



HOUSING RIGHTS CENTER

WORKING FOR JUSTICE AND EQUALITY IN HOUSING

HOUSING RIGHTS WORKSHOP

STAFF NAME

TITLE



WHO WE ARE

FOUNDED IN 1968

THE SAME YEAR CONGRESS PASSED THE FAIR HOUSING ACT

NATION'S LARGEST NON-PROFIT FAIR HOUSING ORGANIZATION

DEDICATED TO SECURING AND PROMOTING CIVIL RIGHTS

PROVIDERS TO RESIDENTS OF THE LOS ANGELES & VENTURA COUNTIES

WE HAVE ASSISTED MORE THAN 250,000 RESIDENTS IN THE LAST
DECADE

MULTI-LINGUAL

ARMENIAN, ENGLISH, MANDARIN, HINDI, SPANISH, URDU, & MORE.

**EMERGENCY RULE
APRIL 6TH 2020**

CA JUDICIAL COUNCIL

PREVENTING ALL EVICTIONS FILED TO GO FORWARD

EXCEPT FOR EVICTIONS NECESSARY TO PROTECT PUBLIC HEALTH AND SAFETY.

**PREVENTING COURTS FROM ISSUING DEFAULT
JUDGMENTS**

FOR TRIALS SCHEDULED IN APRIL, TRIAL POSTPONED FOR AT LEAST 60 DAYS.

**FOR EVICTION CASES ALREADY PENDING, NO
TRIALS EARLIER THAN 60 DAYS AFTER TRIAL
REQUEST**

EXCEPT THOSE NECESSARY TO PROTECT PUBLIC HEALTH AND SAFETY. TENANTS' 5 DAY RESPONSE PERIOD BEGINS AFTER THE RULE IS LIFTED.

**THIS RULE APPLIES UNTIL 90 DAYS AFTER THE STATE OF EMERGENCY IS LIFTED OR UNTIL JUDICIAL COUNCIL
AMENDS / REPEALS IT**

COVID-19 & LOCAL LAWS

**TENANTS WILL NEED TO FILE
ANSWERS WITHIN 5 DAYS OF
BEING SERVED**

ONCE THE EMERGENCY RULES EXPIRE OR ARE
REPEALED/AMENDED

**LOCAL JURISDICTIONS HAVE
PASSED THEIR OWN COVID-19
PROTECTIONS**

- EACH CITY HAS ITS OWN ORDER,
- CHECKOUT OUR ONLINE TRACKER FOR MORE INFO

COVID-19 & LA CITY

ORDINANCE NO. 186585
MARCH 31, 2020

LANDLORD CANNOT EVICT TENANT FOR NON-PAYMENT OF RENT

IF NON-PAYMENT IS DUE TO CIRCUMSTANCES RELATED TO COVID-19, INCLUDING LOSS OF INCOME AND MEDICAL EXPENSES.

TENANTS HAVE 12 MONTHS TO PAY BACK RENT AFTER END OF "LOCAL EMERGENCY PERIOD"

FROM MARCH 4 UNTIL END OF LOCAL EMERGENCY AS DECLARED BY MAYOR OF LA. LANDLORD CANNOT CHARGE INTEREST OR LATE FEE

LANDLORD CANNOT EVICT FOR "NO-FAULT" REASON (30 OR 60 NOTICES OF TERMINATION FOR NO CAUSE)

OR FOR UNAUTHORIZED TENANT/PET VIOLATIONS OR COVID-19 RELATED NUISANCE

DOES NOT PREVENT LANDLORD FROM FILING EVICTION ACTIONS IN COURT

LANDLORD CANNOT EVICT TENANT FOR NON-PAYMENT OF RENT

IF NON-PAYMENT IS DUE TO CIRCUMSTANCES RELATED TO COVID-19, INCLUDING LOSS OF INCOME AND MEDICAL EXPENSES.

TENANT MUST PROVIDE NOTICE TO LANDLORD WITHIN 7 DAYS AFTER THE RENT DUE DATE.

