistance with any fair housing issues/violations by referring them to a fair housing organization.

### **Task 5: Data Collection & Evaluation**

The EDP will include ongoing evaluation and monitoring to analyze service outcomes, develop reports and gather data, and respond to requests from City officials and the EDP advisory committee.

The data collection and evaluation portion of EDP is critical to inform progress of program implementation (for example, where formal and informal evictions are most frequently occurring and how different demographic populations and neighborhoods are impacted differently) and assessing outcomes of each intervention and identify best practices.

The Contractor is expected to utilize the City's specified Clarity Human Services/Bit Focus data entry system to collect and report on the following items, but not limited to, during the term of the contract period:

- Number and demographics of people served;
- Eviction prevention outcomes, by intervention (i.e., retain housing or "soft landing");
- Geographic location of evictions filed and households served;

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- Referral to other services/providers;
- Client feedback survey;
- Interviews with direct service providers; and
- Any other pertinent service delivery/outcome data.

The client intake instrument, which will be used to gather client details, is to be administered by the Contractor to ensure tenants' ease in answering questions. Intake is to be administered in a manner that addresses linguistic and literacy barriers, as well as any other communication and comprehension barriers.

### **C. ELIGIBLE PROPOSERS (Threshold Requirements)**

Proposals will be accepted only from contractors or organizations that meet the following criteria. Proposers must:

1. Be qualified to conduct business in the State of California as evidenced by the organization's business registration with the California Secretary of State;
2. Be in good standing with the California Secretary of State, if a corporation or limited liability company;
3. Have not been determined to be non-responsible or been debarred by the City pursuant to the Contractor Responsibility Ordinance;
4. Have not been debarred by the federal government, State of California or local government;
5. Have a minimum of five (5) years continuous experience as a community-based organization (CBO), legal or non-legal entity, in assisting tenants through outreach, education, advocacy efforts, referral to needed services, and carrying out services to prevent and reduce tenant evictions (Education & Prevention Component);
6. Have a minimum of five (5) years continuous experience as a legal service provider in assisting tenants with eligibility assessments/screening; referrals to various services/departments/programs to address housing emergencies and other needs; providing direct limited-scope and full-scope legal representation to clients who have received an eviction notice or threat of an eviction; negotiating with landlords/owners on behalf of tenants; issuance of rental assistance payments on behalf of clients; and performing other legal assistance for housing-related issues; (Legal Assistance Component);
7. Serve as the lead agency and oversee a consortium of funded and non-funded partners to provide the services as prescribed in the RFP.

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8. Legal service entity must be a nonprofit legal services provider.
9. Lead entity and contracted legal service providers must participate in the Interest on Lawyers' Trust Accounts (IOLTA) program.
10. Not have any outstanding debt which has not been repaid or for which a repayment agreement plan has not been implemented, if the proposer has previously contracted with the State of California or the City of Los Angeles. If it has contracted with the HCIDLA, it must not have any outstanding disallowed costs or other liability to the City.

#### D. BUDGET AND SOURCES OF FUNDS

The source of funds for this RFP is CDBG and City General Funds for PY 45 beginning July 1, 2019 until June 30, 2020. Approximately \$2,012,370 is anticipated to be available for the Los Angeles City's Eviction Defense Program, subject to the approval by the Los Angeles City Council and the Mayor.

#### E. CONTRACT TERM

The initial contract for the proposed services is targeted to commence on or about March 1, 2020, and shall be for a term of one-year with an option to extend for up to two additional one-year terms, subject to the availability of funds, Contractor's continuing compliance with applicable Federal, State, and local government rules/regulations/laws, Contractor's performance in accordance with the terms of the contract arising from this RFP, and approval by the Mayor and City Council. Only one contract will be issued under this RFP.

#### F. PRELIMINARY SCHEDULE

<u>Event</u>	<u>Date</u>
Request for Proposals Released	September 2, 2019
Mandatory Proposers' Conference	September 12, 2019
Proposal Submission Deadline	October 28, 2019

#### G. MANDATORY PROPOSERS' CONFERENCE

A Proposers' Conference has been scheduled to answer questions about this RFP. See cover page for Conference date and location. Attendance is mandatory for anyone interested in submitting a proposal in response to the RFP. Please plan to arrive on time as credit may not be given if a proposer's representative arrives late to the conference. If you are not available to attend, you may either send a representative or participate via webinar, which will be held in conjunction with the in-person conference. The registration and webinar information for remote participation is as follows:

1. Please register for the **Eviction Defense Program RFP Proposers' Conference** by **Month Day, Year** at:

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<https://attendee.gotowebinar.com/register/1804656319727417347>

2. When attending, please select **Phone Call** as your audio mode.
3. The following number should be dialed on your phone in order to access the audio portion of this meeting:

**United States:** +1 (415) 655-0060

**Access Code:** 343-502-808

**Audio PIN:** Shown after joining the online webinar

After registering, you will receive a confirmation email containing information about joining the webinar. A GoToWebinar attendee guide can be found at the following address: <https://support.logmeininc.com/gotowebinar/how-to-join-attendees>

At this Conference, City staff will review the RFP document and respond to questions regarding requirements of the RFP. City staff will not provide assistance regarding a proposer's individual program design. **BRING YOUR OWN COPY OF THE RFP. NO COPIES WILL BE PROVIDED AT THE CONFERENCE.**

The City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Please contact the Contracts and Procurement Unit at (213) 744-7278 seventy-two (72) hours prior to the date of the conference to ensure proper accommodations.

## H. TECHNICAL ASSISTANCE

With the exception of the Mandatory Proposers' Conference, all technical assistance questions must be submitted by e-mail to [hcidla.contractsprocurement@lacity.org](mailto:hcidla.contractsprocurement@lacity.org). **Please identify the RFP title on the email subject line to ensure prompt attention from the appropriate City staff.** To ensure a fair and consistent distribution of information, all questions will be answered by a Question-and-Answer (Q&A) document available on the Los Angeles Business Assistance Virtual Network (LABAVN) website at: [www.labavn.org](http://www.labavn.org). No individual answers will be given. The Q&A document will be updated on a regular basis to ensure the prompt delivery of information.

## I. DEADLINE FOR SUBMISSION OF PROPOSALS

Proposals must be hand or courier-delivered in a sealed package to the address listed on the front cover of this RFP by 4:00 p.m. PST by the submission deadline date or delivered via U.S. Certified Mail postmarked no later than 11:59 p.m. PST on the submission deadline date.

Proposers must submit one (1) original and four (4) complete copies of the proposal – no copies will be made at HCIDLA or by HCIDLA staff. The proposal designated as original must be marked "ORIGINAL" on the cover letter and must bear the actual "wet" signature of the person(s) authorized to sign the proposal. Proposers must also submit

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an electronic version in a properly labeled disk or memory stick with the package. A cover letter accompanying the proposal package must be addressed to:

Contracts and Procurement Unit  
Los Angeles Housing and Community Investment Department  
1200 W. 7<sup>th</sup> Street, 1<sup>st</sup> Floor, Public Counter  
Los Angeles, CA 90017

Persons who hand-deliver proposals will have their original proposal date and time stamped and will be issued a "Notice of Receipt of Proposal." Proposers are encouraged to submit proposals well in advance of the proposal due date and time to ensure that proposals receive a time and date stamp of 4:00 p.m. or earlier. Please allow sufficient time for traffic, parking, and security checks when entering the building. Proposers using the U.S. Mail are required to obtain a "Proof of Mailing Certificate" stamped by the Postal Service as evidence that the proposals were mailed not later than 11:59 p.m. on the submission deadline date.

Timely submission of proposals is the sole responsibility of the proposer. The City reserves the right to determine the timeliness of all submissions. Late proposals will not be reviewed. **ALL PROPOSALS HAND DELIVERED AFTER 4:00 P.M. PST ON THE SUBMISSION DEADLINE DATE OR POSTMARKED AFTER 11:59 P.M. PST ON THE SUBMISSION DEADLINE DATE WILL BE RETURNED UNOPENED TO PROPOSERS.**

## J. EVALUATION CRITERIA

The Housing and Community Investment Department will review and score each complete and fully responsive proposal. Proposals shall be determined eligible for review and scoring based on the responsiveness and factuality or verifiability of the proposal documentation and information. A minimum score of 70 is required to be considered for funding. The evaluation will be based on the proximity of a proposal's prices to competitive market values and relative to other proposers' pricing, the quality of responses to the RFP, and reasonableness of the proposer's costs relative to other proposers' costs. Proposals shall be evaluated based on the following categories and may include consideration of any or all of the listed factors at the City's sole discretion.

