

Housing Rights Workshop

COVID-19 AND
FAIR HOUSING



Agenda

 **Introductions**

 **COVID-19 Protections**

 **Fair Housing**

 **Questions & Discussion**

Who is HRC?

- Founded in 1968, when Congress passed the Fair Housing Act
- Nation's largest non-profit civil rights organization dedicated to fair housing
- Serve Los Angeles County and Ventura County
- Free services in many languages available!



HRC Services

Housing Rights Hotline: 1 (800) 477-5977
TTY: 1 (213) 201-0867
info@housingrightscenter.org
www.housingrightscenter.org/help

Investigate Discrimination

Litigation

Outreach & Education

Project Place

Online Events

www.housingrightscenter.org/register



[Live Housing Rights Q&A](#)

Mondays @ 1 PM

Facebook



[Housing Rights Workshops](#)

Tuesdays @ 2 PM (English)

Thursdays @ 6 PM (Spanish)



[COVID-19 Updates & Special Topics](#)

Fridays @ 2 PM

Rent Increases

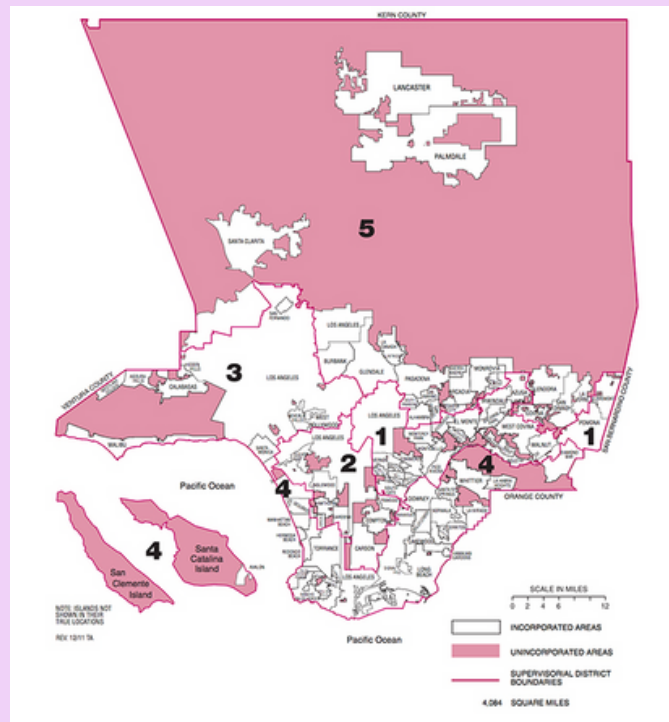
▶ COVID-19 Updates

Rent Increases

Local Rent Freezes for Rent-Stabilized Homes

UNINCORPORATED LOS ANGELES COUNTY

- Los Angeles County Rent Stabilization Ord. & Mobilehome Rent Stabilization Ord.
 - Unincorporated county
 - Two or more units
 - Built before February 1, 1995
 - dcba.lacounty.gov/rentstabilization-ordinance



CITY OF LOS ANGELES RSO

- City of Los Angeles Rent Stabilization Ord.
 - Two or more units
 - Built before October 1, 1978
 - hcidla2.lacity.org/residents/is-my-rental-unit-subject-to-the-rent-stabilization-ordinance

BALDWIN PARK RSO

- Baldwin Park Rent Stabilization Ord.
 - Two or more units
 - Built before January 1, 1995
 - baldwinpark.com/86-news/374-urgency-ordinance-1444-rent-control

Rent Increases

Tenant Protection Act (AB 1482)

ALL CALIFORNIA



- **Covered**

- Apartments over 15 years old
- Single-family homes or condos owned by corporations
- Duplexes (not occupied by owner)

- **Rent caps**

- LA metropolitan area: 5.7%
- 5% + change in cost of living, up to 10%

- **Not covered**

- Local rent control
- Affordable housing
- Dormitories

- **Rent increases**

- No rent increases over 10% during state of emergency (Penal Code 396)

Eviction Protections

▶ COVID-19 Updates

Los Angeles County

Eviction defenses until **6/30/2021**

- **No-fault evictions**

Examples:

- Owner is moving in or moving their family in
- Owner is taking the unit off the rental market
- Owner is ordered by the government to vacate the unit

- **Unauthorized occupants and pets / nuisance**

Examples:

- People living in the home who aren't on the lease
- Pets that aren't allowed or aren't on the lease
- Nuisance (e.g. noise)

- **Denying landlord entry**

- Not allowing the landlord (or other agent) to enter the home as a COVID-19 precaution

