

Ordenanza de Protecciones al Residente
Enmienda Propuesta al Código de la Ciudad
Presentación Virtual para el Comité de Planificación y
Gestión del Uso del Suelo (PLUM)
CF 21-1230-S8

Tenga en cuenta que la presentación principal que el personal presentará el martes 19 de noviembre se proporciona aquí en español. Esta presentación también está disponible Coreano



Ordenanza de Protecciones al Residente Propuesta

Enmienda Propuesta al Código de la Ciudad
Reunión para el Comité de Planificación y Gestión del Uso del Suelo (PLUM)

Expediente del Concejo 21-1230-S8

LOS ANGELES
CITY PLANNING

19 de Noviembre del 2024

Housing Element Rezoning Program

Requisitos de la Ley de Crisis de Vivienda

Requisitos de Demolición

1. **Reemplazo de Unidades Protegidas** existentes o demolidas *deben ser reemplazadas en el nuevo edificio con un **tamaño equivalente** y a un **costo asequible***
2. No debe haber una **Pérdida Neta de Unidades de Vivienda**
3. **Protecciones para los Ocupantes Existentes**
 - **Derecho a Regresar** para los hogares de bajos ingresos
 - **Derecho a Permanecer** hasta 6 meses antes del inicio de la construcción
 - **Derecho a Regresar** si la Demolición no se lleva a cabo
 - **Asistencia para la reubicación** de los hogares de bajos ingresos

Unidades Protegidas

Últimos 5 años

Renta Controlada (RSO)
Ocupado por Inquilinos de Bajos
ingresos Escritura restringida
Asequible

Últimos 10 años

Quitar vía el Acto de Ellis

Diferencias Principales con la Ley Estatal

Protecciones para los Ocupantes

- Aumentar Asistencia de Reubicación para alinearse mejor con la ley estatal
- Derecho Ampliado a Regresar
 - ◆ Tarifa de alquiler previa
 - ◆ Unidad comparable

Aplicación Más Fuerte

- Derecho Privado de Acción
- Requisitos que Notificación a Inquilinos
- Base de Datos de Infractores que cometen Acoso

Reemplazo de RSO (Ordenanza de Alquiler Estable)

- Reemplazo 1:1
- Priorizando niveles de ingresos más bajos

Vivienda Asequible Restringida

Todas la Unidades de Vivienda Asequible Restringidas tienen que:

Ser **Asequible por 99 años** (Por más de 55 años a partir de hoy)

Cumplir **requisitos de vivienda justa** relacionadas al diseño, tamaño y más

Estar **disponible para los de más alta necesidad**, incluyendo:

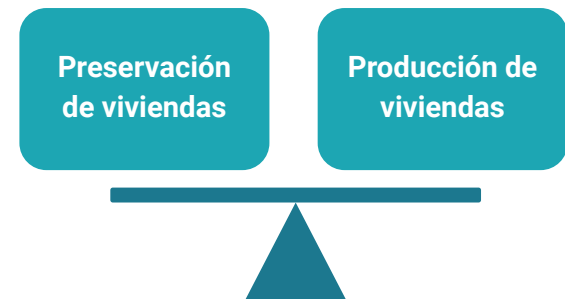
- Comercialización y alcance público justo
- Listado de unidades asequibles en el registro de la Ciudad
- Poblaciones de Prioridad son las primeras en la lista de unidades asequibles
 - *Sujeto a viabilidad



Imagen: Brooks + Scarpa

Cuestión Clave: Proporciones de reemplazo de RSO

- La ordenanza **recomienda un reemplazo de RSO a una proporción de 1:1** (en comparación al actual 0.65:1)
- Los comentarios se enfocan en aumentar la proporción a 2:1 e impedir el reemplazo de unidades que cuentan con otros requisitos de asequibilidad
- Estudios encargados por el personal demuestran que una proporción de 1:1 no tendrá impacto en la mayoría de proyectos, mientras que una proporción 2:1 tendría un vasto impacto en la mayoría de sitios viables.



Acciones Recomendadas

- Find, in the independent judgment of the decisionmaker, based on the whole of the record including the Housing Element Environmental Impact Report No. ENV-2020-6762-EIR (SCH No. 2021010130) certified on November 29, 2021, Addendum No. 1 (ENV-2020-6762-EIR-ADD1) certified on June 14, 2022, and Addendum No. 2 (ENV-2020-6762-EIR-ADD2) (collectively, “EIR”) that no subsequent or supplemental EIR is required; pursuant to CEQA Guidelines section 15162 and 15164 to adopt the Proposed Ordinance; adopt Addendum No. 2 and adopt the Mitigation Monitoring Program;
- Request the City Attorney to prepare the Proposed Ordinance as recommended by the CPC on September 26, 2024 and as modified by the Technical Modifications submitted to the City Council, dated November 13, 2024; amend Chapter 1A, including an ordinance to incorporate the amendments to Chapter I, in Chapter 1A, in the format and style of the New Zoning Code;
- Adopt a Resolution (Modified Exhibit B.1, dated November 13, 2024) to Amend the "Affordable Housing Incentives Guidelines" and approve the proposed Fair Housing Requirements for Affordable Housing;
- Adopt the Findings in the CPC Letter of Determination.