TENANTS HAVE 6 MONTHS TO PAY BACK RENT

AFTER TERMINATION OF THE COUNTY ORDER ON MAY 31, 2020

LANDLORD CANNOT EVICT FOR “NO-FAULT” REASON

DOES NOT PREVENT LANDLORD FROM FILING EVICTION

COVID-19 & LA COUNTY

GOVERNOR'S STATEWIDE COVID ORDER

EXTENDS DEADLINE FOR TENANTS TO RESPOND TO EVICTION LAWSUIT BY 60 DAYS

- IF EVICTION IS FOR NON-PAYMENT & TENANT CANNOT PAY ALL OR PART OF RENT DUE TO COVID-19;
 - INFORMS LANDLORD IN WRITING WITHIN REASONABLE TIME (NOT TO EXCEED 7 DAYS AFTER RENT IS DUE)
 - RETAINS DOCUMENTATION SUPPORTING TENANT'S ASSERTION OF AN INABILITY TO PAY

OBLIGATION TO REPAY FULL RENT IN A TIMELY MANNER REMAINS

COULD STILL FACE EVICTION AFTER THE PROTECTIONS ARE LIFTED (MAY 31, 2020).

STATE ANTI-PRICE GOUGING LAW APPLIES DURING STATE OF EMERGENCY

- **MARCH 16, 2020 STATE EXECUTIVE ORDER EXTENDS ANTI-GOUGING LAW UNTIL MAY 31, 2020.**
- **LANDLORDS CANNOT ISSUE LARGE RENT INCREASES (MORE THAN 10 PERCENT)**
- **LANDLORDS CAN BE CHARGED WITH MISDEMEANOR FOR BREAKING THIS LAW. (PENAL CODE 396)**

CITY OF LOS ANGELES ISSUED PUBLIC ORDER

- **PROHIBITING PROPERTY OWNERS OF RENTAL UNITS SUBJECT TO THE RENT STABILIZATION ORDINANCE FROM INCREASING RENTS UNTIL 60 DAYS AFTER DECLARATION THAT LOCAL EMERGENCY PERIOD IS OVER.**

ANTI-PRICE GOUGING

FAIR HOUSING ACT

- **RACE**
- **COLOR**
- **RELIGION**
 - SELECTIVE ADS
 - TERMS / TREATMENT
 - HOLIDAYS
- **SEX**
 - QUID PRO QUO
 - PHYSICAL, SEXUAL, VERBAL, AND/OR VISUAL HARASSMENT
 - PERCEPTION VS. INTENT
- **NATIONAL ORIGIN**
 - MONOLINGUAL SIGNS
- **FAMILIAL STATUS**
 - RESTRICTIVE HOUSE RULES
 - STEERING
 - OCCUPANCY LIMITS: 2 + 1 GUIDELINE
- **DISABILITY**
 - MENTAL AND/OR PHYSICAL

IN ADDITION TO FHA (FEDERAL) PROTECTED CLASSES:

- ANCESTRY
- SEXUAL ORIENTATION
- SOURCE OF INCOME – SECTION 8; HCVS; 3RD PARTY
- GENDER IDENTITY/EXPRESSION
- GENETIC INFORMATION
- MARITAL STATUS
- MEDICAL CONDITION
- MILITARY & VETERAN'S STATUS

OTHER CALIFORNIA LAWS PROHIBIT DISCRIMINATION BASED ON:

- DOMESTIC VIOLENCE
- IMMIGRATION / CITIZENSHIP STATUS
- PRIMARY LANGUAGE
- ARBITRARY REASONS
- AGE

WE ALSO HAVE A LAW PROHIBITING HATE CRIMES:

- RALPH ACT: FREEDOM FROM VIOLENCE OR INTIMIDATION

CA FAIR EMPLOYMENT & HOUSING ACT

FAIR HOUSING LAWS APPLY

HOUSING TRANSACTION TYPES

RENTING

BUYING

LENDING

PROSPECTIVE HOME SEEKERS

RESIDENTIAL DWELLING TYPE

CONDOS

HOUSES

DUPLEXES

APARTMENTS

VACANT LOTS

RESIDENTIAL MOTELS

TRANSITIONAL SHELTERS

MOBILE HOME PARKS

SHORT TERM RENTALS

- **INCOME LEVEL**
- **CREDIT SCORES**
- **REFERENCES FROM PREVIOUS LANDLORDS**
- **SMOKING STATUS**
- **PETS**
- **CRIMINAL HISTORY**

