

Short Term Emergency Assistance Full Program Guidelines

Short Term Emergency Assistance Description

In January/February 2023, the United to House LA coalition will be submitting proposed Program Guidelines for each of the 10 program areas. The short-term emergency assistance would provide about \$40 million annually in funding. Below is a definition from the Measure ULA initiative that defines short-term emergency assistance:

“Short-Term Emergency Assistance. Five percent of the House LA Fund-Programs shall be annually allocated to provide short-term emergency funding to tenant households at risk of becoming homeless. Funds will stabilize low-income tenants at risk of losing their housing due to one-time economic shocks, and may cover the entirety of rent payments for a short-term period of up to 6 months. Priority eligibility shall be established for lower income households.”

Tenant Eligibility Guidelines and Rules

A. The following are proposed LA City Short Term Emergency Assistance Program guidelines for eligible tenants to apply for rental assistance:

1. Renter of residential rental property living within Los Angeles city limits
2. Household income must be below 80% AMI¹
3. Description of one-time economic hardship
4. Employees of agency providers and their direct family members are ineligible for rental assistance.

B. In addition to the initial tenant eligibility criteria, the following would be proposed for the Short-Term Emergency Assistance Program:

1. Signed W-9 form by the participating landlord that will receive the rental assistance payment. However, if the landlord is not participating, tenants will be allowed to receive rental assistance directly for rental arrears only and under limited circumstances which will not require any further follow-up by administrative agencies regarding the rental assistance payment. ² If the landlord fails to participate and files an unlawful detainer against the tenant, LAHD will recommend an affirmative defense to protect tenants from eviction.
2. Only provide rental assistance once a year, if the rental assistance request provided the total maximum amount allowed per term.

¹ Receipt of any needs-based public benefits automatically qualifies a tenant to services.

² Possible disruption of recipients' government monthly benefits and medical coverage can be implicated through direct payments. Tax implications for tenants would need to be researched.

3. Aside from prioritizing low-income households with income below 30% AMI, the program will provide priority for tenant households living in long term rent-stabilized rental units. Long term would be defined as residing at a rental unit for six continuous years in a rent-stabilized qualified building. Further, additional priorities shall be made for disabled and senior tenants, tenants living in affordable housing units, households with minor children.

C. Additional proposed guidelines for Short-Term Emergency Assistance Program:

1. Total of six (6) months of emergency rental assistance which can be applied to either rental arrears or prospective rent.
2. Ensure tenant protections are in place while tenants apply for short-term rental assistance which include protections from eviction filings by the landlord while tenants' applications are pending or approved and pending payment.
3. Set a maximum monetary cap amount for total rental assistance that can be provided.
4. Administering agency will make decisions on case-by-case situation including the totality of circumstances and shall prioritize cases that include but are not limited to: (1) households that are at high risk of becoming homeless (2) tenants that live in long-term rent stabilized units; (3) units that are affordable based on the tenant's income; or (4) vulnerable tenants living in proposed high priority zip codes.
5. Targeted use of short-term rental assistance to tenants in imminent risk of an unlawful detainer filing. The short-term assistance program will prioritize tenant households that face eviction and have received a 3-day notice to pay rent or quit. The Los Angeles Housing Department can inform landlords that have submitted 3-day notices to the Department of available rent assistance by providing automatic electronic or mailed responses to those landlords.
6. Rental assistance shall include any debt or cost incurred by a tenant related to maintaining their rental housing. These costs can include but are not limited to rent, utility payments, security deposits that are associated with complying with orders or agreements and maintaining their rental units.
7. Ensure that landlords are participating with the short-term rental assistance program by agreeing to accept payment upon approval of a rental assistance application. In order to ensure greater landlord participation and complying with the program requirements, City entities such as Los Angeles City Attorney's Office or Los Angeles Housing need to inform non-participating landlords that they are in violation of City ordinances and state fair housing due to discrimination based on source of income. Enforcement for source of income based on landlord's non-participation for tenant's rental assistance applications.
8. The landlord's failure to participate or not properly providing the required documentation to the short-term rental assistance program will result in monetary penalties. Separate monetary penalties will be assessed for every rental unit the landlord refuses to participate in or fails to provide timely documentation. The program

will make the determination whether the landlord has failed to provide timely documentation.

9. We recommend the continued practice to pay landlords directly. However, we recommend that the City also explore the policy to provide tenants direct payments in situations where their landlords refuse to participate in the short-term rental assistance program and the City not require overly burdensome oversight for these rental payments. Providing oversight for these payments would create a heavy administrative burden and significantly increase administrative costs.

Required Documents and Forms for Requests

The following forms and documents listed below are required for rental assistance requests through the LA City RAP. We propose that similar required documents and forms be used for the proposed Short-Term Emergency Assistance Program.

Rental Assistance Application

An application will need to be submitted by the participating agency on behalf of the tenant applicant. Administrative agencies processing the rental assistance applicants will develop and create the application.

Proof of Ownership and Signed W-9 Form

1. Property Profile
2. Grant Deed
3. If a management company is Plaintiff, an Agent Authorization Agreement
4. Court Order
5. Trustor/Trustee documents

W-9 Form:

Landlord must fill-out and sign this form to be eligible for rental assistance. If a property management company fills out the form or is the Plaintiff in a UD case, they need to provide an Agent Authorization Form or an authorization letter demonstrating the landlord provide authority to a third party. Otherwise, can pay the landlord directly.

Tenant Photo Identification

Government identification is preferred but not required. However, we will need some type of photo identification to verify the tenant applicant. Here are some examples that we have used:

1. Consulate Card
2. Native Country's ID
3. Passport
4. School Identification Card

We recommend that no photo identification is required for landlords since many properties are owned by a corporation, partnership, limited liability corporation, or a trust. This requirement would slow or stop the eligibility and approval process.

Settlement Agreement / Invoice Payment / Notice

Eviction cases usually have a stipulated agreement or the applicant is applying prior to an eviction case (pre-court filing), we require the landlord to enter into an agreement to end the rent dispute. For any requests that are in the pre-eviction stage, we require a notice or rent ledger to verify the rent owed. If the assistance is for non-rent, we require an invoice to verify debt and payment for services provided.

Proof of Landlord / Tenant Relationship

The following are documents we will use to verify and collaborate a landlord-tenant relationship exists. Only one of these is required:

1. Copy of an executed rental agreement
2. A promissory note or payment plan
3. Canceled checks
4. Rental receipts
5. 3-Day Notice to Pay Rent or Quit or Unlawful Detainer
6. Signed self-certification form (last resort and only for pre-eviction cases)

Proof of Economic Hardship/Shock

The following can be used to collaborate the tenant's economic hardship:

1. Documents of demonstrating an event that caused the economic hardship
2. Letter from tenant's employer of loss of job or hours
3. Medical documents showing costs and hospitalization
4. Court documents demonstrating economic hardship
5. Self declaration form filled out by the tenant attest to their economic hardship

The economic hardship/shock is to be determined not on the validity of the claim or explanation but whether the economic hardship would reasonably lead to the tenant falling behind in their rent for any extended period of time.

Proof of Income or Self Certification of Income Form

The following are different forms of income verifications used:

1. Pay stubs

2. Paycheck statements
3. Canceled checks
4. Govt. benefits statement
5. Third party verification form of employment
6. Self-Certification Form

Accessibility

Language Accessibility

Tenants regardless if they are non-English speaking individuals shall have access to apply for short-term rental assistance. Language assistance shall be provided in the tenants' native language needs to be during the application process and during the follow-up communications with monolingual speaking tenants.