¡Gracias!

Contacta el Personal

LACP

Matthew Glesne, Senior City Planner
Julia HeideIman, City Planner

LAHD

Greg Spiegel, Senior Housing Planning and Economic Analyst
Meg Healy, Housing Planning and Economic Analyst

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Additional Reference Slides

CPC Requested Report Backs

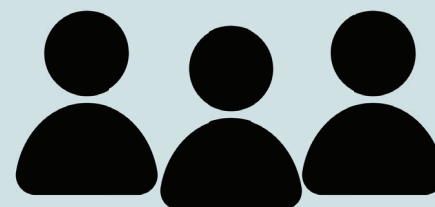
Replacement Ratios

LACP to report back on the **feasibility of increasing the 1:1 replacement ratio for RSO units**, including:

- Potential options
- Impact on project feasibility
- Input from the state department of Housing and Community Development (HCD) regarding Housing Element compliance

Enforcement and Implementation

LAHD to report back with additional details on the **plans, staffing and resources needed** to enforce the protections provided to tenants under the Resident Protections Ordinance



Tenant Notification Requirements

Construction Period

Start of Construction Activity

Tenants are notified of their rights, how to exercise their rights, and are provided owner contact information.

Bi-annual Updates

Updates on project milestones and anticipated Certificate of Occupancy.

Project Milestones

Tenants are notified 180, 90, 30, and 15 days in advance of the anticipated Certificate of Occupancy.

Temporary / Final Certificate of Occupancy

Tenant is notified when the Temporary and Final Certificate of Occupancy is issued.

Lease-Up

Tenant Response (30 days)

Tenants will have 30 days from receiving the Certificate of Occupancy issuance notice to claim their replacement unit.

Unit Hold (60 days)

Once tenant claims their replacement unit, owner will need to hold their unit vacant for 60 days from the date the tenant responds.

Private Right of Action

Goal

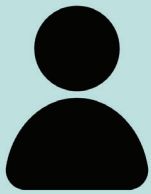
- Provides aggrieved tenants a **framework for pursuing legal action, remedies, and enforcement** against developers who violate their rights pursuant to the proposed ordinance

Remedies

- Tenants **may be awarded** the following:
 - Reasonable attorney's fees and costs
 - Compensatory or punitive damages
 - Civil penalties of up to \$10,000 per violation
- **Penalties may be increased** in the following is cases:
 - Willful violations
 - Tenants are 65 years of age or older

Anti-Harassment Provisions

Anti-Harassment Violators Database Thresholds



1 final court judgment in prior 5 years for unlawful tenant harassment or for wrongfully or illegally evicting a tenant



3 final City TAHO citations in prior 10 years



1 final City TAHO citation at a property in an area with heightened risk of displacement, in prior 5 years

Consequences of Placement in Database

- Withholding or revocation of demolition permits for **5 years** for violators placed on database
- Demolition permit ban will **run with the land** where the TAHO violation took place

Relocation Assistance

The Housing Crisis Act was amended in 2023 to clarify relocation assistance payments

- Requires developer pay relocation assistance to **lower income** tenants/occupants
- Requires assistance equivalent to *California Relocation Assistance Law*, which includes
 - Moving expenses
 - Relocation assistance (to afford a comparable unit for 42 months)
- Proposed Ordinance would create a local formula, as detailed below:



Relocation Assistance Calculations

CHART A: *Applies to evictions due to new development when tenant is at or below low income.*

Household Type	Extremely Low Income	Very Low Income	Low Income	Above Low Income
Tenants Displaced by New Development	\$108,393	\$90,837	\$82,101	See Chart B
*Subject to changes to Voucher Payment Standards and Affordable Rent rates per Section 50053 of the California Health and Safety Code.				

