

ORDINANCE NO. _____

An ordinance amending Section 165.11 of Article 5 of Chapter XVI of the Los Angeles Municipal Code to clarify that the eviction protections for tenants awaiting disbursement of rental assistance payments from the City of Los Angeles United to House Los Angeles Emergency Renters Assistance Program apply to tenants of rental units subject to the Rent Stabilization Ordinance (“RSO”) and tenants of rental units not subject to the RSO; and that the eviction protections are retroactive.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section. 1. Section 165.11, Article 5, Chapter XVI of the Los Angeles Municipal Code is amended to read as follows:

**SEC. 165.11. EVICTION PROTECTIONS FOR TENANTS AWAITING
DISBURSEMENT OF ULA ERAP RENTAL ASSISTANCE PAYMENTS.**

No Landlord shall evict or endeavor to evict, in each case upon the grounds of non-payment of rent, any tenant who meets each of the following four criteria: (1) between September 19, 2023 and October 31, 2023 (2023 ULA ERAP), an application for residential rental assistance from the City of Los Angeles United to House Los Angeles Emergency Renters Assistance Program (“ULA ERAP”) was filed with the Department; (2) the tenant has rental arrears accumulated between October 1, 2021 and January 31, 2023; (3) on or prior to May 31, 2024, the tenant is approved by the Los Angeles Housing Department for residential rental assistance from ULA ERAP and the rental assistance payment has not been disbursed to the Landlord yet; and (4) the eviction or default is based on solely nonpayment of rent. Nothing in this section prohibits any eviction, effort to evict, or notice of eviction on any grounds other than nonpayment of rent, all of which grounds are permitted, including those grounds specified in Section 151.09A.2 through 14, or Section 165.03.B through N of this Code. Notwithstanding Section 165.04(A), the protections of this section shall apply to tenants of rental units subject to the Rent Stabilization Ordinance (“RSO”) and to tenants of rental units not subject to the RSO.


In any action by a Landlord to recover possession of residential real property, the Tenant may raise as an affirmative defense the provisions of, or the failure of the Landlord to comply with, this section. The protections of this section shall be retroactive and to the extent permitted by applicable law a tenant may assert a Landlord's failure to comply with this section as a defense in any action to recover possession of real residential property filed before February 7, 2024, as well as in any such action filed on or after said date. The Los Angeles Housing Department shall encumber and approve release of all rental assistance payments due under the 2023 ULA ERAP on or before June 1, 2024, whereupon the provisions of this Section 165.11 shall terminate and be of no further force or effect.

Sec. 2. URGENCY CLAUSE. The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety for the following reasons: the City is currently experiencing a local homelessness emergency. Therefore protecting existing tenants from eviction who have applied and are waiting for disbursement of emergency rental assistance is imperative. The City's United to House Los Angeles Emergency Renters Assistance Program ("ULA ERAP") is in the process of disbursing approximately \$31 million in rental assistance payments for eligible tenants. The City received a very large volume of tenant applications for ULA ERAP rental assistance during the application period. While over three thousand applications have been approved, many more are expected to be approved by the end of May 2024. In addition, many rental assistance payments that have been approved have yet to be disbursed. Accordingly, tenants whose applications have been approved or are expected to be approved may be at risk of eviction for non-payment of rent even though rental assistance payments that are expected to bring many of them current on rent will be disbursed in the near future. The Council, therefore, adopts this ordinance to become effective upon publication pursuant to Los Angeles City Charter Section 253.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By 
PETER WALFORD
Deputy City Attorney

Date 2.27.24

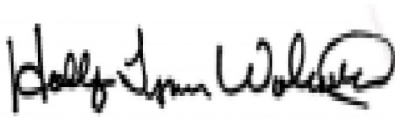
File No. 21-0042-S7

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR





Ordinance Passed March 6, 2024

Approved 03/06/2024

Ordinance Published: 03/08/2024
Ordinance Effective Date: 03/08/2024