

Communication from Public

Name: Legal Aid Foundation of Los Angeles, Inner City Law Center,
Neighborhood Legal Services of LA County

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Comments for Public Posting: Please see attached letter.



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Our File Number 18-1295129

June 08, 2020

Hon. Nury Martinez
Council President
City of Los Angeles City Counsel
via email: Nury.Martinez@lacity.org

Re: Tenant rental assistance program

Dear Council President Martinez:

We, Legal Aid Foundation of Los Angeles, write to you as the organization that successfully lead and implemented, along with its longtime partners, Neighborhood Legal Services of Los Angeles County and Inner City Law Center, the Los Angeles City Homelessness Prevention Project (LACHPP) from 2009-2012. This was a ten million dollar program, federally funded by the American Recovery and Reinvestment Act of 2009, that provided rental assistance to landlords. It was a model program and considered one of the two best programs in the nation. We understand the Renters' Relief Fund you have created is vastly larger, with a much shorter time frame, but we thought some of the lessons we learned could still be helpful in your effort.

We believe the key to making LACHPP a success was threefold. 1) housing sustainability criteria to ensure public funds were being used to stop displacement and not merely postpone eviction for a month or two; 2) specific requirements that had to be met by landlords before they could receive funding; 3) combining rental assistance with legal assistance.

Sustainability Criteria

The goal of LACHPP was to keep tenants housed during the Great Recession. The program targeted households that were most likely to experience homelessness and showed the greatest likelihood of achieving stability following brief intervention. To that end, the basic criteria was that the household income was at or below 50% Area Median Income, lacked the financial resources to

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maintain the housing, was at risk of homelessness but for this assistance, and would be able to sustain housing once the assistance ended.

Tenants needed to show they could continue to pay their rent because, for example, they were searching for a new job, or were about to receive higher government benefits, or in some other way would be able to afford a rent that was at or below fair market rent. The goal was to use limited public dollars on an intervention that stopped displacement for a reasonable period of time, rather than simply put off an eviction for a month or two.

Landlord Requirements

Settlement agreements negotiated by the legal services between landlords and tenants included short term tenant protections to ensure tenants' obtain sustainable income and maintain their current housing. The following are some conditions the LACHPP attorneys were able to negotiate with landlords or their attorneys to ensure greater tenant protections:

1. Temporary reduction of rent to allow tenants to become economically stable with sustainable income.
2. Waiver of past due rent to ensure tenancies are sustainable without any further financial assistance.
3. Delay filing of an eviction unless necessary for public safety and health, by agreeing to mediate issues between the landlord and the tenant.
4. In order to ensure that rental assistance was not being used to subsidize slumlords, the housing had to pass an inspection to ensure the unit was in compliance with the housing codes for a habitable rental unit before being eligible for rental assistance. If there was an outstanding habitability complaint that was out of compliance, the unit was not eligible for rental assistance.
5. A signed W-9 form needed to be submitted by the landlord to minimize any potential fraud. Unfortunately, this often caused delay or even landlord refusal. With the City's new rent registry, as long as landlords register, that registration would ensure the money went to a bona fide landlord, without the delay.

Legal Assistance

Legal assistance provided tenants an ability to have an attorney negotiate an agreement with their landlords prior to filing an eviction or provide representation in court if the landlord had already filed an eviction. Attorneys would negotiate agreements to ensure tenants will not be evicted or face imminent risk of eviction after the signing the agreement. These agreements also provided written documentation and transparency to confirm the correct rental assistance expenditure is made to clear a tenant's rent balance. Where evictions were already filed, the agreements called for the sealing of the UD case to protect tenants' credit record and prevent barriers to future rentals. Legal service providers' main goal was to preserve and maintain tenants in their existing housing.

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In addition, tenants would be connected to other social and legal services that were provided in addition to rental assistance. Tenants were connected to social services to help maintain a stable household while additional legal services helped in removing legal barriers that destabilized housing.

The above conditions proved to be effective in not only maintaining tenants' housing in the immediate future but also allowed for tenants to continue to be housed for the long term. We firmly believe this is why the program was so successful. If you have any questions about our experience with LACHPP, please do not hesitate to contact us.

Sincerely,

Silvia Arqueta

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Executive Director

Legal Aid Foundation of Los Angeles

Yvonne Mariajimenez by SA

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