NOTE: 2016 HUD GUIDANCE: "POLICIES THAT EXCLUDE PERSONS BASED ON CRIMINAL HISTORY MUST BE TAILORED TO SERVE THE HOUSING PROVIDER'S SUBSTANTIAL, LEGITIMATE, NONDISCRIMINATORY INTEREST AND TAKE INTO CONSIDERATION SUCH FACTORS AS THE TYPE OF THE CRIME AND THE LENGTH OF THE TIME SINCE CONVICTION. WHERE A POLICY OR PRACTICE EXCLUDES INDIVIDUALS WITH ONLY CERTAIN TYPES OF CONVICTIONS, A HOUSING PROVIDER WILL STILL BEAR THE BURDEN OF PROVING THAT ANY DISCRIMINATORY EFFECT CAUSED BY SUCH POLICY OR PRACTICE IS JUSTIFIED."

ALLOWABLE TENANT SELECTION CRITERIA



PROHIBITED PRACTICES



- **STEERING**
- **REFUSAL TO SELL OR RENT HOUSING**
- **APPLYING DIFFERENT TERMS OR RULES**
- **THREATS, INTIMIDATION, HARASSMENT**
- **DISCRIMINATION BASED ON ASSOCIATION**
- **OTHERWISE MAKING HOUSING UNAVAILABLE**
- **DISCRIMINATORY STATEMENTS OR ADVERTISING**
- **SAYING THAT HOUSING IS UNAVAILABLE WHEN IT ISN'T**
- **REFUSAL TO NEGOTIATE FOR THE SALE OR RENTAL OF HOUSING**
- **REFUSAL TO GRANT A REASONABLE ACCOMMODATION AND / OR MODIFICATION FOR A PERSON WITH A DISABILITY.**

COVID-19 REMINDERS

IT IS UNLAWFUL TO DISCRIMINATE ON THE BASIS OF RACE, NATIONAL ORIGIN, AND ETHNICITY.

COVID-19 DOESN'T RECOGNIZE RACE, NATIONALIST, OR ETHNICITY. SOCIAL STIGMA UNDERMINES SOCIAL COHESION & PROMPTS POSSIBLE SOCIAL ISOLATION OF GROUPS, WHICH MIGHT NEGATIVELY CONTRIBUTE TO THE SPREAD OF THE VIRUS.

IT IS UNLAWFUL TO DISCRIMINATE ON THE BASIS OF DISABILITY.

HOUSING PROVIDERS CANNOT ASK TENANTS TO MOVE OUT BECAUSE THEY HAVE COVID-19 OR SEGREGATE PEOPLE 65+ TO SPECIFIC PARTS OF THE BUILDING TO PROTECT FROM COVID-19 EXPOSURE.

ACCOMMODATIONS

TRANSFER UNITS

PARKING SPACE

LIVE-IN CAREGIVERS

CHANGING RENT DUE DATE

REPAIR ELEVATOR IN OPERABLE CONDITION

SERVICE AND COMPANION/THERAPY ANIMALS

ENDING TENANCY EARLY OR EXTENDING VACATE DATE

RESCIND NOTICE TO TERMINATE TENANCY/DISMISS UD

C
O
M
M
O
N

R
E
A
S
O
N
A
B
L
E

MODIFICATIONS

CARPET REMOVAL

WHEELCHAIR RAMP

LOWERING COUNTERTOPS

RESTROOM GRAB BAR INSTALLATION



RECOMMENDED BEST PRACTICE IS THAT IF DISABILITY IS NOT READILY APPARENT, TENANT BE PREPARED TO SHOW PROOF THAT AN ACCOMMODATION OR MODIFICATION IS MEDICALLY NECESSARY

DOCUMENTATION OF DISABILITY CAN BE PROVIDED BY RELIABLE
THIRD-PARTY (E.G., CAREGIVER'S ASSESSMENT OF NEED).