Digital Accessibility

Tenants with limited or no digital accessibility shall be provided alternatives to apply for short-term rental assistance aside from an online portal. Tenants should be able to apply by phone and communicate with an individual to assist with the rental assistance application or have physical locations where the tenant can visit to be provided help with completing the rental assistance application. Further, these physical locations shall provide additional technical assistance after tenants have submitted their initial rental assistance application to complete and finalize their application.

- Physical locations should be not limited to city offices or resource centers but expanded to Community Based Organizations (CBOs). Aside from the technical and language accessibility CBOs can provide, the CBOs can provide ease of mind to tenants especially in immigrant communities since they are not directly affiliated with a government entity and many CBOs have already created relationships within these communities through their organizing efforts.

Collection of Documents & Reporting

After payment has been processed and delivered, RAA will prepare a complete copy of all the required documents and forms for approved applications. This approved application packet will be scanned and saved as a final submission application packet and will be included in every City monthly invoice. We will maintain and store an electronic file for each submission.

Administrative agency will maintain these submissions and records for at least five years following the expiration of the rental assistance services provided. In addition, the administrative agency will provide the City with such records when requested. Administrative agency shall provide the City with access to any such records during regular business hours (Monday-Friday, 8:00 a.m. to 5:00 p.m.) upon receipt of a written request by the City to review or duplicate them.

SHORT-TERM EMERGENCY ASSISTANCE ONE PAGER

What is Measure ULA's Short-Term Emergency Assistance?

Below is the Measure ULA initiative definition of Short-Term Emergency Assistance:

"Five percent of the House LA Fund-Programs shall be annually allocated to provide short-term emergency funding to tenant households at risk of becoming homeless. Funds will stabilize low-income tenants at risk of losing their housing due to one-time economic shocks and may cover the entirety of rent payments for a short-term period of up to 6 months. Priority eligibility shall be established for lower income households."

Who Will be Impacted by Short-Term Emergency Assistance?

Tenants that are eligible for Short-Term Emergency Assistance will be able to access this emergency assistance. The following are proposed guidelines for Short Term Emergency Assistance:

1. Renter of residential rental property living within Los Angeles city limits;
2. Household income must be below 80% AMI*; and
3. Description of one-time economic hardship or shock.

In addition to the initial tenant eligibility criteria, LA City RAP requires the following:

- Employees of contracting provider(s) and their direct family members are ineligible for rental assistance

What Are the Issues to be Determined With Short-Term Assistance?

- Prioritize low-income applicants and households living in rent-stabilized units along with vulnerable tenants or communities that are facing displacement on a large scale.
- Ensure tenant protections are in place while tenants apply for short-term rental assistance which include protections from eviction filings by the landlord while tenants' applications are pending or approved.
- In order to ensure landlord participation in the short-term rental assistance program and complying with the program requirements, City entities such as Los Angeles City Attorney's Office or Los Angeles Housing Department need to inform non-participating landlords that they are in violation of City ordinances and state fair housing law based on discrimination based on source of income.
- The landlord's failure to participate or not properly providing the required documentation to the short-term rental assistance program will result in monetary penalties.
- We recommend a short-term assistance program that contracts with several community based organizations along with city affiliated agencies to provide more in-person technical support for prospective applicants throughout the pending application process. Such assistance can provide greater digital and language accessibility for tenants.
- We recommend the short-term assistance be flexible by allowing the 6 months assistance to be applied either for arrears or prospective rent.
- We recommend a stand alone program that would emphasize pre-eviction solutions (such as an eviction diversion program) that can be developed to reduce the number of LA city evictions and target the use of short-term rental assistance to tenants in imminent risk of an unlawful detainer filing.
- We recommend the continued practice to pay landlords directly. However, we recommend that the City also explore the policy to provide tenants direct payments in situations where their landlords refuse to participate in the short-term rental assistance program and the City not require overly burdensome oversight for these rental payments. Providing oversight for these payments would create a heavy administrative burden and significantly increase administrative costs.

INCOME ASSISTANCE FOR SENIORS AND PERSONS WITH DISABILITIES ONE PAGER

Through the City's front funding of \$150 million toward ULA, there will be \$23 million dedicated toward Income Assistance for Seniors and Persons with Disabilities. The primary goals should be to prevent seniors and people with disabilities from experiencing homelessness through resolving immediate rental arrears and targeted income assistance based on need. Below is recommended allocation of funding:

- Up to 40% for Component One: Rental Debt Resolution for Seniors and Disabled Persons
- At least 50% for Component Two: Targeted Income Assistance Based on Need
- Up to 10% for Program Administration

Component One: Rent Debt Resolution for Seniors and Persons with Disabilities

There continue to be wait-listed seniors and persons with disabilities for the Short-Term Emergency Rental Assistance Program (ERAP) due to the significant back-rent that continues to burden renters. On any given day in the City, there are about 100k senior renters who are severely rent burdened and there are at least 8,700 seniors and persons with disabilities facing significant rental arrears, based on the LA Housing Department's ULA [Short Term Emergency Rental Assistance Program data](#). Therefore, the first component of ULA's Income Assistance for Seniors and Persons with Disabilities Program must be:

- Immediate Rent Debt Resolution for wait-listed LA City Seniors and Persons with Disabilities
- Administer through ERAP, a separate TLS Income Assistance Fund or Flexible Funds
- If the previously rent-burdened senior can live independently or in shared housing but continues to need a modicum of financial support (e.g., by supplementing their SSI/SSP income with a housing allowance or shallow subsidy), then the City should quickly transition participants to the income assistance program funded by Component Two as a viable next-step prevention strategy.

Component Two: Targeted Income Assistance Based on Need

Recent evidence is increasingly showing that direct cash transfers to tenants in poverty are more efficient at reducing administrative burdens and give recipients freedom of self-determination. Therefore, we recommend the City structure Component Two as a direct-to-tenant income "assistance based on need" and pair that assistance with other ULA-funded supports like Right to Counsel and/or Tenant Outreach/Education. The second component should be administered as follows:

- Use the CA Policy Lab's existing [Prevention Targeted Tool \(PTT\)](#) to determine the individuals at highest risk of experiencing homelessness, like the Community Investment and Families Department's use of PTT for the Solid Ground Homelessness Prevention Program.
- Ensure the front-door of self-identification is clear and accessible to the aging and disability communities and the multiple systems that serve them (e.g., Senior Centers, Area Agencies on Aging, Disability Resource Centers).
- Provide \$500 to \$800 a month in targeted income assistance based on need.
- Model the method of payment after the [California Middle Class Tax Refund \(MCTR\) Program](#) and the City of Santa Monica's Preserving Our Diversity (POD) program - a debit card system to transfer the assistance to a separate account for each eligible participant. If an outside agency is already providing these services, the City should consider contracting with a provider equipped with appropriate tech that can provide this recommended direct income assistance service.

Appendix H

Income Support for Rent-Burdened Seniors & Persons with Disabilities Full Program Guidelines

Purpose

One of the primary goals of Measure ULA's House LA Fund is to *"increase access to permanently affordable housing for vulnerable populations including but not limited to seniors in Low Income Households, formerly homeless, and persons with disabilities."* In fact, 30% of the House LA Fund shall be used for a Homeless Prevention Program, of which 10% of the House LA Fund shall be used specifically *"to provide income assistance designed to assist households in avoiding displacement from their homes to rent-burdened, Acutely Low Income, Extremely Low Income, and Very Low Income Households including seniors (aged 65 years and above) and/or persons with disabilities at-risk of becoming homeless."*¹ Through the City's front funding of \$150 million toward ULA, there will be \$23 million dedicated toward the Income Support for Rent-Burdened Seniors and Persons with Disabilities Program.