CHART B: *Applies to all no-fault evictions except for new development cases when the tenant is at or below low income.*

Household Type	Less than 3 Years	3 or More Years or Low Income	Mom & Pop Properties (Eviction for Owner/ Family Occupancy Only)	Single Family Dwelling owned by natural person (JCO only)
Eligible Tenant	\$10,300	\$13,500	\$9,900	One Month's Rent
Qualified Tenant	\$21,750	\$25,700	\$19,950	

Income / Rent Schedule VI

2024 Income and Rent Limit - Land Use Schedule VI

Effective Date: July 1, 2024

	AMI	Net AMI	
2023 Area Median Income (AMI)	\$98,200	\$92,500	Change in AMI from 2023 = 0%
2024 Area Median Income (AMI)	\$98,200	\$92,850	Change in Net AMI from 2023 = 0.38%

Table I: Qualifying Maximum Income Levels Based on Family Size

Income Level	Family Size							
	One	Two	Three	Four	Five	Six	Seven	Eight
Extremely Low (30%)	\$29,150	\$33,300	\$37,450	\$41,600	\$44,950	\$48,300	\$51,600	\$54,950
Very Low (50%)	\$48,550	\$55,450	\$62,400	\$69,350	\$74,900	\$80,450	\$86,000	\$91,550
Low (80%)	\$77,700	\$88,800	\$99,900	\$110,950	\$119,850	\$128,750	\$137,600	\$146,500
Moderate (120%)	\$82,500	\$94,300	\$106,050	\$117,850	\$127,300	\$136,700	\$146,150	\$155,550

Table II: Maximum Allowable Rent Levels

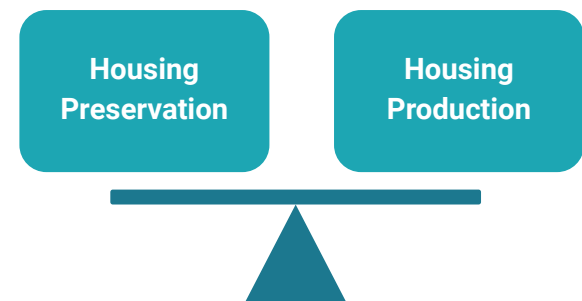
Rent Level	Bedroom Size							
	Single	1-BR	2-BR	3-BR	4-BR	5-BR	6-BR	7-BR
Extremely Low (30%)	\$487	\$557	\$627	\$696	\$752	\$808	\$864	\$919
Very Low (50%)	\$812	\$929	\$1,045	\$1,161	\$1,253	\$1,346	\$1,439	\$1,532
Low (60%)	\$975	\$1,114	\$1,253	\$1,393	\$1,504	\$1,616	\$1,727	\$1,838
Moderate (110%)	\$1,787	\$2,043	\$2,298	\$2,553	\$2,758	\$2,962	\$3,166	\$3,370

RSO Replacement Requirements

		Current Practice	Proposed Ordinance
Income Known		Replace units occupied by Lower Income tenants (ELI, VLI, LI)	Replace all units Above Lower Income units replaced with Lower Income Expanded to include Acutely Low Income (ALI)
Income Unknown	Citywide	Replaced at the proportion of Lower Income renters in the City each year (now 65%) Units presumed to be above Lower Income (35%) are not replaced ELI units only included for TOC Projects	All units replaced as Lower Income units (1:1) Units assumed above Lower Income (35%) replaced as Lower Income Always includes Extremely Low Income (ELI)
	Lower Opportunity Areas		All units replaced as Lower Income units (1:1) Units replaced proportionate to Lower Income renters (rather than total renters) 44% ELI, 26% VLI, 30% LI (Sept. 2024 update)

RSO Replacement Ratios

- Ordinance recommends increased 1:1 RSO replacement ratio (compared to 0.65:1 today)
- Feedback has focused on:
 - Increasing the replacement ratio to 2:1,
 - Not counting replacement units towards other affordability requirements
- Increased replacement ratios can impact the balance between housing production and preservation
- Staff commissioned study (AECOM) to evaluate potential impacts of different replacement policies
 - First study showed increasing to 1:1 would not impact most projects
 - Second study Indicates that increasing ratios to 2:1 would impact vast majority of feasible sites



Note: The studies are available in Appendix 3 and via Technical Modification Appendix 3.A of the Staff Report

Extremely Low Income Replacement

- RPO & CHIP are expanding production of ELI units through incentives and replacement policies (see table)
- Additionally, ELI units already make up the majority (55%) of new affordable units in RSO replacement projects, as found in staff commissioned study (AECOM)
- Feedback has focused on defaulting to ELI for replacement when incomes are not known
- Proposed ordinances prioritize ELI units, while still requiring varied income levels in replacement units

ELI Strategies in RPO & CHIP	
RSO Replacement	ELI now required for all project types (previously only TOC) When incomes are known, includes ELI (and ALI) When incomes are not known, requires greater share of ELI in Low Opportunity areas
MIIP Incentives	Encourage ELI units, building on success of TOC program

State Tax Credit Allocation Committee (TCAC) Opportunity Map