EVALUATION CRITERIA	POINTS
<u>Demonstrated Ability and Capacity</u> Proposer's response to Demonstrated Ability (General Experience) Narrative (15 points) Staff capacity and operational level to carry out tasks (10 points)	25
<u>Program Design</u> Proposed approach to providing the required services (as indicated in Section II.B – Scope of Work).	25

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<p><u>Tenant Outreach and Education/Legal Assistance Experience and Knowledge</u></p> <ol style="list-style-type: none"> <li>1. Knowledge of tenant education, outreach, displacement prevention services, tenant and landlord laws, and fair housing laws</li> <li>2. Experience working with partner organizations and referral sources (City, County, other) to assist tenants in addressing housing habitability complaints and other housing violations</li> <li>3. Experience with the City of L.A.'s RSO and code enforcement programs, and/or fair housing laws, and public housing and Section 8</li> <li>4. Experience in legal defense including conducting legal advocacy, direct legal representation, negotiating with landlords, and other legal services</li> <li>5. Experiences of challenges encountered during previous tenant education and prevention/legal assistance work</li> <li>6. Experience gathering and reporting data for purposes of program monitoring and enhancement</li> </ol>	30
<p><u>Cost Reasonableness</u> The reasonableness and appropriateness of the proposed costs in relation to all other proposals.</p>	20
<p><b>TOTAL POINTS</b></p>	<b>100</b>

The City reserves the right to require a pre-award interview, site inspection and/or telephone conference call with proposers. The HCIDLA reserves the right to select more than one contractor.

The City's decision to award a contract(s) will be based on the stated evaluation criteria. The City reserves the right to modify the City's objectives and requirements at any point during the period prior to submittal deadlines (by RFP addendum), without liability, obligation, or commitment to any party, firm or organization for costs incurred in responding to this RFP, RFP addendums or subsequent modifications of the City's terms and conditions prior to execution of a contract.

Proposals will be evaluated against others proposing to provide the same services and to independent cost estimates. The lowest cost proposer may not be determined to be the best proposer when all the evaluation factors have been considered.

## K. PROPOSAL REVIEW PROCESS

The proposal review process shall include the following major activities to ensure that the procurement meets audit standards:

1. All proposals shall be reviewed to determine that the minimum eligibility requirements are met (See Section II. C). Ineligible proposers will be informed in writing. Failure to submit information in accordance with this RFP's requirements and procedures may be cause for disqualification.
2. All eligible proposals shall be reviewed, scored, and ranked.

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3. Each eligible proposal shall be reviewed for costs that are reasonable, allowable, necessary, and competitive, as measured by a review of the line-item budget, and its competitive standing as compared to all other proposals.
4. A proposal's fee schedule pricing will be judged based on its proximity to the HCIDLA's competitive market value pricing and other proposers' pricing.
5. At the City's sole discretion, oral interviews may be held with top-scoring proposers. The results of the oral review may determine the final funding recommendations.
6. Proposers shall be notified in writing about funding recommendations and evaluation results.

## L. PROPOSAL APPEAL PROCESS

### 1. Appeal Rights

The City will notify all proposers of the results of the proposal evaluations and of their right to file an appeal. Proposers may appeal procedural issues only.

### 2. Letters of Appeal

Appeals shall be hand or courier delivered to HCIDLA no later than within five (5) business days from the date that the notification of the results of the RFP was emailed. Applicants may file an appeal by submitting a written request and identifying the specific reason for the appeal to:

Rosa Benavides, Chief Management Analyst  
Los Angeles Housing and Community Investment Department  
c/o Contracts and Procurement Unit  
RFP Appeal – Right to Counsel Program RFP  
1200 W. 7<sup>th</sup> Street, 1<sup>st</sup> Floor, Public Counter  
Los Angeles, CA 90017

Written appeals may not be more than three (3) typewritten pages and shall request an appeals review be granted. Written appeals must include the following information:

- a. The name, address and telephone number of the proposer.
- b. The name/title of RFP to which the organization responded.
- c. Detailed statement of the grounds for appeal.

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Written appeals may not include any new or additional information that was not submitted with the original proposal. Only one appeal per proposal will be permitted. All appeals and protests must be submitted within the time limits set forth in the above paragraphs.

3. Review Panel

A panel composed of selected staff will review the appeal for this RFP. The decision of the panel will be HCIDLA's final recommendation.

**M. DISCLAIMER**

The City is not responsible for representations made by any of its officers or employees prior to the approval of an agreement by the Los Angeles City Council unless such understanding or representation is included in this RFP or in subsequent written addenda. The City is responsible only for that which is expressly stated in this solicitation document and any authorized written addenda thereto.

### III. GENERAL RFP INFORMATION

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#### A. GENERAL PROPOSAL CONDITIONS

1. Costs Incurred by Proposers

All costs of proposal preparation shall be borne by the Proposer. The City shall not, in any event, be liable for any pre-contractual expenses incurred by Proposers in the preparation and/or submission of the proposals. Proposals shall not include any such expenses as part of the proposed budget.

2. Best Offer

The proposal shall include the Proposer's best terms and conditions. Submission of the proposal shall constitute a firm and fixed offer to the City that will remain open and valid for a minimum of ninety (90) days from the submission deadline.

3. Accuracy and Completeness

The proposal must set forth accurate and complete information as required in this RFP. Unclear, incomplete, and/or inaccurate documentation may not be considered. Falsification of any information may result in disqualification.

If the Proposer knowingly and willfully submits false performance or other data, the City reserves the right to reject that proposal. If it is determined that a contract was awarded as a result of false performance or other data submitted in response to this RFP, the City reserves the right to terminate the contract.

Unnecessarily elaborate or lengthy proposals or other presentations beyond those needed to give a sufficient, clear response to all the RFP requirements are not desired.

4. Withdrawal of Proposals

Proposals may be withdrawn by written request of the authorized signatory on the proposer's letterhead or by email at any time prior to the submission deadline.

5. General City Reservations

This RFP does not commit the City to award a contract, to defray any costs incurred in the preparation of a proposal pursuant to this RFP, or to procure or contract for work or services.

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**Submission Deadline** - The City reserves the right to extend the submission deadline should this be in the interest of the City. Proposers have the right to revise their proposals in the event that the deadline is extended.

**Withdrawal of RFP** - The City reserves the right to withdraw this RFP at any time without prior notice. The City makes no representation that any contract will be awarded to any Proposer responding to the RFP. The City reserves the right to reject any or all submissions.

**Reissue of RFP** - If an inadequate number of proposals is received or the proposals received are deemed non-responsive, not qualified or not cost effective, the City may at its sole discretion reissue the RFP or execute a sole-source contract with a vendor.

**Changes to Proposals** - The City shall review and rate submitted proposals. The Proposer may not make any changes or additions after the deadline for receipt of proposals. The City reserves the right to request additional information or documentation, as it deems necessary.

**Verification of Proposal Information** - The City reserves the right to verify all information in the proposal. If the information cannot be verified, and if the errors are not willful, the City reserves the right to reduce the rating points awarded.

**Pre-award Interview** - The City reserves the right to require a pre-award interview and/or site inspection.

**Minor Defects** - The City reserves the right to waive minor defects in the proposal in accordance with the City Charter.

**Program Personnel** - If the selection of the Proposer is based in part on the qualifications of specific key individuals named in the proposal, the City must approve in advance any changes in the key individuals or the percentage of time they spend on the project. The City reserves the right to have the Contractor replace any project personnel.

**Rejection of Proposals** - The City reserves the right to reject any or all proposals, to waive any minor defects in proposals received; to reject unapproved alternate proposal(s); and reserve the right to reject the proposal of any Proposer who has previously failed to perform competently in any prior business relationship with the City. The rejection of any or all proposals shall not render the City liable for costs or damages.

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6. Contract Negotiations

Proposers approved for funding shall be required to negotiate a contract with the City on an offer/counter-offer basis. The best terms and conditions originally offered in the proposal shall bind the negotiations. The City reserves the right to make a contract award contingent upon the satisfactory completion by the Proposer of certain special conditions. The contract offer of the City may contain additional terms or terms different from those set forth herein.