Program Goals

The long-term primary goal for this ULA-funded program should be to prevent seniors and people with disabilities from experiencing homelessness; however, the city must also respond to the urgent rental arrears crisis facing at least 8,700 seniors and persons with disabilities right now, based on the LA Housing Department's ULA [Short Term Emergency Rental Assistance Program data](#). Therefore, until 2030, this program should include two components: the first for resolving rental arrears due to COVID-19 or other financial hardship for low-income seniors and persons with disabilities, and the second for preventing homelessness among seniors and people with disabilities through direct income assistance. The recommended allocation of funding with the program is as follows:

1. Immediately resolve at least 6 months of rental arrears for wait-listed applicants of the ULA ERAP and who are most at risk of homelessness;
2. Help an expertly targeted subset of very low-income, extremely low-income, and acutely low-income senior and disabled renters to meet their basic income needs, avoid residential displacement and achieve housing stability as they age in place;
3. Design the program in a manner that creates an ongoing opportunity for the City to partner with LAHSA and LA County, and continuously evaluate the effectiveness of the program as a prevention and housing stabilization strategy and model; and, based on insights from ongoing evaluations,
4. Identify key challenges and opportunities to improve the effectiveness of the program on an annual basis.

¹ Suzuki, T., Hernandez, N.D., Lipmen, E., Sanchez, A., Diaz, S. (2022) [United to House LA Ballot Measure](#)

Program Design, Principles & Assumptions

The long-term primary goal for this ULA-funded program should be to prevent seniors and people with disabilities from experiencing homelessness. The recommended allocation of funding with the program is as follows:

- Up to 40% for Component One: Rental Debt Resolution for Seniors and Disabled Persons
- At least 50% for Component Two: Targeted Cash Assistance Based on Need
- Up to 10% for Program Administration

Component One: Rent Debt Resolution for Seniors and Persons with Disabilities

In 2023, LAHD recommended that almost half of the \$23 million from the Income Support for Rent-Burdened Seniors & Persons with Disabilities program area be reallocated to support the Short-Term Emergency Rental Assistance Program to provide immediate relief to renters with significant rental arrears. The ULA Coalition and the Citizens Oversight Committee approved the reallocation with the additional recommendation that those funds be flagged specifically to serve seniors and persons with disabilities on the waitlist for ERAP funds. There continue to be wait-listed applicants due to the significant back-rent that continues to burden renters. Therefore, the first component of ULA's Senior/Disabled Housing Stability & Income Assistance program must be immediate Rental Debt Resolution Program for wait-listed LA City Seniors and Persons with Disabilities for at least 6 months of rental arrears and should receive up to 40% of the program's initial funding allocation.

Key Design Principles

The key design principles of this debt resolution program must be:

- **Connection to Mainstream Supports:** The City's foray into rental debt resolution for seniors will require deep partnership with LAHSA and County partners to ensure participants have access to mainstream resources funded by the federal, state, and County governments following this initial relief from rental arrears. Those resources include access to benefits, health and behavioral health care, prevention and problem-solving resources, time-limited subsidies, Permanent Supportive Housing, and Enriched Residential Care.
- **Bridge to City-Funded Housing Programs:** The City already has almost 4,500 HHH-funded units expected to open in 2023 and 2024, and the City will be leveraging ULA funds to expand affordable housing options for seniors and people with disabilities. Therefore, the City should ensure this rental debt resolution is pipelining any applicable tenants to the affordable and supportive housing options it is bringing online, as well as turnover units in its existing portfolio.
- **Referrals to Cash Assistance program (Component Two):** If the previously rent-burdened senior can live independently or in shared housing but continues to need a modicum of financial support (e.g., by supplementing their SSI/SSP income with a housing allowance or shallow subsidy), then the City should quickly transition participants to the cash assistance program funded in Component Two as a viable next-step prevention strategy from the Component One program.

For seniors and persons with disabilities in need of rental arrears assistance that exceed 6 months, the City of LA has at least two viable options it could pursue:

Option #1: Time-Limited Subsidies

The City can quickly resolve current rent burdens for those most at-risk of homelessness by investing ULA resources into a Time-Limited Subsidy (TLS) Income Assistance program. TLS programs provide support to households experiencing homelessness by assisting them in accessing permanent housing quickly and for a limited amount of time. The amount of time varies by the specific program, and the most common form of TLS programs is typically called Rapid Re-Housing, where tenants are supported for up to one, two, or three years while they grow and stabilize their income and benefits. However, seniors are usually on a fixed income, so the City's TLS program for low-income rent-burdened seniors/disabled persons should serve ERAP applicants that have over 6 months of debt and should not set an arbitrary two-year time-limit on the rental subsidy and services. Instead, this option should model itself more on HUD's Section 202 vouchers, where individuals aged 62 and older can access the voucher until the individual no longer needs the voucher or the individual expires - at which point the City can either reuse the subsidy on another senior with over 6 months of debt or reinvest the funding into Component Two.

Even a time-limited rental subsidy for the senior and disabled population will need to be paired with supportive services - like housing navigation, case management, and tenancy supports - during participation in the income assistance program. Such services can help clients identify units, transition from the streets or shelters into housing, connect to mainstream supports and benefits, and identify the most appropriate longer-term level of support and assistance needed to age in place.

Finally, for other TLS programs under LAHSA, if additional months of financial assistance are required beyond the 24 months, providers must submit a Financial Assistance Extension Request (FAER). The FAER must include a transition plan and justification for how the additional assistance will support the household to maintain permanent housing. For those seniors and persons with disabilities enrolled into the Measure ULA Targeted Cash Income Assistance Based on Need, the FAER requirement should be removed and the participant should automatically be provided the income assistance until the participant is placed into an appropriate permanent housing option or expires.

Option #2: Flexible Funds

The final option the City could pursue to resolve senior homelessness is to establish a flexible pool of resources providers can use to finance the unmet services and support needs of unhoused seniors with disabilities. Flex funds can be used to make accessibility modifications, overcome barriers like hefty deposits or move-in assistance, or close other gaps in an individual's housing stabilization plan. Flex funds can also be used to help unhoused seniors who are categorically excluded from other publicly-funded assistance programs (e.g., sex offenders). Paired with mainstream rental subsidies and benefits, flex funds can often be the final missing ingredient to get people into safe and stable housing while minimizing the city's long-term financial obligations. If designed and executed well, flex funds are a complement to mainstream programs like rental subsidies and case management; not a supplement or replacement for those vital publicly-funded programs.

Component Two: Targeted Cash Assistance Based on Need

On any given day in the City, there are ~100k senior renters who are severely rent burdened (paying 50% or more of their income toward rent). Almost 1,000 City seniors are on General Relief, 64,000 are

receiving In-Home Supportive Services (IHSS), and 35k are on SSI with an average monthly payment of \$837 and a median rent of \$1,703. Overlapping with these low-income seniors is a population of low-income City residents living with disabilities. In fact, there are roughly 182k seniors with disabilities renting in the City of LA. Because the combination of old age, disability, low/fixed incomes, and rising housing costs are all heavily correlated with housing instability, the second component of ULA's Senior/Disabled Housing Stability & Income Assistance program must be Targeted Cash Assistance Based on Need, and should receive at least 50% of the program's initial funding allocation.

