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## Your Community Impact Statement Submittal - Council File Number: 23-0623

LA City SNow <cityoflaprod@service-now.com>  
 Reply-To: LA City SNow <cityoflaprod@service-now.com>  
 To: Clerk.CIS@lacity.org

Thu, Apr 11, 2024 at 6:56 AM

A Neighborhood Council Community Impact Statement (CIS) has been successfully submitted to your Commission or City Council. We provided information below about CISs and attached a copy of the CIS.

We encourage you to reach out to the Community Impact Statement Filer to acknowledge receipt and if this Community Impact Statement will be scheduled at a future meeting. Neighborhood Council board members are volunteers and it would be helpful if they received confirmation that you received their CIS.

The CIS process was enabled by the Los Angeles Administrative Code §Section 22.819. It provides that, "a Neighborhood Council may take a formal position on a matter by way of a Community Impact Statement (CIS) or written resolution." NCs representatives also testify before City Boards and Commissions on the item related to their CIS. If the Neighborhood Council chooses to do so, the Neighborhood Council representative must provide the Commission with a copy of the CIS or resolution sufficiently in advance for review, possible inclusion on the agenda, and posting on the Commission's website. Any information you can provide related to your agenda setting schedule is helpful to share with the NC.

If the CIS or resolution pertains to a matter *listed on the Commission's agenda*, during the time the matter is heard, the designated Neighborhood Council representative should be given an opportunity to present the Neighborhood Council's formal position. We encourage becoming familiar with the City Council's rules on the subject. At the Chair's discretion, the Neighborhood Council representative may be asked to have a seat at the table (or equivalent for a virtual meeting) typically reserved for City staff and may provide the Neighborhood Council representative more time than allotted to members of the general public. They are also permitted up to five (5) minutes of time to address the legislative body. If the CIS or resolution pertains to a matter *not listed on the agenda*, the designated Neighborhood Council representative may speak during General Public Comments.

We share this information to assist you with the docketing neighborhood council items before your board/commission. If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at [empowerla@lacity.org](mailto:empowerla@lacity.org).

\*\*\*\*\* This is an automated response, please DO NOT reply to this email. \*\*\*\*\*

### Contact Information

Neighborhood Council: Eagle Rock

Name: Michael Sweeney

Email: [michael.sweeney@ernc.la](mailto:michael.sweeney@ernc.la)

The Board approved this CIS by a vote of: Yea(11) Nay(1) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 04/02/2024

Type of NC Board Action: Against Unless Amended

### Impact Information

Date: 04/11/2024

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 23-0623

City Planning Number:

Agenda Date:

Item Number:

Summary: The Eagle Rock Neighborhood Council held a publicly noticed meeting on April 2, 2024. A quorum of Board members was present voting YES\_11\_NO\_1\_ABSTAIN\_0\_ opposing the referenced Executive Directive 1 Motion. The Eagle Rock Neighborhood Council (ERNC) opposes Executive Directive 1, in its present form. The ERNC agrees that LA City needs more housing that is affordable to its residents. However, ED1 does not provide clear and specific guidelines for affordable income levels, and it does not provide existing tenants with anti-displacement protections. The ERNC is requesting that amendments be made to ED 1 to prevent the eviction of low income tenants from rent-stabilized properties, to prevent the demolition of rent-stabilized properties, and to provide that at least 50% of any affordable

housing development under ED 1 be set aside for income eligible tenants at 30-50% of Area Median income (AMI). Presently the income eligibility for a majority of units is at 80% of AMI.

Ref:MSG10153937



**CIS IN OPPOSITION OF CF 23-0623 .pdf**

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**CITY OF  
 LOS ANGELES**  
 CALIFORNIA

**2023-2025 ERNC Board**

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**CIS IN OPPOSITION OF CF 23-0623  
 Executive Directive No. 1 (ED 1 ) / Expedition of Permits and  
 Clearances / Temporary Shelters / Affordable Housing /  
 Codification of Provisions**

April 2, 2024

LA City Council  
 200 N. Spring Street  
 Los Angeles, CA 90005

The Eagle Rock Neighborhood Council held a publicly noticed meeting on April 2, 2024. A quorum of Board members was present voting YES\_11\_ NO \_1\_ ABSTAIN \_0\_ opposing the referenced Executive Directive 1 Motion.