As part of the negotiation process, the City reserves the right to:

- a. Fund all or portions of a Proposer's proposal and/or require that one Proposer collaborate with another for the provision of specific services, either prior to execution of an agreement or at any point during the life of the agreement;
- b. Use other sources of funds to fund all or portions of a Proposer's proposal;
- c. Require that a funded Proposer utilize a facility designated by the City for purposes of implementing its project;
- d. Elect to contract directly with one or more of the identified collaborators; and
- e. Require all collaborators identified in the proposal to become co-signatories to any contract with the City.

7. Standing of Proposer

Regardless of the merits of the proposal submitted, a Proposer may not be recommended for funding if it has a history of contract non-compliance with the City or any other funding source, poor past or current contract performance with the City or any other funding source, or current disputed or disallowed costs with the City or any other funding source.

Contractors/Organizations that have been sanctioned because of non-compliance with Single Audit Act requirements for managing grant funds will be eligible to apply; however, they will not be eligible to receive any funding, if awarded under this RFP process, until this sanction is removed.

The City will enter into an agreement only with entities that are in good standing with the California Secretary of State.

## 8. Proprietary Interests of the City

The City reserves the right to retain all submitted proposals, which shall then become the property of the City and according to applicable law may, in whole or in part, become a public record. Any department or agency of the City has the right to use any or all ideas presented in the proposal without any change or limitation. Selection or rejection of a proposal does not affect these rights. All proposals may, in whole or in part, be considered public documents, subject to review and inspection by the public, in accordance with the California Public Records Act.

Proposers must identify all copyrighted material, trade secrets or other proprietary information claimed to be exempt from disclosure under the California Public Records Act (California Government Code Sections 6250 et seq.). In the event such an exemption is requested to be claimed, the proposal must state: “(Name of Proposer) shall defend, indemnify, and hold harmless the City and its boards, officers, agents, and employees from and against all suits, claims, and causes of action brought against the City for the City’s refusal to disclose [Name of Proposer’s] copyrighted material, trade secrets, or other proprietary information, to any person making a request pursuant to the State of California Public Records Act (California Government Code Sections 6250 et seq.) [Name of Proposer’s] obligations herein include, but are not limited to, all reasonable attorney’s fees (both in house and outside counsel), reasonable costs of litigation incurred by the City or its attorneys (including all actual, costs incurred by the City, not merely those costs recoverable by a prevailing party, and specifically including costs of experts and consultants) as well as all damages or liability of any nature whatsoever arising out of any such suits, claims, and causes of action brought against the City, through and including any appellate proceedings.” Failure to include such a statement shall constitute a waiver of the proposer’s request to exemption from disclosure.

In any event, all information contained in this RFP is considered confidential and not open to the public or competing bidders until allowed by law.

## 9. Discount Terms

Proposers agree to offer the City any discount terms that are offered to its best customers for the goods and services to be provided herein, and apply such discount to payments made under any contract awarded pursuant to this RFP, which meet the discount terms.

## **B. STATEMENTS REQUIRED WITH PROPOSAL**

### 1. Contractor Responsibility Ordinance (CRO) Questionnaire

Every Request for Proposal, Request for Bid, Request for Qualifications or other procurement process is subject to the provisions of the Contractor Responsibility Ordinance, Section 10.40 et seq. of Article 14, Chapter 1 of Division 10 of the Los Angeles Administrative Code, unless exempt pursuant to the provisions of the Ordinance.

This Ordinance requires that all proposers/bidders complete and return, with their response, the responsibility questionnaire included in this procurement. Failure to return the completed questionnaire may result in the proposer/bidder being deemed non-responsive.

The Ordinance also requires that if a contract is awarded pursuant to this procurement, that the contractor must update responses to the questionnaire, within thirty calendar days, after any changes to the responses previously provided if such change would affect contractor's fitness and ability to continue performing said contract.

Pursuant to the Ordinance, by executing a contract with the City, the contractor pledges, under penalty of perjury, to comply with all applicable federal, state and local laws in performance of the contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws which affect employees. Further, the Ordinance, requires each contractor to: (1) notify the awarding authority within thirty calendar days after receiving notification that any governmental agency has initiated an investigation which may result in a finding that the contractor is not in compliance with Section 10.40.3 (a) of the Ordinance; and (2) notify the awarding authority within thirty (30) calendar days of all findings by a government agency or court of competent jurisdiction that the contractor has violated Section 10.40.3 (a) of the Ordinance.

All proposers shall submit a completed CRO Questionnaire and Pledge of Compliance signed under penalty of perjury with their proposal. Refer to links below:

<https://bca.lacity.org/uploads/cro/CROQ%20Service%20Questionnaire%20Rev%201-20-12.pdf>

and

<https://bca.lacity.org/uploads/cro/CRO%20Pledge%20of%20Compliance.PDF>

If a proposer will have subcontractors in the project, a list of the subcontractors must also be submitted with the proposal.

## **THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.**

2. Municipal Lobbying Ordinance City Ethics Commission (CEC) Form 50

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All proposers must submit a completed Bidder Certification CEC Form 50. Please review the following link for more information on the City's Municipal Lobbying Ordinance:

[http://ethics.lacity.org/PDF/laws/law\\_mlo.pdf](http://ethics.lacity.org/PDF/laws/law_mlo.pdf). (Refer to the link below to access the Bidder Certification CEC Form 50, [http://ethics.lacity.org/pdf/forms/CEC\\_Form\\_50.pdf](http://ethics.lacity.org/pdf/forms/CEC_Form_50.pdf)).

NOTE: Failure to submit this completed CEC Form 50 will result in the proposer being deemed non-responsive and the proposal will be rejected.

**THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.**

3. Municipal Campaign Finance Ordinance CEC Form 55

Persons who submit a response to this solicitation (bidders) are subject to City of Los Angeles Charter Section 470(c)(12) and related ordinances. As a result, bidders may not make campaign contributions to and or engage in fundraising for certain elected City officials or candidates for elected City office from the time they submit the response until either the contract is approved or, for successful bidders, 12 months after the contract is signed. The bidder's principals and subcontractors performing \$100,000 or more in work on the contract, as well as the principals of those subcontractors, are also subject to the same limitations on campaign contributions and fundraising.

Bidders/proposers must submit CEC Form 55 to the awarding authority at the same time the response is submitted (refer to the following link to access the form [http://ethics.lacity.org/pdf/forms/CEC\\_Form\\_55.pdf](http://ethics.lacity.org/pdf/forms/CEC_Form_55.pdf)). The form requires bidders to identify their principals, their subcontractors performing \$100,000 or more in work on the contract, and the principals of those subcontractors. Bidders must also notify their principals and subcontractors in writing of the restrictions and include the notice in contracts with subcontractors. Responses submitted without a completed CEC Form 55 shall be deemed nonresponsive. Bidders who fail to comply with City law may be subject to penalties, termination of contract, and debarment. (See **Attachment 10** – Form 55 Instructions). Additional information regarding these restrictions and requirements may be obtained from the City Ethics Commission at (213) 978-1960 or [ethics.lacity.org](http://ethics.lacity.org).

**THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.**

4. Equal Benefits Ordinance/First Source Hiring Ordinance Compliance Affidavits

All bidders/proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Los Angeles Administrative Code Section 10.8.2.1, Equal Benefits

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Ordinance (EBO) and the Los Angeles Administrative Code Sections 10.44 et seq., First Source Hiring Ordinance (FSHO).

Effective July 1, 2016, the Equal Benefits Ordinance and First Source Hiring Ordinance Compliance affidavits were combined into one web application form available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at [www.labavn.org](http://www.labavn.org). All bidders/proposers shall complete and upload the joint affidavit prior to the award of a City contract, the value of which exceeds \$25,000. A sample form may be accessed via the link below:

[http://www.labavn.org/misc/docs/co\\_files/EBOFSHO/EBOFSHO\\_Sample\\_07-01-2016.pdf](http://www.labavn.org/misc/docs/co_files/EBOFSHO/EBOFSHO_Sample_07-01-2016.pdf)

If subject to the ordinances, a contractor will be required to complete the web application form, electronically sign, and submit. If a form was uploaded and verified prior to July 1, 2016, these will continue to be valid until they expire or are deleted (generally three years from upload date). When the form expires, a contractor will be required to complete the new web application form.