Key Design Principles

The key design principles of this targeted cash assistance program must be:

- **Leverage Existing Infrastructure:** Fortunately, LA is already home to several programs, hotlines, and websites that attempt to provide similar support to at-risk households. Therefore, the City must prioritize synergy, collaboration, and consolidation with other prevention and problem-solving programs at LAHSA, the City, and the County levels. There is no need to reinvent the wheel or start from scratch. By leveraging existing infrastructures - like eviction defense, emergency rental assistance, and tenant outreach/education - the City can expedite its impact on at-risk senior and disabled residents.
- **Low Administrative Burden:** It is surprisingly hard to provide cash assistance and the evidence shows that every added step in a process reduces the likelihood of completion. Complex application processes, multiple forms, frequent recertification processes, and lengthy questionnaires should all be minimized and streamlined. We should ask only what we need to know to execute the program and nothing more.
- **Minimize Negative Impact on Benefits:** This program targets some of the most impoverished residents of the City, who are likely already on publicly funded benefits like Medi-Cal, Medicare, CalFresh, General Relief, and/or SSI. Therefore, great care must be taken to protect those benefits and ensure cash assistance does not make the individual worse off. It is unlikely that there will be zero impact on their benefits, but the goal of this program should be to minimize any negative impacts wherever possible.
- **Connection to Mainstream Supports:** The City's creation of a cash-assistance program for seniors and people with disabilities will require deep partnership with LAHSA and County partners to ensure participant access to mainstream resources funded by the federal, state, and County governments. Those resources include access to benefits, health and behavioral health care, prevention and problem-solving resources, time-limited subsidies, Permanent Supportive Housing, and Enriched Residential Care. So, regardless of whether the client receives cash assistance, they should all benefit from mainstream government support for which they are eligible.
- **Culturally Competent Marketing & Targeting:** Senior and disabled residents of LA City are not monolithic. They have varying household configurations, speak a range of languages, live with a wide variety of access and functional needs, have non-uniform relationships to anchor institutions and provider partners, and receive information through various channels that might not align with other sub-populations. All communications to target populations about this cash assistance program should be culturally competent, age-appropriate, and accessible to the target population and their trusted partners.

Design Elements

Since the demand for help is still greater than the supply of resources, there are two key questions the City must confront when designing a homeless prevention program:

1. **Intervention Structure:** How should the City structure the intervention to most effectively prevent homelessness among seniors and people with disabilities?
2. **Prevention Targeting:** How can the City most accurately identify those seniors and people with disabilities who are likely to experience homelessness without the intervention?

Structuring the Intervention

Direct Cash Assistance

According to the California Policy Lab at UCLA, the region's leading expert on homeless prevention and predictive modeling, the most effective prevention strategies are typically designed to quickly increase income and resolve urgent financial crises. Homeless return rates are significantly lower for households who receive financial/cash assistance compared to those who do not. [According to a 2021 report from the Homeless Policy Research Institute \(HPRI\)](#), most government and non-profit efforts to prevent homelessness have historically offered only goods and services like food, healthcare, or legal assistance². While these approaches can be very impactful, they have large administrative burdens and carry the assumption that people in poverty do not know what they need to survive or cannot be trusted to make decisions to help themselves. Recent evidence is increasingly showing that direct cash transfers to landlords (for arrears) or directly to tenants in poverty are more efficient at reducing administrative burdens, and they give recipients freedom of self-determination. Emerging evidence is also showing that direct cash assistance is a more cost effective intervention. Therefore, we recommend the City structure Component Two as a direct-to-tenant cash "assistance based on need" and pair that cash assistance with other ULA-funded supports like Right to Counsel and/or Tenant Outreach/Education.

Intervention Amount (\$500-\$800 per month)

As of January 2023, Acutely Low Income (ALI) Seniors in LA are currently earning just over \$1,100 per month, which is also the expected combined [Supplemental Security Income \(SSI\)/State Supplemental Payment \(SSP\) for seniors and people with disabilities who have no assets and cannot work](#)³. According to the [2022 LA County Affordable Housing Needs Report](#)⁴, there is an Average Asking Rent of \$2,349 and [Fair Market Rent for an efficiency in LA priced at \\$1,840](#)⁵. At these prices, our poorest seniors and disabled residents simply do not have enough income to stay independently housed. Therefore, a modest \$500 to \$800 per month would keep severely rent burdened seniors in their existing units or give them the flexibility of affording a room of their own in a multi-bedroom unit.

Providing \$500 to \$800 a month in cash assistance based on need is aligned with several initiatives worth noting. First, it matches the typical payouts for LA County's Homeless Prevention Program, which LA City

² Homeless Policy Research Institute. (2021) "Cash Payments to People Experiencing Homelessness." https://socialinnovation.usc.edu/wp-content/uploads/2021/05/Cash-Payments-Lit-Review_final.pdf

³ Social Security Administration. (2023) "SSI in California." <https://www.ssa.gov/pubs/EN-05-11125.pdf>

⁴ California Housing Partnership. (2022) "LA County 2022 Affordable Housing Needs Report." https://chpc.wpenginepowered.com/wp-content/uploads/2022/05/Los-Angeles_Housing_Report_2022-A_HNR-rev1.pdf

⁵ Housing Authority of the City of Los Angeles. (2022) "Voucher Payment Standards." <https://www.hacla.org/en/about-section-8/payment-standards>

should align and collaborate with for this program. Second, it aligns with the proposed [2020 LA County Older Adult Pilot program](#) proposed by Dr. Dennis Culhane, Andy Perry, Max Stevens, Dan Treglia, and Randall Kuhn, which suggested \$600 per month for people in shared living arrangements and \$750 per month for people living alone⁶. Finally, it aligns with a comparable program, called [Preserving Our Diversity](#), in the City of Santa Monica, which provides up to \$700 a month for people living alone⁷.

Method of Payment

In order to minimize impact on a participant's federal, state, or local benefits, the City should consider modeling its method of payment after the [California Middle Class Tax Refund \(MCTR\) Program](#)⁸ authorized by the Better for Families Act, and the City of Santa Monica's Preserving Our Diversity (POD) program - both of which use a debit card system to transfer the assistance based on need to a separate account for each eligible participant. Under the POD program, the cash assistance is deposited each month onto a debit card that is issued to selected applicants. The cards are mailed to the program participants after enrollment and is managed by a company called Money Network. Participants can use the card anywhere debit cards are accepted: in-store, online or by phone. They can also get cash using ATMs or get cash back at the register with PIN debit purchases at participating merchants.

There is also a Guaranteed Income Program approved by the City of Long Beach called "[The Long Beach PLEDGE](#)" which is supported by the Fund for Guaranteed Income (F4GI). This program supports 200 residents with guaranteed income of \$500 each month for up to one year and "is a type of cash transfer program that provides continuous, unconditional cash payments." The application portal houses all of the required documents to apply for the program and both the approval and payments will be submitted to the applicant directly.

While the City should utilize the tenant information collected from the initial Short-Term ERAP, payments should go directly to the applicant to avoid delays or concerns that may arise with trying to get approval from landlords to receive payment. The income assistance is meant to support the income gaps that exist for seniors and persons with disabilities that prevent them from paying for rent and other necessities.

Impact on SSI/SSP

Under federal law, assistance received under this program is determined in part by the applicant's income and should be considered by the Social Security Administration to be "assistance based on need" paid by the political subdivision of a state, which means it is excluded from their countable income and assets. The countable resource limit for SSI is no more than \$2,000 for an individual or \$3,000 for a couple, so applicants must use all of the cash assistance to pay for basic housing needs and not accumulate the funds in a bank account or else they might exceed the resource limit. However, it may be beneficial for the City to request an explicit waiver from the state to exclude ULA-funded cash assistance from the countable resource limits and to ensure it is not counted as in-kind support and maintenance.