More information: <https://dcba.lacounty.gov/noevictions>

Local Protections

VARY BY CITY

LA COUNTY



*through 6/30/2021

- LA County's protections apply to any cities in the county that do not have their own protections.
 - *RIGHT*: Cities that have their own protections and are not covered by LA County's ordinance.
- LA County's protections also apply to Unincorporated county areas.
 - <https://lacounty.gov/government/about-la-county/unincorporated-areas>

RESIDENTIAL AND COMMERCIAL

Beverly Hills

Downey (Residential & Commercial)

Gardena

Hawthorne (Residential & Commercial)

Hermosa Beach

Inglewood

Lawndale

Lomita

Los Angeles (Ordinance No.186585 & Ordinance No. 186606)

Lynwood

Manhattan Beach

Maywood

Monrovia (Residential & Commercial)

Pasadena

San Marino (page 226-230)

Santa Monica

South El Monte (ORDINANCE NO. 1244-U, amendment: ORDINANCE NO. 1249-U).

South Pasadena (South Pasadena Resolution 7678)

West Hollywood (Residential: 1101U, 1108U, 1105U, 1113U

Commercial: 1103U, 1105U, 1113U)

Westlake Village (amendment)

RESIDENTIAL ONLY

Baldwin Park

Glendale

Just Cause Evictions

Tenant Protection Act (AB 1482) extended (SB 91)

ALL CALIFORNIA



- All tenants have just cause eviction protections until August 1, 2021
- Just cause = "valid reason"
 - At fault evictions:
 - Breaking the lease
 - Property damage, threats, criminal activity, etc.
 - No-fault evictions
 - Relocation assistance equal to one month's rent
- Evictions forfeit rental debt

Non-Payment of Rent

California Tenant Relief Act (SB 91)

EXTENDED

- Tenants have a defense against eviction until June 30, 2021 if they cannot pay their rent due to COVID-19.
- Tenants will have to pay back any rent they miss.
- To be protected, tenants should:
 - Notify landlord with a Declaration of COVID-19 Related Financial Distress
 - Pay partial rent by June 30, 2021

Deferring Rent

California Tenant Relief Act (SB 91)

Dear **LANDLORD,**

This declaration letter is in regards to rent payment for the following months:

MONTH BEING DEFERRED

I am currently unable to pay my rent or other financial obligations under the lease in full because of one or more of the following:

1. Loss of income caused by the COVID-19 pandemic.
2. Increased out-of-pocket expenses directly related to performing essential work during the COVID-19 pandemic.
3. Increased expenses directly related to health impacts of the COVID-19 pandemic.
4. Childcare responsibilities or responsibilities to care for an elderly, disabled, or sick family member directly related to the COVID-19 pandemic that limit my ability to earn income.
5. Increased costs for childcare or attending to an elderly, disabled, or sick family member directly related to the COVID-19 pandemic.
6. Other circumstances related to the COVID-19 pandemic that have reduced my income or increased my expenses.
7. Any public assistance, including unemployment insurance, pandemic unemployment assistance, state disability insurance (SDI), or paid family leave, that I have received since the start of the COVID-19 pandemic does not fully make up for my loss of income and/or increased expenses.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed,

TENANT

- Fill out and mail this form for free using www.norent.org
 - Or download it from California website: www.housingiskey.com
- No documentation required for tenants earning \$100,000 or less
- Turn in one form for any rent missed March 2019 - January 2021; and one form for every month missed going forward

▶ Repaying Rent Debt

California Tenant Relief Act (SB 91)

- **June 30, 2021:** tenants should pay least 25% of the total rent due between September 1, 2020 and June 30, 2021
- **July 1, 2021:** Normal monthly rental payments will resume
- **August 1, 2021:** Tenants begin paying back deferred rent
- Due date for deferred rent **MAY** vary by city
 - If no local date, rent must be paid back by **August 31, 2022**
- Landlords can sue in small claims court (**NOT EVICT!**) if debt is not paid

EXTENDED



Open Rental Assistance Programs

The screenshot shows two overlapping web pages. The background page is from 211LA, titled "SIGNUP TO BE NOTIFIED ABOUT THE 2021 RENT RELIEF PROGRAM". It includes a search bar, a sign-up form with fields for Name, Email, Phone, Address, Unit/Apartment number, City/Town, State/Province, ZIP/Postal Code, and a checkbox for "Are you a tenant or a landlord/property owner?". The foreground page is from InformedImmigrant.com, titled "Resources for Immigrants during the coronavirus crisis". It features a "BROWSE BY STATE" list with "California" selected, a search bar with "All Resources" and "Keyword search..." options, and a "SUBMIT" button. Below the search bar, it shows "Near: CALIFORNIA" and "59 RESULTS". A result for "VaccinateCA" is visible, with a description: "VaccinateCA is a website in California that compiles information about vaccine availability in different health care centers. VaccinateCA is a community-driven effort to help Californians learn accurate, up-to-date, verified information about the cor... Show more".