#### Equal Benefits Ordinance

By completing and uploading the Equal Benefits Ordinance Compliance Affidavit, your company is certifying compliance with the requirements of said ordinance. If selected as a successful Bidder/Proposer, your EBO Compliance Affidavit will be verified for completeness by the Office of Contract Compliance (OCC) prior to contract award. The EBO Affidavit shall be effective for a period of three years from the date it is first uploaded onto the City's BAVN. A company wishing to seek a waiver of the EBO provisions must submit the EBO Waiver Application with the bid or proposal. The EBO Waiver Application shall be forwarded to OCC for processing. OCC shall notify the awarding department of the determination resulting from the waiver request. Upon contract award, your company may be randomly selected for a compliance audit, at which time your company will be required to demonstrate compliance as indicated in the EBO Compliance Affidavit.

#### First Source Hiring Ordinance

Prime contractors who are awarded a contract that is subject to the requirements of the FSHO must complete and upload the FSHO Compliance Affidavit. Unless otherwise exempt, the FSHO applies to service contracts over \$25,000 and 3 months, and some loan or grant recipients. Awarding departments may seek exemption by submitting a completed FSHO-X Form to the Office of Contract Compliance prior to contract execution.

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The uploaded forms will be verified by the Bureau of Contract Administration (BCA) only if your company is the successful proposer/bidder selected for contract award.

Upon BCA verification, the Awarding Authority shall award the contract. If in the process of verifying the uploaded forms, BCA finds that the form(s) are incomplete, the awarding department shall be notified and your company will be required to re-upload the form(s). The re-uploading of form(s) will not trigger a new renewal date. The renewal date shall remain as the first time the form(s) were uploaded.

Bidders/proposers shall complete and submit ONLINE, with their proposal, the EBO/FSHO Affidavit, or Request for Waiver, if applicable.

**THIS STATEMENT IS REQUIRED WITH THE PROPOSAL ONLINE.**  
([www.labavn.org](http://www.labavn.org))

5. Disclosure Ordinances Affidavit (Slavery Disclosure Ordinance, Disclosure of Border Wall Contracting Ordinance, and Disclosure of Contracts and Sponsorship of the National Rifle Association)

Unless otherwise exempt by the provisions of the Slavery Disclosure Ordinance (SDO), Disclosure of Border Wall Contracting Ordinance (DBWCO), and Disclosure of Contracts and Sponsorship of the National Rifle Association (NRA Disclosure Ordinance), any contract awarded under this RFP will be subject to the SDO, Section 10.41 of the Los Angeles Administrative Code, the DBWCO, Section 10.50 of the Los Angeles Administrative Code, and the NRA Disclosure Ordinance, Section 10.52 of the Los Angeles Administrative Code.

You must register on LABAVN ([www.labavn.org](http://www.labavn.org)) to access the updated Disclosure Ordinances Affidavit web form. The web form can be found by clicking on the "Profiles" tab. Scroll to the "Company Profile" section and click on "Compliance Documents". The web form should be completed and submitted by the time of RFP submission.

The web form will be verified by the Bureau of Contract Administration (BCA) only if your company is the successful Proposer/Bidder selected for contract award. Proposers/Bidders seeking additional information regarding the requirements of the SDO, DBWCO and the NRA Disclosure Ordinance may visit the Bureau of Contract Administration's website at <http://bca.lacity.org>.

**THIS STATEMENT IS REQUIRED WITH THE PROPOSAL ONLINE.**  
([www.labavn.org](http://www.labavn.org))

6. Living Wage Ordinance and Service Contractor Worker Retention Ordinance

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Unless approved for an exemption, contractors under contracts primarily for the furnishing of services to or for the City and that involve an expenditure or receipt in excess of \$25,000 and a contract term of at least three (3) months, lessees and licensees of City property, and certain recipients of City financial assistance, shall comply with the provisions of Los Angeles Administrative Code Sections 10.37 et seq., Living Wage Ordinance (LWO) and 10.36 et seq., Service Contractor Worker Retention Ordinance (SCWRO). Bidders/Proposers shall refer to **Attachment 2**, “Living Wage Ordinance and Service Contractor Worker Retention Ordinance” for further information regarding the requirements of the Ordinances.

Bidders/proposers who believe that they meet the qualifications for one of the exemptions described in the LWO Exemptions (see **Attachment 3**: LWO Exemptions) shall apply for an exemption from the Ordinance by submitting with their proposal the LWO Small Business Exemption Application (LW-26A), which can be accessed at:

[https://bca.lacity.org/Uploads/lwo/LW26\\_Small\\_Business\\_Exemption\\_Application\\_%28English%29.pdf](https://bca.lacity.org/Uploads/lwo/LW26_Small_Business_Exemption_Application_%28English%29.pdf)

or by submitting the LWO – 501(C)(3) Non-Profit Exemption Application (LW-28), which can be accessed at:

[https://bca.lacity.org/Uploads/lwo/LW28\\_501c3\\_Nonprofit\\_Exemption\\_Application.pdf](https://bca.lacity.org/Uploads/lwo/LW28_501c3_Nonprofit_Exemption_Application.pdf)

**THESE STATEMENTS ARE REQUIRED WITH THE PROPOSAL, IF APPLICABLE.**

7. Proposer Workforce Information/Non-Collusion Affidavit

Proposers shall submit with their proposal a statement indicating their headquarters address, as well as the percentage of their workforce residing in the City of Los Angeles. Proposer shall also submit a completed Workforce Information/Non-Collusion Affidavit. (See **Attachment 4**: Proposer Workforce Information/Non-Collusion Affidavit).

**THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.**

8. Business Services Implementation Plan Collaborator Agreements

Proposals shall include completed forms from each organization intending to formally collaborate with the proposers (see **Attachment 5**: Collaborator Agreements).

**THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.**

9. Subcontractors

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If a proposer will have subcontractors in the program, a list of the subcontractors must also be submitted with the proposal.

10. Iran Contracting Act of 2010

In accordance with California Public Contract Code Sections 2200-2208, all bidders/proposers submitting proposals for, entering into, or renewing contracts with the City of Los Angeles for goods and services estimated at \$1,000,000 or more are required to complete, sign and submit the "Iran Contracting Act of 2010 Compliance Affidavit" (see **Attachment 7**: for Affidavit form).

### C. CONTRACT EXECUTION REQUIREMENTS

**If recommended for funding**, the proposer shall be required to enter into an agreement with the City of Los Angeles and comply with the requirements listed below. **Failure to comply with these requirements will result in non-execution of the contract.** A copy of the City's Standard Agreement is available upon request. The agreement with the selected proposer(s) will be on a to-be-negotiated fee-for-performance basis.

1. Insurance Certificates

Contractors will be required to maintain insurance at a level to be determined by the City's Risk Manager, with the City named as an additional insured. Contractors who do not have the required insurance should include the cost of insurance in their bid. Contractors will be required to provide insurance at the time of contract execution (refer to the following link for Insurance Instructions and Information [http://cao.lacity.org/risk/Submitting\\_proof\\_of\\_Insurance.pdf](http://cao.lacity.org/risk/Submitting_proof_of_Insurance.pdf)).

2. Secretary of State Documentation

All contractors are required to submit one copy of their Articles of Incorporation, partnership, or other business organizational documents (as appropriate) filed with the Secretary of the State. Organizations must be in good standing and authorized to do business in California, as registered contractors with the State of California. Visit the Secretary of State's website for more information at: <https://businesssearch.sos.ca.gov/>.

3. Corporate Documents

All contractors who are organized as a corporation or a limited liability company are required to submit a Secretary of State Corporate Number, DUNS number, a copy of its By-Laws, a current list of its Board of Directors, and a Resolution of Executorial Authority with a Signature Specimen (see **Attachment 8**: Corporate Documents).

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4. City Business License Number

All contractors are required to submit one copy of their City of Los Angeles Business License, Tax Registration Certificate or Vendor Registration Number. To obtain a Business Tax Registration Certificate (BTRC), call the Office of Finance at (213) 473-5901 and pay the respective business taxes. The address is: Los Angeles City Office of Finance, Tax and Permit Division, City Hall, 200 N. Spring Street, Room 101, Los Angeles, CA 90012. Visit the Office of Finance's website for more information at: [www.finance.lacity.org](http://www.finance.lacity.org).