⁶ Culhane, D., Perry, A., Stevens, M, Treglia, D. et al. (2020) "A Roadmap for Phased Implementation of an Older Adult Housing Pilot in Los Angeles County." http://works.bepress.com/dennis_culhane/242/

⁷ City of Santa Monica. (2019) "Preserving Our Diversity Program (POD) Pilot 2 Policies and Procedures." https://www.smgov.net/uploadedFiles/Departments/HED/Housing_and_Redevelopment/Housing/Information_and_Reference/POD%20Pilot%20%20Policies%20and%20Procedures%20Manual%202019.10.03.pdf

⁸ State of California Franchise Tax Board. (2022). Middle Class Tax Refund. <https://www.ftb.ca.gov/about-ftb/newsroom/middle-class-tax-refund/index.html>

In addition, the configuration of housing is also relevant to the total amount of SSI/SSP support because federal law reduces SSI payment if the individual lives in “another person’s house, apartment, or mobile home.” In some cases, SSI/SSP benefits can be reduced from \$1,133 to \$833 per month, a \$300 reduction. Therefore, the program must communicate clearly with SSI/SSP recipients about the impact of proposed shared living arrangements on their potential income.

Targeting the Intervention

According to experts at the California Policy Lab, the identification of at-risk seniors and people with disabilities must occur in two ways: responsive and predictive targeting, described in further detail below. The reason for two targeting pathways is based on evidence that shows there is little overlap between groups that self-identify as being high risk, and those that do not self-identify but are indeed high risk based on their heavy use of public health care and other social safety net services. Unfortunately, many at-risk seniors and people with disabilities will not self-identify as being at risk of homelessness because of negatively perceived stigmas. Both groups include people who are likely to experience homelessness and therefore must be accounted for in prevention targeting strategies.

Responsive Targeting

Single Point of Entry

The City must create a pathway for seniors and people with disabilities to self-identify as being at risk of homelessness, and that pathway should have a single, easy-to-access point of entry - ideally tied to 211 or another commonly known phone number, app, or website. Current LAHSA-funded prevention programs require clients to access programs through local providers, which perpetuates confusion and inconsistencies. Learning lessons from that fragmentation, the City should ensure the front-door of self-identification is clear and accessible to the aging and disability communities and the multiple systems that serve them (e.g., Homeless Outreach Teams, Access and Engagement Centers, Senior Centers, Area Agencies on Aging, Disability Resource Centers).

Centralized Intake and Eligibility Screening with other Partners

Because individuals and families who seek homeless prevention services often face time-sensitive financial and legal issues, they need to be screened and provided with legal referrals, rental assistance, and other critical support within a very short time frame. Therefore, a core team at the City, County, and/or LAHSA should be trained in screening, eligibility, case coordination, and program components. The goal should be to avoid competing or duplicative prevention intake processes within the Continuum of Care so all participants, including providers, have clear direction. This responsive targeting of cash assistance must be integrated with other elements of ULA-funded programming like Eviction Defense, Emergency Rental Assistance, and Tenant Outreach and Education, so that people who need both emergency and ongoing help with housing stability are set up for success.

Prevention Targeting Tool (PTT)

For eligibility screening, the City should use the existing [Prevention Targeted Tool \(PTT\)](#), which is an 18-question assessment, developed by the California Policy Lab, that assigns point values based on responses to determine the individuals at highest risk of experiencing homelessness⁹. Within the City,

⁹ California Policy Lab. (2021) “Single Adult Homelessness Prevention Targeting Tool Draft.” <https://www.capolicylab.org/wp-content/uploads/2021/07/Appendix-B2-Single-Adult-Homelessness-Prevention-Targeting-Tool-Draft.pdf>

the Community Investment and Families Department utilized this tool to determine eligible participants for the Solid Ground Homelessness Prevention Program. Those who score 16 points or more are recommended for prevention intervention. The PTT automatically assigns 3 points to individuals age 55 and older, 1 point if income is less than or equal to 30% AMI, and 3 points if you have any sort of physical or mental disabilities. That's a baseline of 7 points for our target population, which can quickly get to 16 points or higher if any of the following are also true:

- 5 points for prior history of homelessness
- Up to 5 points if their housing status is in immediate jeopardy
- Up to 5 points if they are currently in Permanent Supportive Housing or on a Voucher
- 4 points if they have any foster care or criminal justice involvement
- 3 points if they were recently discharged from any institutions (including hospitals)
- 3 points if they have recently lost a family member, or been separated/divorced
- 2 points if they have an open case with Adult Protective Services

Marketing the Program

The marketing for the Targeted Cash Assistance Based on Need program should be proactive and accessible to a diverse population of low-income, renting seniors and people with disabilities. This means information about the program should be available in all languages commonly spoken in the City of Los Angeles, using culturally competent language and trusted messengers. Communications about the program should include in-person outreach at sites frequented by low-income seniors and people with disabilities (e.g., public libraries, senior centers, family source centers, churches, community resource centers), as well as electronic and direct mail outreach. The City of Santa Monica specifically targets seniors in rent-controlled units, which is something the City should also consider when determining targeted marketing techniques. The City should also work with the County and LAHSA to ensure information about this program is available to all existing and relevant touch points within the target population.

Predictive Targeting

Because it is incredibly difficult to predict who will become homeless among the tens of thousands of extremely poor, elderly and disabled households, we do not recommend the City try to predict that outcome on its own. Instead, we recommend the City partner with the most credible homeless prevention effort in LA County and help them expand their focus to seniors and people with disabilities who reside in the City of LA.

A Partnership with the LA County Homeless Prevention Unit (HPU)

The LA County Department of Health Services is home to an innovative Homeless Prevention Unit (HPU), which the City should partner with to expand and target seniors and people with disabilities who do not self-identify but are at high risk of experiencing homelessness based on administrative data. The HPU began in July 2021 and uses linked, de-identified data on individuals accessing LA County services. A team of CPL data scientists generates lists of clients predicted to be at very high risk of experiencing homelessness and provides the list to LA County departments to re-identify the clients and conduct outreach. Participation is completely voluntary and adult participants are provided flexible cash assistance, connection to health care, mental health care, legal services, and other supportive services.

The anonymized data used in these predictive models comes from eight LA County agencies and includes thousands of different variables - everything from enrollment in benefits programs to mental health diagnoses, emergency room visits, and criminal justice contacts. Using this historic data, the predictive models then identify which variables or combinations of variables are most closely associated with new episodes of homelessness. Once the important variables are selected, the models predict the people most likely to experience that outcome and CPL generates an anonymized, rank-ordered list of people for the County. To date, the HPU has proven that 30% of its high-risk list will become homeless, and 90% of their participants have maintained housing stability to date. To put those numbers in perspective, if ULA spent \$700 a month helping 3,000 high risk seniors and people with disabilities, then it would effectively prevent almost 1,000 people from becoming homeless in a given year in the City.

