

HOUSING AND HOMELESSNESS COMMITTEE REPORT relative to addressing various limitations of the Systematic Code Enforcement Program (SCEP).

Recommendations for Council action, pursuant to Motion (Raman – Hernandez – Soto-Martinez – Hutt):

1. INSTRUCT the Los Angeles Housing Department (LAHD), with the assistance of the Department of Building and Safety, City Attorney, and any other relevant Departments, to report in 60 days with recommendations to address various limitations of the Systematic Code Enforcement Program (SCEP) and complaint-based inspections with said report to reflect consultation with stakeholder organizations, including tenant advocacy groups and landlords, and consider findings produced in various reports compiled by such organizations and to specifically to include:
 - a. An analysis and recommendations that consider the following: Provide avenues to increase compliance with timely and good quality repairs, as well as strategies to maximize efficacy of SCEP inspections such as providing tenants and landlords more notice, information, and resources prior to inspections and providing transparent updates on schedules, open complaints and citations, and assigned inspectors.
 - b. Establishing clear protocols and remedies for common code violations, such as:
 - i. Requiring before-and-after photos, including follow-up visual inspections to verify required work is completed.
 - ii. Providing landlords with pre-approved options for specific repairs.
 - iii. Collecting proof and receipt of completed work.
 - c. Increasing coordination between various code enforcement units within the LAHD and with other Departments that interface with tenants and landlords on any relevant issues.
 - d. Evaluating options to reduce delays for inspections, such as limiting opportunities for denying inspectors entry and expediting process for obtaining inspection warrants.
 - e. Strategies to improve language justice and accessibility throughout the inspection process for tenants and landlords.
 - f. Studying the use of escalated fines to motivate compliance with citations.

- g. Identifying resources to help small landlords with financial difficulties to make repairs.
 - h. Assessing a potential process to allow tenants to file a petition with the Rent Adjustment Commission for a rent adjustment based on a landlord's failure to remedy citations for violations of housing codes related to the habitability of a dwelling after a certain period of time.
 - i. Considering adjustments to the threshold for triggering Tenant Habitability Plans (THP) that capture disruptive activities or temporary displacement of tenants due to required repairs that are not primary renovation, including the following requirements for non-primary renovation plans:
 - i. Requiring that emergency repairs that must be completed within 48 hours will not trigger the requirement that a Tenant Habitability Plan form be completed.
 - ii. Determine and assign which staff will receive the plans and complete review within two business days unless there is good cause for longer time, such as the need for a permit.
 - iii. Provide that tenants shall have 5 business days to object after service by the landlord and that a hearing shall occur within 10 business days if there is no resolution between the parties in response to the objections.
 - j. Evaluating existing shortcomings of THP, including appeal process, enforcement, notification, and length of time a tenant can be relocated under THP.
2. INSTRUCT the LAHD, with assistance from any other Departments needed, to report within 60 days with information about how many rental properties subject to SCEP are designated as Tier 1 and Tier 2, and among those how many have gone more than two or five years without a SCEP inspection with said report:
- a. Speaking to program and staffing needs to effectuate 4-year inspection cycles for Tier 1 properties and 2-year inspection cycles for Tier 2 properties.
 - b. Addressing staffing and resources needed to implement the strategies as detailed above and in the Motion.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Officer has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On October 18, 2023, your Committee considered a Motion Raman – Hernandez – Soto-Martinez – Hutt) relative to addressing various limitations of SCEP. According to the Motion, SCEP is a proactive inspection program for rental housing. Under the program, City Code Enforcement inspects Tier 1 rental units every four years and Tier 2 properties every two years. The Program is an important tool in the midst of a housing affordability crisis and as such, it helps to ensure that rental housing is safe and healthy for tenants and that recurring and unaddressed habitability violations are not used as an extra-legal means to remove tenants from their homes.

The City also performs complaint-based inspections when individual tenants make complaints to Code Enforcement. This, too, is important to ensure that tenants do not suffer needlessly from habitability violations but instead have a means of redress through the City. While an important means of redress for many tenants and for making sure repairs occur, in certain aspects, SCEP and complaint-based inspections are lacking accountability measures used by Code Enforcement departments in other cities. Inadequate forms of documentation of code violations and broad discretion to give extensions to landlords to make repairs has led to instances of tenants waiting long periods of time for repairs after inspection or receiving improper repairs from their landlords, resulting in a cycle of recurring habitability issues.

Patterns of inadequate repairs, harassment, and opaque guidelines within the current SCEP and complaint-based inspection systems also highlight the need for broader application of Tenant Habitability Plans (THP). Tenants are sometimes temporarily relocated when SCEP and complaint-based inspections require repairs. If the work being performed meets the requirements for primary renovation under the Los Angeles Municipal Code, the landlord must first create and file a THP with the LAHD for how to mitigate impacts of upcoming renovations on existing tenants, including a plan for where and how tenants will be relocated with minimal impacts to the tenants' lives. Currently, the THP process is not triggered for all of these repairs, allowing the displacement of tenants to inadequate lodging for unknown periods of time because the repairs are not considered primary renovation. Any required repairs that justifies the temporary relocation of tenants should go through a THP to ensure all processes and protections are in place. After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the Motion. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Housing and Homelessness Committee

COUNCILMEMBER	VOTE
RAMAN:	YES
BLUMENFIELD:	ABSENT
HARRIS-DAWSON:	ABSENT
RODRIGUEZ:	YES
LEE:	YES

ARL

10/18/23

-NOT OFFICIAL UNTIL COUNCIL ACTS-