5. Proof of IRS Number (W-9)

All contractors are required to complete and submit Proof of IRS Number (W-9) form. (Refer to link: <http://www.irs.gov/pub/irs-pdf/fw9.pdf> Request for Taxpayer Identification Number (Form W-9).

6. Nonprofit Status Documentation from the Internal Revenue Service (IRS)

Proposers must submit a copy of their notice from the IRS designating the agency as a 501(c)(3) organization or other evidence of its tax exempt status from the IRS, if applicable.

7. Certifications

Contractor shall provide copies of the following documents to the City:

- a. A Certificate Regarding Ineligibility, Suspension and Debarment as required by Executive Order 12549.
- b. Certification and Disclosure Regarding Lobbying (not required for contracts under \$100,000). Contractor shall also file a Disclosure Form, at the end of each calendar quarter during which any event requiring disclosure, or which materially affects the accuracy of the information contained in any previously filed Disclosure Form, occurs
- c. A Certificate Regarding Drug-Free Workplace Requirements, if applicable.

8. Collaboration

The City may, at its discretion, require two or more proposers to collaborate as a condition to contract execution.

9. Non-Discrimination/Equal Employment Practices/Affirmative Action

Effective July 1, 2016 the Non-Discrimination/Equal Employment Practices and Affirmative Action (ND/EEP and AA) provisions were amended to eliminate the need for contractors to complete affidavits on BAVN. By affixing its signature to a contract, the contractor agrees to adhere to the ND/EEP and AA for the duration of the contract. When a contractor signs the contract, they will also be acknowledging their responsibility to comply with both the ND/EEP and AA provisions. The AA provisions will now apply to all construction contracts and all non-construction contracts of \$25,000 or more.

Bidders/proposers seeking additional information regarding the requirements of the City's Non-Discrimination Clause, Equal Employment Practices and Affirmative Action Program may visit the Bureau of Contract Administration's website at:

<https://bca.lacity.org/Uploads/eeo/NDEEOAAP%20Admin%20Code.pdf>

10. Americans with Disabilities Act

Any contract awarded pursuant to this RFP shall:

1. Comply with the Americans with Disabilities Act, as amended, 42 U.S.C. Section 12101 et seq., the Rehabilitation Act of 1973, as amended, 29 U.S.C. Section 701 et seq., the Fair Housing Act, and its implementing regulations and any subsequent amendments; and California Government Code Section 11135.
2. Not discriminate in the provision of its programs, services or activities on the basis of disability or on the basis of a person's relationship to, or association with, a person who has a disability.
3. Provide reasonable accommodation upon request to ensure equal access to all of its programs, services and activities.

Contractor represents that it will certify that any construction for housing performed with funds provided through any future contract will be done in accordance with the Uniform Federal Accessibility Standards (UFAS), 24 CFR, Part 40.

Contractor represents that it will certify that its buildings, and facilities used to provide services in accordance with any future contract, are in compliance with the federal and state standards for accessibility as set forth in the 2010 ADA Standards, California Title 24, Chapter 11, or other applicable federal and state law.

Contractor understands that the City is relying upon these certifications and representations as a condition of funding any future contract.

Contractor will require its subcontractors, if any, to include this language in any subcontract.

Contractors must be in compliance with these provisions at the time the contract is executed.

11. Child Support Assignment Orders

Any contract awarded pursuant to this RFP shall be subject to the following:

This contract is subject to Section 10.10 of the Los Angeles Administrative Code, Child Support Assignment Orders Ordinance. Pursuant to this Ordinance, contractor/consultant certifies that it will (1) fully comply with all State and Federal employment reporting requirements applicable to Child Support Assignment Orders; (2) that the principal owner(s) of contractor/consultant are in compliance with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally; (3) fully comply with all lawfully served Wage and Earnings Assignment Orders and Notices of Assignment in accordance with California Family Code Section 5230 et seq.; and (4) maintain such compliance throughout the term of this Contract. Pursuant to Section 10.10.b of the Los Angeles Administrative Code, failure of contractor/consultant to comply with all applicable reporting requirements or to implement lawfully served Wage and Earnings Assignment Orders and Notices of Assignment or the failure of any principal owner(s) of contractor/consultant to comply with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally shall constitute a default by the contractor/consultant under the terms of this contract, subjecting this contract to termination where such failure shall continue for more than 90 days after notice of such failure to contractor/consultant by City. Any subcontract entered into by the contractor/consultant relating to this Contract, to the extent allowed hereunder, shall be subject to the provisions of this paragraph and shall incorporate the provisions of the Child Support Assignment Orders Ordinance. Failure of the contractor/consultant to obtain compliance of its subcontractors shall constitute a default by the contractor/consultant under the terms of this contract, subjecting this contract to termination where such failure shall continue for more than 90 days after notice of such failure to contractor/consultant by the City.

Contractor/Consultant shall comply with the Child Support Compliance Act of 1998 of the State of California Employment Development Department. Contractor/Consultant assures that to the best of its knowledge it is fully complying with the earnings assignment orders of all employees, and is providing the names of all new employees to the New Hire Registry

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maintained by the Employment Development Department as set forth in subdivision (1) of the Public Contract Code 7110 (see **Attachment 9: Child Support Obligations**).

#### 12. Fair Chance Initiative for Hiring Ordinance

City Contractors and subcontractors with 10 or more employees are prohibited under Los Angeles Administrative Code Section 10.48 from seeking a job applicant's criminal history information until a job offer is made and from withdrawing a job offer unless the employer performs an assessment of the applicant's criminal history and the duties of the position. Contractors and subcontractors are required to include information regarding the ordinance in all job solicitations and advertisements and to post notices informing job applicants of their rights. Additional information and forms can be found at Department of Public Works, Bureau of Contract Administration at:

<https://bca.lacity.org/fair-chance>

### **D. CONTRACTOR EVALUATION ORDINANCE**

At the end of the contract, the City will conduct an evaluation of the contractor's performance. The City may also conduct evaluations of the contractor's performance during the term of the contract. As required by Section 10.39.2 of the Los Angeles Administrative Code, evaluations will be based on a number of criteria, including the quality of work product or service performed the timeliness of performance, the contractor's compliance with budget requirements, and the expertise of personnel that the contractor assigns to the contract. A copy of the Contractor Evaluation Form is available upon request. The contractor will be provided with a copy of the final City evaluation and allowed 14 calendar days to respond. The City will use the final City evaluation, and any response from the contractor, to evaluate proposals and to conduct reference checks when awarding other contracts.

## IV. PROPOSAL PACKAGE

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### A. GENERAL PREPARATION GUIDELINES

**If a proposer does not follow these instructions and/or information is omitted or a required attachment is not submitted, the bidder/proposer may be determined to be ineligible and excluded from the review.**

1. The proposal must be submitted in the legal name of the firm or corporation and the corporate seal must be embossed on the original proposal. An authorized representative of the proposer organization who has legal authority to bind the organization in contract with the City must sign the proposal.
2. Proposers must submit one (1) original and four (4) stapled or large binder-clipped copies. The original must be marked "Original" on the cover and must bear the actual "wet" signature(s) of the person(s) authorized to sign the proposal. The copies must be numbered on the upper right hand side of the cover to indicate "Copy No. \_\_\_."
3. All proposals must be accompanied by a cover letter that should be limited to **one page**. The letter must:
  - Include the title, address, telephone number, fax number, and e-mail of the person(s) who will be authorized to represent the proposer and each collaborator. Also include the above contact information for the proposer's contract manager and accounting liaison.
  - Be signed by the person(s) authorized to bind the agency to all commitments made in the proposal and, if applicable, be accompanied by a copy of the Board Resolution authorizing the person(s) to submit the proposal. If a Board Resolution cannot be obtained prior to proposal submission, it may be submitted no later than **one (1) calendar week** after the proposal submission deadline.
  - Identify the individual or firm, which prepared or assisted in preparing the proposal. If that individual or firm will not participate in the implementation of the project, describe how the transfer of responsibility will occur to ensure timely implementation.
4. Proposals must be submitted in the English language. Numerical data must be in the English measurement system; costs must be in United States dollars.
5. Narratives are limited to a total of 25 pages or to the number of pages as indicated per narrative question and must follow these standards:

Los Angeles Housing and Community Investment Department  
Eviction Defense Program RFP

- Font size – 12 points
- Margins – At least 1 inch on all sides
- Line spacing – Single-spaced
- Double-sided, plain white paper

**Pages in excess of the stated limits will not be read and will not be considered in scoring.**

6. Each page of the proposal, including attachments, must be numbered sequentially at the bottom of the page to indicate Page \_\_\_ of \_\_\_.
7. Please use the indicative mood (will, shall, etc.) in narratives rather than the subjective (would, should, etc.) so that proposals can be easily converted to contract form.
8. The Proposal Checklist lists all narratives, attachments and certifications that must be included in the proposal. In assembling the completed proposal, please insert the attachments and certifications where they are indicated in the Proposal Checklist. The Proposal Checklist will serve as your Table of Contents (See **Attachment 1**).
9. Answers should be as concise as possible while providing all the information requested.
10. In completing the narratives and attachments, including the fee schedule, please include and clearly identify the services to be provided by and the demonstrated ability of subcontractors, if any.