Program Administration

No more than 10% of the ULA funding allocated for this Senior/Disabled Housing Stability and Income Assistance should be available for direct, sub-contracted, or partner providers or staff for the administration and execution of the program. Program Administration may include, but might not be limited to:

- Contracting and Procurement
- Budgeting and Financial Management
- Equipment, Supplies, and Materials
- Travel and Training
- Program Analysis and Reporting
- Facilities (e.g., rent, maintenance, etc.)
- Consulting and Technical Assistance

Shared Fact Base

Facts about the Older and/or Disabled Renter Population in the City of LA

According to the most recent U.S. Census data, the City of Los Angeles is home to almost 4M residents.¹⁰ Roughly 500k or 12% of LA City residents are age 65 and older, and 11% are living with a disability which increases to 35% among the SCAG Pre-Certified Local Housing Data for the City of Los Angeles (updated April 2021). Seniors more commonly live with hearing, ambulation, self-care, and independent living challenges. There are ~100k senior renters who are severely rent burdened (paying 50% or more of their income toward rent).¹¹ As of November 2022, there are almost 1,000 City seniors on General Relief, 64k are receiving In-Home Supportive Services (IHSS), and 35k are on SSI with an average monthly payment of \$837 and a median rent of \$1,703.

Area Median Family Income for Los Angeles is determined annually by the U.S. Department of Housing and Urban Development (HUD) and the most recent income limits are [available here](#)¹², and the table below estimates the portion of LA's senior population of renters that fall into each income category:

Area Median Family Income (AMFI) for FY 2022 (HUD)		\$91,100
Proportion of LA City Senior Population who are Renters	63%	312,069
Moderate Income or Higher (≥ 120% of AMFI)	37%	115,582
Low Income (160% of VLI)	16%	49,830
Very Low Income (VLI) (50% of AMFI)	11%	35,867
Extremely Low Income (60% of VLI)	17%	53,354
Acutely Low Income (15% of AMFI)	18%	57,436

¹⁰ United States Census Bureau (2021) "American Community Survey Demographic Estimates."
<https://data.census.gov/table?g=1600000US0644000&tid=ACSDP1Y2021.DP05>

¹¹ Southern California Association of Governments (2021) "Pre-Certified Local Housing Data for the City."
<https://scag.ca.gov/sites/main/files/file-attachments/los-angeles-he-0421.pdf?1620776467>

¹² U.S. Department of Housing and Urban Development. (2023) Income Limits Documentation System.
<https://www.huduser.gov/portal/datasets/il/il2022/2022summary.odn>

With respect to residents living with disabilities, the City of Los Angeles has an estimated 424k individuals who identify as living with a disability, which is 11% of the City’s population. The table below breaks down those disabilities by type and age to better show the prevalence of disabilities among seniors compared to those within the younger populations:

Disability Category	Age 0-64	Age 65+	Overall
Hearing	1% or 36,898	11% or 57,306	2% or 92,204
Vision	2% or 73,302	7% or 35,157	3% or 108,459
Cognitive	3% or 97,728	10% or 51,808	4% or 149,536
Ambulatory	3% or 91,951	24% or 121,841	6% or 213,792
Self-Care	1% or 43,088	12% or 59,721	3% or 102,809
Independent Living	2% or 77,217	19% or 100,360	5% or 177,577
Total	7% or 241,087	35% or 182,542	11% or 423,629

Facts about Older and Disabled People Experiencing Homelessness in the City of LA

On any given night in the City of Los Angeles, there are almost 42,000 people experiencing homelessness, and 83% or ~35k are experiencing it as individuals not in family units. Of that subset, ~11.5k or 27% are older adults and ~2,600 or 6% are seniors experiencing homelessness¹³ as shown in the table below. The majority of these individuals are experiencing “chronic homelessness” and the older adult category is projected to be the fastest growing age demographic of PEH through 2030, and the latest research in California shows a large portion of older adults experiencing homelessness are experiencing it for the first time after age 50, and many are related to post-incarceration housing instability. Black and African American people are more over-represented among older adults experiencing homelessness (39%) than they are in the general homeless population (33%) despite accounting for only 8% of the total population in L.A. County.

Age Category	Age	Sheltered	Unsheltered	Total	Prevalence in Homeless Population	% Change from Prior Year
Older Adults	50-54	888	3,475	4,363	10%	0%
	55-59	843	2,926	3,769	9%	-17%
	60-61	361	1,206	1,567	4%	17%
	62-64	413	1,315	1,728	4%	-6%
<i>OA Subtotal</i>	<i>50-64</i>	<i>2,505</i>	<i>8,922</i>	<i>11,427</i>	<i>27%</i>	
Seniors	65-69	485	1,117	1,602	4%	21%
	70-79	286	570	856	2%	17%
	80+	29	29	137	0%	-30%
<i>Seniors Subtotal</i>	<i>65+</i>	<i>800</i>	<i>1,716</i>	<i>2,595</i>	<i>6%</i>	
TOTAL	50+	3,305	10,638	14,022	33%	

¹³ Los Angeles Homeless Services Authority 2022 Greater Homeless Count - City of Los Angeles. (2022) “City of LA Data Summary.” <https://www.lahsa.org/documents?id=6516-city-of-la-hc22-data-summary>

The life expectancy of this unhoused group is well-documented to be significantly shorter than the general population. In fact, the average age at death among PEH is 51 compared to 73 in the general population. This is, in part, due to the undertreated underlying medical conditions and disabilities that are exacerbated by surviving on the streets and in emergency shelters. Based on self-reported data from the most recent PIT count, older adults report the following health and disability challenges:

- 36% report having a Physical Disability
- 25% report living with a Serious Mental Illness
- 23% report managing a Substance Use Disorder
- 9% report having a Developmental Disability
- 1% report living with HIV/AIDS

References

California Policy Lab. (2021) "Preventing Homelessness: Evidence-Based Methods to Screen Adults and Families at Risk of Homelessness in Los Angeles."

<https://www.capolicylab.org/wp-content/uploads/2021/08/Preventing-Homelessness-Evidence-Based-Methods-to-Screen-Adults-and-Families-at-Risk-of-Homelessness-in-Los-Angeles.pdf>

City of Los Angeles Community Investment and Families Department. (2022) "Council Transmittal: Report back on the Solid Ground Homelessness Prevention Program and request approval of various actions related to the Solid Ground Homelessness Prevention Program."

https://clkrep.lacity.org/onlinedocs/2019/19-0721-s1_rpt_cifd_1-24-22.pdf

City of Los Angeles Community Investment and Families Department (2022) Basic Income Guaranteed: LA Economic Assistance Pilot (BIG:LEAP). <https://bigleap.lacity.org/>

City of Santa Monica. (2019) "Preserving our Diversity (POD) Program Pilot 2 Policies and Procedures Manual." <https://www.santamonica.gov/housing-pod>

County of Los Angeles Chief Executive Office. (2022) Breathe: LA County's Guaranteed Income Program.

<https://ceo.lacounty.gov/pai/breathe/>

County of Los Angeles Chief Executive Office. (2022) "Report back on adopting the poverty alleviation initiative strategic framework for alleviating poverty in Los Angeles County."

https://file.lacounty.gov/SDSInter/lac/1130224_BM-PovertyAlleviation-9.20.22.pdf

County of San Diego. (2022) "Approve a pilot shallow rental subsidy program addressing homelessness among older adults and authorize application for housing opportunities (districts: all)."

<https://bosagenda.sandiegocounty.gov/cob/cosd/cob/doc?id=0901127e80f1742e>

County of San Francisco Human Services Agency. (2019) County Adult Assistance Programs.

<https://www.sfhsa.org/services/financial-assistance/county-adult-assistance-programs-caap>

Dennis P Culhane, Andy Perry, Max Stevens, Dan Treglia, et al. "A Roadmap for Phased Implementation of an Older Adult Housing Pilot in Los Angeles County" (2020).

https://works.bepress.com/dennis_culhane/242/

National Alliance to End Homelessness. (2022) "Housing First Fact Sheet."

https://endhomelessness.org/wp-content/uploads/2022/08/Housing-First-Fact-Sheet_Aug-2022.pdf

Serving Seniors, San Diego County. (2021) "Senior Homelessness: A Needs Assessment".