**COVID-19 NOTE: DURING PANDEMICS, DOCTORS AND MEDICAL PROFESSIONS ARE BUSY AND IT
IS DIFFICULT FOR PEOPLE WITH COVID-19 AND OTHER DISABILITIES TO OBTAIN
DOCUMENTATION FOR THEIR DISABILITIES. HOUSING PROVIDERS SHOULD BE FLEXIBLE.**

SUGGESTIONS DURING COVID-19

GRANTING PROCESS FOR REASONABLE ACCOMMODATION & MODIFICATION REQUESTS

LANDLORDS / MANAGERS / AGENTS SHOULD GRANT REASONABLE ACCOMMODATION REQUESTS TO DELAY NON-EMERGENCY MAINTENANCE, INSPECTION, OR OTHER NON-EMERGENCY PHYSICAL INTERACTION WITH MANAGEMENT UNTIL AFTER THE TENANT IS NO LONGER VULNERABLE TO COVID-19.

SOCIAL DISTANCING

LANDLORDS / MANAGERS / AGENTS SHOULD DO THEIR PART TO ENSURE THAT TENANTS MAINTAIN SOCIAL DISTANCING WHILE ALSO BEING ABLE TO ACCESS ESSENTIAL SERVICES THAT LIMIT THE SPREAD OF COVID-19.

- EX. MANAGEMENT OF LARGE APARTMENT COMPLEXES CAN ADOPT GUIDELINES FOR THE NUMBER OF PEOPLE WHO CAN USE COMMUNITY WASHERS / DRYERS, OR OTHER AMENITIES, AT ONE TIME.

NEW STATE HOUSING LAWS

AB 1482

- CAPS RENT INCREASES AT 5% PLUS CHANGE IN COST OF LIVING OR 10%, WHICHEVER IS LOWER
- REQUIRES JUST CAUSE TO EVICT TENANTS (FOR TENANTS WHO HAVE LIVED IN UNIT FOR AT LEAST 12 MONTHS)
- LANDLORDS WILL CONTINUE TO BE ABLE TO EVICT FOR JUST CAUSE IF VIOLATION IS NOT CURED.
- IF LANDLORD WANTS TO CONVERT RENTALS TO CONDOS OR SUBSTANTIALLY REMODEL, LANDLORD WILL HAVE TO PAY ONE MONTH'S RENT AS RELOCATION
- **LAW WILL BE IN EFFECT UNTIL 2030**

DOES NOT APPLY TO

- OWNER OCCUPIED DUPLEXES
- UNITS ALREADY SUBJECT TO RENT CONTROL
- BUILDINGS CONSTRUCTED IN **THE LAST 15 YEARS**
- DEED-RESTRICTED AFFORDABLE HOUSING AND DORMITORIES
- SINGLE FAMILY HOMES AND CONDOMINIUMS EXCEPT FOR THOSE OWNED BY CORPORATIONS, REAL ESTATE INVESTMENT TRUST OR LLCs WITH AT LEAST ONE CORPORATE MEMBER

SOURCE OF INCOME PROTECTIONS

- SB 329
- 90 DAYS PROPER NOTICE TO VACATE
- ADVERTISEMENT THAT SHOWS OR IMPLIES THAT SECTION 8 WILL NOT BE HOUSED IS WILL BE SEEN AS DISCRIMINATION
- LANDLORDS / MANAGERS CANNOT DENY PEOPLE WHO RECEIVE SECTION 8 BASED ON THIS SOURCE OF INCOME

CIVIL CODE 827

- THIS LAW APPLIES TO PEOPLE WHO DO NOT FALL UNDER THE AB 1482 CATEGORY.
- LANDLORDS MUST PROVIDE 90 DAYS NOTICE IF RENT IS BEING INCREASED MORE THAN 10% & 120 DAYS NOTICE IF RENT IS BEING INCREASED MORE THAN 15%

NEW STATE HOUSING LAWS



HOUSING RIGHTS CENTER

WORKING FOR JUSTICE AND EQUALITY IN HOUSING

THANK YOU

CALL

800 – 477 – 5977

EMAIL

INFO@HOUSINGRIGHTSCENTER.ORG

FOLLOW OUR SOCIALS



VISIT OUR WEBSITE

WWW.HOUSINGRIGHTSCENTER.ORG