## **B. DOCUMENTS TO BE COMPLETED**

Proposers must complete and submit all of the attachments and certification forms listed. **Do not assume that any document is not applicable.** If the proposer does not follow all the instructions and/or requirements in this RFP, the proposer may be determined to be ineligible and excluded from the review. Use the Proposal Checklist as a guide.

## **C. PROPOSAL CHECKLIST**

The **Proposal Checklist (Attachment 1)** is to serve as the Table of Contents for your proposal and as a guide for all documents, which must be submitted with the RFP. It lists all Narratives, Attachments, and Certifications (if applicable) that must be included as part of the proposal. Indicate in the page number column where the information can be found in your proposal. In assembling the complete proposal, please insert the attachments where they are indicated in the Proposal Checklist.

## Attachment D: Program Budget

	<i>Budget Item</i>	<i>Functions</i>	<i>Cost</i>	<i>In-Kind</i>	<i>% Funding</i>	
<b><i>Prevention and Legal Response</i></b>	Contracted Legal Services for Pre-eviction and UD Defense	Legal Filings, Negotiation, & Full-Scope Representation	\$1,381,435	\$0	45%	
	Contracted General Services for Prevention, incl. tenant clinics and outreach	Pre-eviction Services	\$394,935	\$0	13%	
	HCID Educational Campaign	Education/Prevention	\$30,000	Include	1%	
	FSC Tenant Stability Advisors (2 FTE)	Case management	\$140,000	\$0	5%	
	<b>Subtotal</b>		<b>\$1,946,370</b>			
	<i>Rental Assistance Components:</i>					
	Emergency Rental Assistance (Legal organizations to disburse)	Prevention	\$236,000	\$0	8%	
	Ongoing Rental Assistance (FSCs to disburse)	Prevention	\$409,166	\$0	13%	
	<b>Total Rental Assistance (Subtotal)</b>		<b>\$645,166</b>		21%	
	HCID Customer Info Reps (Hotline) (1 FTE)		\$0	\$0	0%	
Housing Investigators (2 FTE)		\$0	\$0	0%		
	<b>Total Program Delivery</b>		<b>\$2,591,536</b>	\$0	84%	
<b><i>Eviction Filing System</i></b>	HCID Systems Development		\$200,000	\$0	6%	
	HCID Clerical support (1 FTE Sr AC)		\$45,315	\$0	1%	
	HCID Management Asst (Rent Div) 1 FTE		\$37,573	\$0	1%	
	HCID Systems Support (1/2 programmer)		\$66,156	\$0	2%	
	<b>Total Data Collection</b>		<b>\$349,044</b>	\$0	11%	
<b><i>Administration &amp; Evaluation</i></b>	HCID Sr Project Coordinator (1 FTE)		\$72,889	\$0	2%	
	HCID Policy & Research HPEA(1/2 FTE)		\$73,531	\$0	2%	
	<b>Total Administration</b>		<b>\$146,420</b>	\$0	5%	
	<b>Total Program Cost</b>		<b>\$3,087,000</b>			

# Vulnerability Indices to Assist with a Phased-In Right to Counsel-

## *Methodology & Limitations*

HCIDLA staff developed three indices to help select zip codes to begin a phased-in Right to Counsel. Because evictions are more common among low-income populations and populations that face housing discrimination (such as Black and Latino renters, single-mother households, the elderly, immigrants etc.), the first index (**The Tenant Vulnerability Index**) includes data only on the sociodemographics of the population, and particularly the renter population in each zip code.

Socioeconomic risk is often compounded by neighborhood-level displacement pressures as tenants living in gentrifying areas are more likely to face eviction threats due to rising rents and real estate speculation. The **Neighborhood Displacement Index** includes variables to help understand which areas of LA City experience or may experience the most development-induced or speculation-induced evictions.

Lastly, tenants who live in certain types of housing units or have certain types of rental assistance may be more likely to face eviction. For example, tenants who live in substandard housing may be vulnerable to displacement due to code-enforcement or intimidation from their landlord, non-RSO tenants do not have the same protections as those in RSO units, and Housing Choice Voucher tenants may face eviction if their landlord opts out of the program. The **Housing Condition Index** includes data for all of these variables. Additionally, since Right to Counsel may include representation in HACLA hearings, the index also includes public housing and project-based Section 8.

The Tenant Vulnerability Index, Neighborhood Displacement Index, and Housing Condition index were created with the primary purpose of assisting HCIDLA in identifying the best phased-in approach to begin the Right to Counsel program. The indices should not necessarily be used to make absolute interpretations about tenant vulnerability or displacement risk overall in the City. As explained further in the limitations discussion, the ranking methodology used for the indices disguises displacement risk in areas with more homeownership or single-family housing (like Hyde Park and the Crenshaw corridor) and likely underestimates displacement risk in areas with less rent control units (like the San Fernando Valley). Lastly, the indices rely on absolute numbers rather than proportions or shares of the tenant/total populations. This methodology works in identifying areas with the greatest total need, but does not capture areas with relative or proportionately high needs (see the limitations discussion for further explanation).

## Methodology

The following describes the methodology and data used to develop each index:

### Tenant Vulnerability Index

The Tenant Vulnerability Index uses data from the American Community Survey (ACS) 5-year 2017 data to create an aggregate vulnerability score for each neighborhood based on the socioeconomic vulnerability of the population. After examining the relevant literature on evictions and displacement and after conducting discussions with community based organizations, legal service providers, and city staff, HCIDLA decided to include the following variables:

- Number of renter households below the federal poverty line
- Median income of renter households
- Number of severely rent burdened households
- Number of Black renter households
- Number of Latino renter households
- Number of elderly renter households
- Number of renter households that have lived in the same unit for over 20 years
- Number of households receiving SSI
- Number of single-mother households
- Number of adults with less than a high school degree
- Number of residents that immigrated after 2010
- Number of linguistically isolated households

Each variable was mapped at the zip code level and broken down into ten equal intervals. The zip codes were then given a ranked score of 1-10 based on which interval they fell into. For all of the variables except the median income of renters a higher variable number corresponded with a higher rank score. For median income of renters, the reverse is true - lower income zip codes have a higher variable score. Using an equal interval analysis (rather than an analysis based on natural breaks, quantile, standard deviation, etc.) allowed HCIDLA to better identify the outlier areas of extreme need.

The vulnerability ranking for each individual variable was then added together to create a composite vulnerability score. The maximum composite score for the Tenant Vulnerability Index is 120 (12 indices with scores of up to 10) and a higher score suggests tenants in that zip code will be more vulnerable to experiencing an eviction.

### Neighborhood Displacement Index

The Neighborhood Displacement index builds upon the Mayor's office of Innovation's previous Displacement and Neighborhood Change Index (which was completed in 2016), but includes additional data from HCIDLA, Zillow, and HMDA. The HCIDLA data - which includes Ellis Act Evictions, Cash for Keys, RSO, and RSO complaints - is particularly important in understanding which areas of the City have experienced high rates of displacement and development-induced evictions. The index also includes data on the percent change in owner-occupied white

homebuyers from 2007-2009 to 2015-2017, which was compiled using the Home Mortgage Disclosure Act Data (HMDA) available from the Consumer Financial Protection Bureau (CFPB).