<https://servingseniors.org/news-events/senior-homelessness-a-needs-assessment.html>

University of Southern California Homeless Policy Research Institute (HPRI). (2022) Combatting Homelessness Among Older Adults in Los Angeles County.

<https://socialinnovation.usc.edu/wp-content/uploads/2022/10/Combatting-Homelessness-Among-Older-Adults-in-LA-FINAL.pdf>

University of Southern California, Homeless Policy Research Institute (HPRI). (2022) Cash Payments to People Experiencing Homelessness.

https://socialinnovation.usc.edu/wp-content/uploads/2021/05/Cash-Payments-Lit-Review_final.pdf

PROTECTIONS FROM TENANT HARASSMENT

Section 22.618.3(d)(2)ii.c. of House LA, which establishes the Protections from Tenant Harassment Program, is designed “to fund non-profit organizations and City services to monitor and enforce protections against tenant harassment and other tenant rights, and to inform tenants of such protections and support them in exercising their rights.”

Recommendation: As close to 70% of Program funds as possible should be spent directly by the City of Los Angeles.

Los Angeles Housing Department

LAHD should create a Tenant Anti-Harassment (TAH) division as part of its Regulatory Compliance and Code Bureau. TAH should employ Investigators, similar to Code Enforcement, to assess reports of harassment and make written determinations about whether conduct that violates the City’s Tenant Anti Harassment Ordinance occurred. TAH should work in conjunction with the RSO, CE, and Compliance divisions. TAH should refer identified harassment to the City Attorney or nonprofit grantees for enforcement.

City Attorney

The City Attorney shall establish a division or unit dedicated to bringing criminal or civil lawsuits under Tenant Anti-Harassment Ordinance (TAHO).

Recommendation: As close to 30% of Program funds be spent on programs led by nonprofit organizations.

Legal Services Provider Grants

LAHD should award grants to LSPs, as defined in the Eviction Defense/Prevention Program, to support them enforcing TAHO. Grants should last 3 years, but grantees should get wind-down funds if they don’t receive another 3 year grant. The grant should provide funding to the Legal Service Provider to 1) provide full-scope legal representation to tenants in filing lawsuits against landlords for violations of TAHO; and 2) provide limited-scope services to tenants, such as advice & counsel, assistance with filing complaints, and providing referrals.

Community Based Organization Grants

LAHD should award grants to Community Based Organizations (CBOs), as defined in the Eviction Defense/Prevention Program, to support education about and enforcement of TAHO. Grants shall similarly be 3 years with wind-down funds available. The grant should provide funding to the CBO to 1) educate tenants about TAHO via clinics, workshops, and online resources; 2) assist tenants with filing complaints; and 3) support tenants experiencing harassment as they assert their rights. CBOs should work to partner with LSP grantees to coordinate efforts. The Department should explore modeling the CBO grants after the REAP/UMP Outreach Contractor program.

Appendix K

Protections from Tenant Harassment Full Program Guidelines

I. Overview

A. Introduction and Context

Measure ULA, a November 2020 ballot initiative written by experts in affordable housing and tenant protections, passed with 58% of the vote. It establishes the Los Angeles Program to Prevent Homelessness and Fund Affordable Housing (“House LA”), which changes a documentary transfer tax on certain large real estate purchases to fund an array of homelessness prevention, tenant protection, and housing production strategies, as well as housing preservation. As part of its Homelessness Prevention Program, the law requires that a certain percentage of tax revenue be spent to educate tenants about harassment, monitor compliance with Los Angeles’s existing tenant anti-harassment laws, and enforce them.

Landlord harassment causes tenant displacement. Even if a formal eviction is never filed, many tenants choose to self-evict rather than live through harassment that can be emotionally draining and sometimes physically dangerous. Landlords engage in harassment in order to circumvent tenant protections that would otherwise keep people housed. In 2021, an estimated 500 or more tenants experienced landlord harassment in the City of Los Angeles each month.⁴¹

These Guidelines prepared by the United to House LA Coalition are designed specifically for the House LA Protections from Tenant Harassment Program (“Program”), and will guide the Los Angeles Housing Department or its successor agency (“Department”) in implementing the Program.

B. Purpose and Scope

The purpose of these Program Guidelines is to implement Section 22.618.3(d)(2)ii.c. of House LA, which establishes the Protections from Tenant Harassment Program, which is designed “to fund non-profit organizations and City services to monitor and enforce protections against tenant harassment and other tenant rights, and to inform tenants of such protections and support them in exercising their rights.”

⁴¹ Cantong, J., Landlord Harassment & Illegal Eviction, USC Price Center for Social Innovation, tbl. 2 “Landlord/Tenant Dispute Calls by Month, 2010-2021” (Mar. 22, 2022), <https://usc-ndsc-wordpress.azurewebsites.net/landlord-harassment-illegal-eviction/>. See also, Dillon, L. & Poston, B., Despite protections, landlords seek to evict tenants in Black and Latino areas of South L.A., L.A. Times (June 18, 2020), <https://www.latimes.com/homeless-housing/story/2020-06-18/despite-protections-landlords-attempting-to-evict-tenants-in-south-l-a-black-and-latino-neighborhoods-data-shows>.

Program requirements detailed in the measure are as follows:

- **Shared responsibility between City and nonprofits.** At least 30% of Program funds must be used for programs or activities led by nonprofit organizations. However, the City also retains responsibility for undertaking a significant portion of programmatic work.
- **Education, Monitoring, Enforcement, and Support.** The Measure requires that Tenant Harassment Program funds be spent in all four of these areas, even if other Measure ULA program areas may also be used for some of these purposes.

C. Commitment to Racial Equity

House LA's Goals include: "Deploying programs and policies funded through this initiative in such a way as to address racial segregation, dismantle racially exclusionary practices, and promote racial equity in housing, academic, and economic opportunities."⁴² In alignment with this purpose, the Protections from Tenant Harassment Program seeks to enhance racial equity through resource distribution, implementation strategies, and outcomes. Furthermore, these Program Guidelines have been established in accordance with the Vision of the City of Los Angeles' Office of Racial Equity, which states, "We envision a City that authentically engages communities most harmed by systemic racism, as leaders and collaborators, in the process of identifying data, distributing public resources, and reforming policies that impact outcomes of Civil + Human Rights and Equity." Additionally, the Department will incorporate racial equity metrics in program evaluation.

D. Additional Legislative Changes

In addition to the Program described below, the United to House LA Coalition has identified three key legislative changes to the City's Tenant Anti-Harassment Ordinance (TAHO) that would vastly improve the Program and help it meet House LA's goals. First, LAMC § 45.35.B should be amended to make attorney's fees and costs mandatory if a tenant prevails in a lawsuit under the law. Second, the penalties in LAMC §§ 45.35.B and C should be augmented to include mandatory treble actual damages (including for mental/emotional distress) if larger than the applicable penalty, in addition to the flat penalty currently in the law. Third, TAHO should include an explicit three year statute of limitations during which tenants can bring claims.⁴³ These legislative changes will increase civil enforcement by incentivizing the private bar to take these kinds of cases on behalf of aggrieved tenants without risk of going unpaid.

However, private bar enforcement is simply not sufficient to remedy the actual harassment that Los Angeles tenants face every day, and it will not provide the deterrent effect necessary to reduce that harassment in the aggregate.

⁴² Los Angeles Administrative Code § 22.618.1(f).