More information:

<https://www.211la.org>

<https://www.informedimmigrant.com/guides/coronavirus>

Rental Assistance

COVID-19 Tenant Relief Act (SB 91)

- Eligible households must meet ONE of the following criteria:
 - Total household income is less than 80% of the area median income (AMI)
 - Living conditions are unsafe
 - At least one person qualifies for unemployment benefits
 - At least one person lost significant income or had financial hardship caused by COVID-19
 - At least one person is at high risk of homelessness (e.g. due utilities or eviction notice)
- Immigration status is not considered
- Priorities:
 - First round: under 50% AMI
 - Second round: communities impacted by COVID-19
 - Third round: all households under 80% AMI
 - Rental debt will be prioritized over future rent payments
- No taxes for tenants on this aid or any aid derived from the CARES Act

Rental Assistance

What can it be used for?

- Rental debt (April 1, 2020 - March 31, 2021)
 - Landlord must apply first
 - State pays 80% of rent debt directly to landlord
 - Landlord must forgive remaining 20% of rent debt
 - If landlords refuse to participate
 - Tenant can apply directly
 - Up to 25% of rent debt
- Future rent payments
 - Exactly 25% of monthly rent
- Utilities and utility debt
 - Paid directly to utilities
- Other household expenses

Small Claims Court

Process

- No lawyers and no jury
- Judges may reduce tenant's debt if the landlord refused to accept rental assistance

Timeline

- No rent debt cases before August 1, 2021
- Court dates scheduled within 3 months (170 days) of filing
- Hearings last 10-20 minutes
- Decisions arrive within 2 weeks of hearing

Get help

- [Ask for an interpreter!](#)
- Free counseling and mediation offered by LA County - <https://dcba.lacounty.gov/small-claims/>

LOS ANGELES COUNTY
CONSUMER &
BUSINESS AFFAIRS

SMALL CLAIMS COURT

- WHAT IS TURBOCOURT?
- I WANT TO SUE
- I AM BEING SUED
- SMALL CLAIMS FORMS
- SAMPLE FORMS
- VIDEOS

GET HELP

f

Twitter

Instagram

YouTube

Envelope

The Small Claims Court Process ...

Filing Your Claim

Serving Court Papers

The Hearing

Collecting Your Judgment

Watch on YouTube



Legal Aid for Evictions



- Visit StayHousedLA.org
or call [1-888-694-0040](tel:1-888-694-0040)
- Free or low-cost legal aid & community support

Do not ignore court documents. Get legal aid immediately.

Fair Housing

- ▶ COVID-19 and Beyond

Fair Housing Act

Federally Protected Classes

Race

Sex

**Familial
Status**

Color

Religion

**National
Origin**

Disability

California Fair Employment and Housing Act

Marital Status

Source of Income

Genetic Information

Ancestry

**Gender Identity/
Expression**

Medical Condition

Sexual Orientation

Military/Veteran Status

Additional Protections

Other California Laws

- Domestic violence and violent crime

Civil Code 1946.7

- Immigration / citizenship status

Civil Code 1161.4

- Primary language

Civil Code 1632

- Arbitrary reasons

Unruh Civil Rights Act (Civil Code 51)

- Hate crimes

Ralph Civil Rights Act (Civil Code 51.7)

Prohibited Practices

- Refusal to sell or rent housing
- Refusal to negotiate for the sale or rental of housing
- Saying that housing is unavailable when it is available
- Applying different terms or rules
- Discrimination based on association
- Threats, intimidation, harassment
- Steering
- Discriminatory statements or advertising
- Refusal to grant a reasonable accommodation or modification

Reasonable Accommodations & Modifications

- Tenants with disabilities (*substantial impairments*) have the right to equal use and enjoyment of their housing as tenants without disabilities.
- Tenants can request changes / exceptions related to their disability.
- Landlords can request verification of disabilities that are not readily apparent.
- If a request creates an undue burden or fundamentally alters the nature of the business, landlords must have a good-faith dialogue with the tenant until an alternative is found.

Common Reasonable Accommodations & Modifications

Accommodations

- Change rent due date
- Service animals
- Parking space
- Transfer units
- Live-in caregiver
- Repair elevator
- End lease early, extend time to vacate, or dismiss eviction

Modifications

- Wheelchair ramp
- Grab bars in bathroom
- Lowering countertops
- Carpet removal

Contact HRC



Housing Rights Hotline: 1 (800) 477-5977



TTY: 1 (213) 201-0867



info@housingrightscenter.org



www.housingrightscenter.org

*Workshops: www.housingrightscenter.org/register

*Appointments: www.housingrightscenter.org/help