The full list of variables for the displacement index includes:

- Ellis Act evictions - 2014-2019 (HCIDLA)
- Tenant Buyouts/Cash for Keys 2017-2019 (HCIDLA)
- RSO eviction complaints 2018 (HCIDLA)
- RSO rent increase complaints 2018 (HCIDLA)
- Percent change in rents 2013-2018 (Zillow)
- Percent Home Value Increase 2013-2018 (Zillow)
- Percent change in white homebuyers 2007-2009 to 2015-2017 (HMDA)
- Proximity to future rail (Innovation Team)
- Proximity to existing rail (Innovation Team)
- Mayor's office of innovation neighborhood change index score (Innovation Team - based on 2013 data)

This index used the same methodology as the Tenant Vulnerability Index - which involved grouping zip codes into ten equal intervals for each variable, assigning a corresponding score of 1-10, and then adding all the variable scores together for a composite score. The maximum score for this index is 100 (10 variables ranked 1-10) and the higher the score, the more vulnerable a neighborhood is likely to be to displacement pressures.

### **Housing Condition Vulnerability**

The housing condition vulnerability examines areas of the city that may have increased eviction vulnerability due to housing conditions or a lack of regulatory protections.

For this index HCIDLA used the following data:

- Recent Systematic Code Enforcement Violations (HCIDLA)
- Section 8 and Housing Choice Vouchers (HACLA)
- Public Housing Units (HACLA)
- Non-RSO rental units
  - Renter occupied housing units built after 1980 (ACS 5-year 2017 data)
  - Renter occupied single-family homes (ACS 5-year 2017 data)

This index used the same methodology as the other two indices - which involved ranking zip codes for each variable based on a 10 quartile, equal interval scale and then adding the total scores together to create a composite score. The maximum score for this index is 50 (5 variables ranked 1-10) and the higher the score the higher the assumed housing condition vulnerability.

## ***Limitations***

- **Total vs Relative Vulnerability:** All of the indices are based on total rather than relative vulnerability. For example, rather than evaluating the **percentage** of renters in poverty by zip code, we based the index on the total **number** of renters in poverty. Rather than

evaluating the **portion** of rental units with code violations, we based the index on the **total** code violations. We chose to look at absolute rather than relative need because of the limited availability of resources for the Right to Counsel program. For the first phase of the implementation, we wanted to select geographies with both high need and high concentration of need.

Using absolute rather than relative risk/need disadvantages areas with fewer renters and less population. For example, a zip code with 1,000 tenants who are all poor, elderly, low income, linguistically isolated, etc. will still score less than a zip code with 3,000 tenants of whom half are poor, elderly, low income, linguistically isolated, etc. Similarly, a zip code that is majority single-family owner occupied but has 100 rental units that are all non-RSO apartment buildings with code enforcement violations (like the Valley) will not score as highly as a zip code with 500 non-RSO apartment units, of which 25% have code enforcement violations.

- **Equal Interval Data Classification**

As mentioned previously, the equal interval methodology is good at highlighting extreme outliers - like zip codes 90011 and 90044 which have far higher tenant vulnerability scores than any other area. However, this data classification may disguise areas that are vulnerable relative to the rest of the city, but not as vulnerable as the most vulnerable zip codes. Again, because the purpose of this data exercise is to identify a couple of zip codes with the highest vulnerability, the equal interval methodology provides the best approach for identifying the areas that will maximize resources in phase 1 of the program.

- **Data Limitations**

There are also limitations on the timeliness of the data - particularly for the neighborhood displacement index. The displacement index uses three variables from the Los Angeles I-Teams' Index of Neighborhood Change and Index of Displacement Pressure, which were completed in 2016. The Neighborhood Change Index developed by the I-team uses ACS and IRS data to examine the change in socio-demographics between (2010-2014) and (2005-2013) for each zip code. This data is not the most current and does not capture the sociodemographic change that occurred after 2013. Updating the index would require significant work and would need to be updated again after the 2020 census. Our index uses 2018 HMDA data to capture some of the changes in neighborhood socio-demographic change since 2013, however, HMDA data only looks at the changes in home buyers, not renters.

Our index also draws upon the I-team's "proximity to current and future rail stations" variable. Because the I-team's proximity calculations are based at the census block group level and our index is at the zip code level, we aggregated all the score for census block groups located within a zip code to find the zip code score. The I-team data does not include bus rapid transit or high frequency bus stations in the proximity analysis, which would be an important variable to consider. Moving forward, HCID will coordinate with the

i-team to develop a transit proximity variable at the zip code level that includes bus and rail lines.

- **Reliance on RSO Data**

The Neighborhood Displacement Index heavily relies on data that only applies to rent stabilized units - including Ellis Evictions, Cash for Key/Tenant Buyouts, and RSO eviction/rent increase complaints. This significantly disadvantages areas with newer housing stock, such as the Valley. The Housing Condition index attempts to address this imbalance by including a variable on non-RSO units and single-family rentals.

- **Simplified Variable Weighting**

In developing the composite score for each index, each variable was given the same weight. This is an extremely simplified model that does not take into consideration the relative impact of some variables over others. For example, initial research by UCLA finds that the percentage of Black residents and the number of vacant units are significantly correlated with eviction filings, even when controlling for other socioeconomic variables (Lens, Nelson, Gromis, and Kuai 2019, *The Neighborhood Context of Eviction in Southern California*). As the Right to Counsel program expands and the City has access to better eviction data, HCIDLA will be able to weigh different variables more appropriately and develop more predictive modeling for eviction hotspots.

# Eviction Defense Program Indices - Results

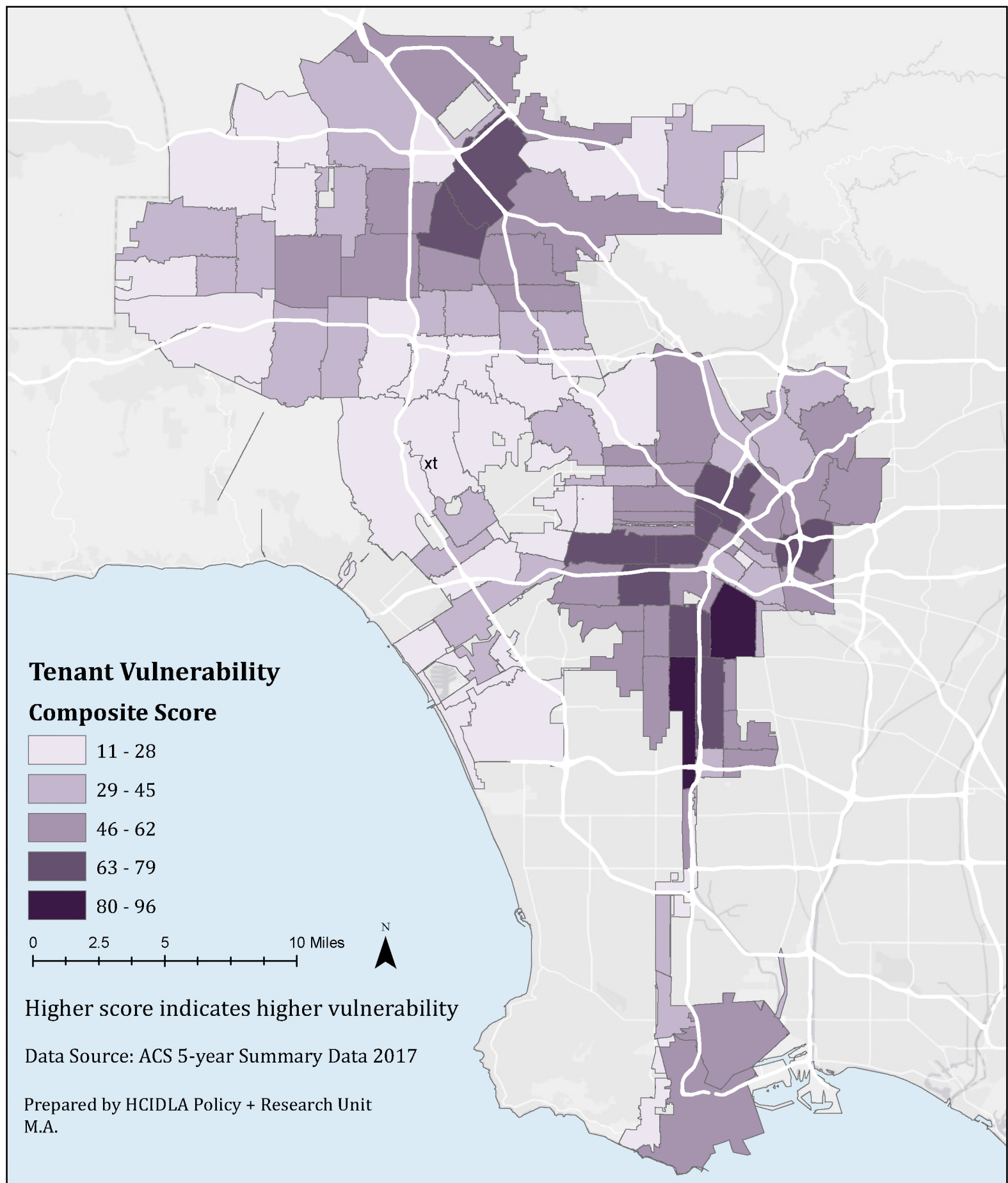
Tenant Vulnerability Index		
90011	Historic South Central/Central Alameda/South Park	96
90044	Vermont Vista/Vermont Knowles/Vermont Slauson	96
90006	Pico Union/Harvard Heights	75
90003	Florence/Broadway-Manchester	73
90037	Vermont Square/Exposition Park/Vermont-Slauson/South	73
91331	Pacoima/Arleta	70
90026	Silver Lake/Echo Park/Westlake	68
90019	Mid-Wilshire/Mid-City/Arlington Heights	67
90033	Boyle Heights	66
90057	El Sereno/Montecito Heights	66
91402	Panorama City	66
90018	Jefferson Park/Adams-Normandie/Exposition Park	65
90813	Long Beach	64
90001	Florence	61
90004	East Hollywood/Larchmont/Windsor Square	61
90731	San Pedro	61
91405	Van Nuys	61
91335	Reseda/Tarzana	59
90002	Watts/Green Meadows	58
90023	Boyle Heights	58