⁴³ Without this, tenants may only have one year to bring claims, which will reduce the number of enforcement actions filed. Cal. Code of Civ. Proc. § 340.

II. Program Requirements

The Department shall use the Protections from Tenant Harassment Program funds to develop a City strategy to monitor and enforce the Tenant Anti-Harassment Ordinance (TAHO) and contract with nonprofit partners to educate and support tenants in enforcing the law.

A. City Program

1. City Program Overview

As close to 70% of Program funds as possible should be spent directly by the City of Los Angeles. The Department should develop a robust monitoring and enforcement division, and the Office of the City Attorney should be given resources to bring criminal and/or civil charges against violators of the law.

2. Los Angeles Housing Department

LAHD currently does not enforce the City's TAHO beyond sending "informational letters" or reclassifying complaints of harassment to fall under an existing LAHD division. Program funds should be used for the Department to develop a Tenant Anti-Harassment (TAH) division as part of its Regulatory Compliance and Code Bureau. TAH should be responsible for investigating claims of harassment and enforcing City law, either itself or through partnerships with the City Attorney and nonprofits.

- TAH should have an accessible complaint intake system that is easy for tenants to access and complete, such as multiple entry points and a variety of language options.
- TAH should employ investigators who proactively work to assess and resolve complaints.
- The results of the investigations should be publicly accessible, similar to code enforcement violations, including parties against whom complaints have been filed.
- TAH investigations should result in a letter that is more than "informational."
 - Letters should identify all parties who may be responsible for harassment, including but not limited to property management, the landlord, and/or the developer.
 - Letters should include all alleged facts of the complaint which, if proven true, would constitute Tenant Harassment under LAMC § 45.33.
 - Letters should include any relevant factual findings made by Investigators.
 - To the extent relevant, letters should have a concrete timeline for the harassment to stop or be remedied, with consequences for noncompliance.
 - Letters should also function as a tenant's written notice required under LAMC § 45.35.F to bring a civil proceeding or small claims case.
- Investigators should be empowered to issue fines and fees to the maximum extent allowed by law.
- TAH should have an appeals process which is accessible by tenants.
- A report should be issued by TAH showing how many cases are in each phase of the system, including complaints, pending investigations, and resolved cases.

TAH should not be siloed from the Rent Stabilization, Code Enforcement, or Compliance divisions—LAHD should ensure that these units are regularly coordinating work, since many times tenant harassment crosses over into one of these other areas, and vice versa. TAH should be another tool in LAHD’s belt to ensure that Angelenos have access to safe, healthy housing.

The Department should also establish a Task Force with the City Attorney and LSPs and CBOs contracted with Program funds to ensure that all responsible parties are coordinating and not working at cross purposes or duplicating effort. The Task Force should meet on a quarterly basis to discuss implementation and a Task Force Directory should be provided to all members.

After investigating cases, the Department should refer them to the City Attorney for potential criminal prosecution or civil litigation, and/or to LSPs for civil litigation, and/or to CBOs for tenant support and education. All referrals should include a full sharing of the LAHD case file, supporting documentation, and any other records to expedite fact investigation and litigation. TAH’s written referrals should typically consist of the following:

- Witness statements;
- Copies of written communications between the parties;
- Relevant legal documents, such as rental agreements;
- All LAHD records relating to the property, including past complaints;
- Contact information for all LAHD personnel who participated in the investigation; and a
- Harassment timeline.
- Visual documentation

3. Los Angeles Office of the City Attorney

The City Attorney shall establish a division or unit dedicated to bringing criminal or civil lawsuits under TAHO. A well-resourced City Attorney’s office is better positioned to use litigation to achieve a deterrent effect and reduce harassment in Los Angeles, especially with a volume of criminal charges or civil penalties, rather than select high-profile lawsuits.

B. Nonprofit Program

1. Nonprofit Program Overview

The Measure requires that at least 30% of Program funds be spent on programs led by nonprofit organizations. The Program should stick as close to this 30% target as possible. Nonprofit organizations will face significant challenges with capacity if they are responsible for a larger share of the Program funds. In addition, it is important for the City to have as many resources as possible to sustain the City Program and enforce City law. The nonprofit program shall consist of multiple grants to Legal Services Providers (LSPs) and Community-Based Organizations (CBOs).

2. Legal Services Provider Grants

The Department shall award Grants to one or more LSPs for the purpose of enforcing TAHO.

- **Eligibility.** Grantees must be Legal Services Organizations, as defined in the Eviction Defense/Prevention Guidelines.
- **Length.** Each Grant shall last for a minimum of three years. Grants may be renewed at the Department's discretion. If a Grant is not renewed, either because the Department declines to award an additional Grant or because the Grantee(s) choose not to apply, wind-down funds shall be provided to assist with concluding lawsuits and transferring obligations and operations to another grantee.
- **Goals.** The goals of the Grant and of the program shall be
 - To provide full-scope and limited-scope legal representation to pursue affirmative tenant anti-harassment claims; and
 - To assist and empower tenants, through legal strategies, who are facing tenant harassment, and raise public awareness and exposure of anti-harassment rights to act as a deterrent to landlords going forward.
- **Program.** Each Grantee shall operate the following program:
 - Provide Full-Scope Legal Representation to tenant households in order to resolve harassment issues, including filing for affirmative tenant anti-harassment cases under the City's Tenant Anti-Harassment Ordinance.
 - **Full-Scope Legal Representation** is ongoing legal representation provided by an LSP to a client, and all legal advice, advocacy, and assistance associated with that representation. Full-Scope Legal Representation shall be provided by a lawyer authorized to practice in the State of California.
 - Lawsuits brought with Grant funds may also include any other appropriate legal claims in addition to those under the City's TAHO.
 - Provide Limited-Scope Services to tenant households facing harassment.
 - **Limited-Scope Services** includes, but is not limited to: legal consultation/advice, assistance with filing or completing forms in proper, and/or referrals. It does not include tenant education or Full Scope Legal Representation.
 - Eligible costs shall include (but should not be limited to) salaries and benefits for attorneys, paralegals, secretaries, case managers, and supervision thereof; expert witnesses; depositions; costs and fees associated with enforcement; and nonprofit program administration, including overhead.

3. Community-Based Organization Grants

The Department shall award Grants to one or more CBOs for the purpose of educating about TAHO and enforcing compliance with it.

- **Eligibility.** Grantees must be nonprofit Community-Based Organizations.

- **Length.** Each Grant shall last for a minimum of three years. Grants may be renewed at the Department’s discretion. If a Grant is not renewed, either because the Department declines to award an additional Grant or because the Grantee(s) choose not to apply, wind-down funds shall be provided to assist with transferring obligations and operations to another grantee.

- **Goals.** The goals of the Grant and of the program shall be
 - To educate litigants, via online resources, workshops, and clinics on TAHO and what steps can be taken to combat tenant harassment and displacement; and
 - To assist and empower tenants, through organizing and other strategies, who are facing tenant harassment, and raise public awareness and exposure of anti-harassment rights to act as a deterrent to landlords going forward.

- **Program.** Each Grantee shall operate the following program:
 - Conduct workshops/clinics on tenant harassment. Workshops/clinics are intended to be educational but may also be done in partnership with Grantee LSPs and be used to identify/screen cases for Limited-Scope Services or Full-Scope Legal Representation.
 - Eligible costs shall include (but should not be limited to) salaries and benefits for tenant organizers, outreach workers, social workers, case managers, other employees, and supervision thereof; costs and fees associated with workshops; and nonprofit program administration, including overhead.
 - The Department should explore modeling the CBO grants after the REAP/UMP Outreach Contractor program.