The Eagle Rock Neighborhood Council (ERNC) opposes [Executive Directive 1](#), in its present form. The ERNC agrees that LA City needs more housing that is affordable to its residents. However, ED1 does not provide clear and specific guidelines for affordable income levels, and it does not provide existing tenants with anti-displacement protections.

The ERNC is requesting that amendments be made to ED 1 to prevent the eviction of low income tenants from rent-stabilized properties, to prevent the demolition of rent-stabilized properties, and to provide that at least 50% of any affordable housing development under ED 1 be set aside for income eligible tenants at 30-50% of Area Median income (AMI). Presently the income eligibility for a majority of units is at 80% of AMI.

The ERNC has reviewed ED 1 and cites the following language which may place ED 1 in violation of State Density Bonus Law:

“All City Departments are directed to process all plans for such 100% affordable housing projects or Shelter using the streamlined ministerial review process currently used for projects eligible under Government Code section 65913.4, State Density Bonus Law.”

However, Government Code section 65913.4(a)(7) says that projects involving the demolition of rent controlled (stabilized) housing are not eligible for streamlined approvals. We found that Government Code section 65913.4(a)(7) lists the following conditions:

*65913.4(a)*

*(7) The development is not located on a site where any of the following apply:*

*(A) The development would require the demolition of the following types of housing:*

*(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low or very low income.*

*(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.*

*(iii) Housing that has been occupied by tenants within the past 10 years.*

In light of the conditions listed above it seems clear that ED 1 projects that require eviction of tenants and demolition of RSO properties do not qualify for a streamlined approval process. Tenants who occupy LA City rent-stabilized properties are afforded protections at the City and State level, but it appears that ED 1 attempts to preempt City and State laws that afford protections to tenants.

In addition, ED 1 may violate U.S. Dept of Housing and Urban Development (HUD) Affirmatively Furthering Fair Housing (AFFH) rules for equitable approaches to protect communities vulnerable to displacement and housing pressures.

Furthermore, ED 1 does not conform to the LA City Housing Element which prioritizes policies around anti-displacement such as strengthening renter protections, preserving affordable housing, increasing stock of affordable housing and ensuring that anti-displacement measures are advanced such as amendments to the Rent Stabilization Ordinance, enacting the recent Just Cause Eviction Ordinance, and incorporating state affordable housing Replacement Units and Right-of-Return. However, replacement units and right of return are not solutions to the housing gap that occurs when tenants are evicted and cannot obtain affordable, alternative housing.

The LA Housing Department's role in ED 1 implementation cites "robust outreach and communication with existing tenants" during and after an "accelerated Replacement Unit Determination (RUD)" process. LAHD is attempting to provide relocation to tenants in advance of any ED 1 eviction, thereby preempting tenant protections for no-fault evictions. Tenants who are evicted and given a small amount of relocation may find themselves in financial straits since relocation amounts may be insufficient to fund sustainable alternative housing in an expensive rental housing market. Proposed Replacement Units may not be available for tenants for at least two to three years, assuming that the project is built at all. Right of Return and Replacement Units do not bridge the housing gap between eviction and rehousing. Therefore, it is very possible that low income, senior, and disabled tenants *may become homeless* as a result of implementation of ED 1.

If ED 1 is attempting to correct a housing affordability imbalance and provide more "affordable" housing, the ERNC is requesting that a reasonable and rational approach be implemented that does not evict

and displace low income tenants, does not destroy naturally occurring RSO affordable housing, will provide equitable income eligibility for at least 50% of ED 1 units for tenants at 30% and 50% of AMI and the remainder of units at 80% of AMI.

Thank you for your attention to this very urgent matter.

Sincerely,

ERNC Board

cc: Mayor Karen Bass, [karen.bass@lacity.org](mailto:karen.bass@lacity.org)  
Carolyn Webb de Macias, Chief of Staff Mayor's Office [carolyn.webbdemacias@lacity.org](mailto:carolyn.webbdemacias@lacity.org)  
Hydee Feldstein Soto, City Attorney [cityatty.help@lacity.org](mailto:cityatty.help@lacity.org)  
City Councilmembers