Neighborhood Displacement Index		
90026	Silver Lake/Echo Park/Westlake	60
90018	Jefferson Park/Adams-Normandie/Exposition Park	54
90016	West Adams/Mid-City/Baldwin Hills	51
90028	Hollywood	51
90029	East Hollywood/Silver Lake	51
90004	East Hollywood/Larchmont/Windsor Square	49
90006	Pico Union/Harvard Heights	47
90033	Boyle Heights	47
90291	Venice	47
90008	Baldwin Hills/Crenshaw/Leimert Park	46
90019	Mid-Wilshire/Mid-City/Arlington Heights	46
90043	Hyde Park	43
90065	Glasseil Park/Cypress Park/Mt Washington	43
90038	Hollywood	42
90011	Historic South Central/Central Alameda/South Park	41
90042	Highland Park/Montecito Heights	41
90007	University Park/Adams-Normandie/Exposition Park	40
90037	Vermont Square/Exposition Park/Vermont-Slauson/South	40
91601	North Hollywood/Valley Village/Toluca Lake	40
90012	Chinatown/Arts District	39

Housing Condition Score		
90011	Historic South Central/Central Alameda/South Park	32
90003	Florence/Broadway-Manchester	30
90044	Vermont Vista/Vermont Knowles/Vermont Slauson	30
90002	Watts/Green Meadows	21
90033	Boyle Heights	21
90037	Vermont Square/Exposition Park/Vermont-Slauson/South	21
90731	San Pedro	21
90026	Silver Lake/Echo Park/Westlake	20
90059	Watts/Green Meadows	20
90012	Chinatown/Arts District	18
90018	Jefferson Park/Adams-Normandie/Exposition Park	18
90019	Mid-Wilshire/Mid-City/Arlington Heights	18
90034	Palms/Mid-City/Beverlywood	17
90043	Hyde Park	17
90066	Mar Vista/Del Rey/Playa Vista	17
91331	Pacoima/Arleta	17
90004	East Hollywood/Larchmont/Windsor Square	16
90006	Pico Union/Harvard Heights	16
91402	Panorama City	16
91405	Van Nuys	16

# Eviction Vulnerability Indices

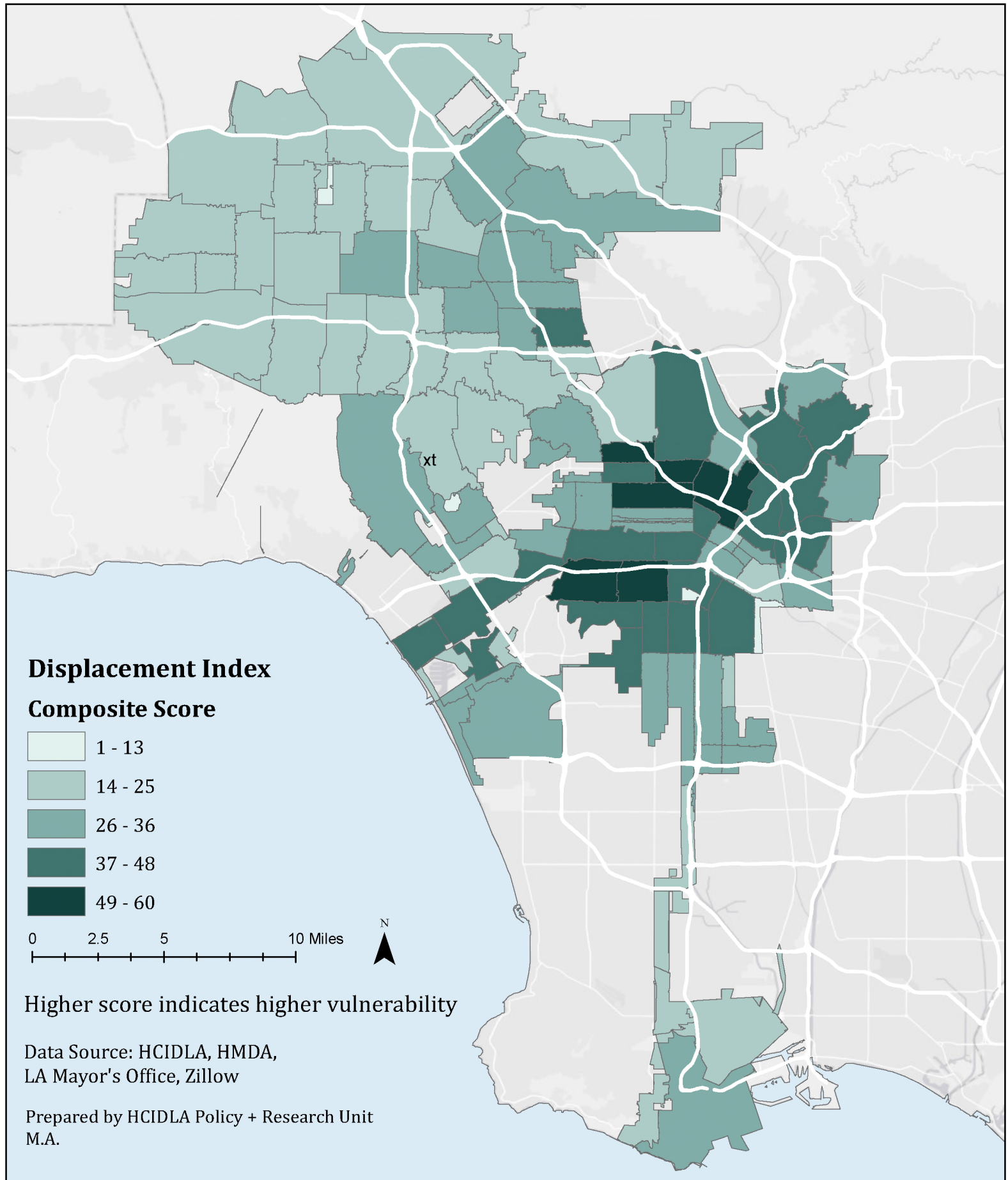
## Tenant Vulnerability Index (Zip Code Level)



# Eviction Vulnerability Indices



## Neighborhood Displacement Index (Zip Code Level)



# Eviction Vulnerability Indices

## Housing Condition Index (Zip Code Level)

