



"Great Apartments Start Here!"

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Via Electronic Mail

Chair Janice Hahn
Supervisor Holly Mitchell
Supervisor Kathryn Barger
Supervisor Hilda Solis
Supervisor Lindsey Horvath
500 West Temple Street
Room 383
Los Angeles, California 90012

Re: Establishing Right to Counsel and Sustainably Expanding Eviction Defense Services in Los Angeles County
(Agenda Item 14)

Dear Chair Hahn and Supervisors:

At the Board of Supervisors meeting on Tuesday, July 11th, the Board will consider passing an ordinance to create a permanent right to counsel for the unincorporated areas and move forward with a phased-in plan for all 187 incorporated cities (excluding the City of Los Angeles). The Apartment Association of Greater Los Angeles (AAGLA) strongly opposes the Right to Counsel ordinance and Universal Access to Right to Counsel as it would result in the County obligating itself far beyond its current financial abilities, reduce available funding for existing unmet legal representation obligations and purposefully drag out an already lengthy and costly eviction process for County housing providers.

There are far better ways to resolve tenancy terminations than to retain private attorneys to represent renters. The Department of Consumer and Business Affairs (DCBA) data shows that 76% of all evictions are due to non-payment of rent. Rather than throwing away taxpayer funding on private attorneys, the County should be substantially expanding its existing rental assistance program for low-income renters. If the rent is paid, then the basis for the tenancy termination would be appropriately addressed and eviction would be unnecessary. This approach would also eliminate 76% of the current caseload of lawyers being paid by Stay Housed L.A. (SHLA) and those funds could be redirected to the remaining 24% of cases.

Further, there are much cheaper alternatives already available to the County that have been grossly underutilized. DCBA has an existing mediation program that should be expanded and can be used by renters and rental housing providers alike to settle differences in a fair and amicable manner. However, the vast majority of renters and rental housing providers are completely unaware of this program and its availability to settle disputes. The County has failed to provide proper education regarding this program directly and through its contracts and subcontractors operating under SHLA. Until this program is fully utilized, it is a duplication and waste of taxpayer funds should the County take on the permanent obligation to pay for private attorneys on behalf of low-income renters.

Further, after 2 full years of providing partial and full legal representation, SHLA, its contractor and subcontractors continue to fail to meet their contractual obligations of providing detailed monthly reports to the County. They also continue to fail to disclose the list of their subcontracts on their website prohibiting a full and transparent

understanding of the program. Further, in a Public Records Act request made by AAGLA, DCBA admits that they have no knowledge of any performance reviews being conducted for any of SHLA’s subcontractors. It is also unclear as to who are the intended beneficiaries of these taxpayer funds as the motion specifically adds “philanthropic entities” to its list of potential contracting entities. As a result, **SHLA remains a black hole for taxpayer dollars without proper reporting and disclosures.** Until these deficiencies are remedied in full, no additional funds should be allocated to this program and no permanent ordinance should be adopted establishing an obligation upon the County to continue support of this program much less pursue expansion of the program to incorporated cities outside of the County’s unincorporated jurisdiction.

According to DCBA’s projections, SHLA is currently able to provide services to 2,450 individuals out of a total of 2,550 individuals in the unincorporated areas that will request service from it in fiscal year 2023-2024. Further, the number of individuals requesting service will go down to 2,300 by fiscal year 2024-25, significantly below its current capacity level. Therefore, no permanent ordinance is necessary to support the existing SHLA program now or in the future for those residents directly under the County’s unincorporated jurisdiction.

The County admits that it is currently underfunding its existing Constitutional obligations to provide criminal defense legal representation to those facing imprisonment for criminal charges. It further acknowledges it is also currently underfunding its newly assumed CARE Court obligations. Yet the County has the audacity to consider assuming additional obligations to provide legal representation to not only residents in the unincorporated areas, but all of the incorporated cities as well (excluding only the City of Los Angeles) for civil actions involving lawful evictions. By DCBA’s data that would mean providing representation for a total of 15,300 residents at a cost of \$22 million in the first year alone. While the County hopes it can find this money “somewhere,” no existing available grant funds or other funds have been specifically identified. The new agency it mentions is “newly formed” and has only had 2-3 meetings to date and currently has no funding sources of its own nor any that are likely to materialize in the foreseeable future.

The concept of providing a permanent Right to Counsel for unincorporate areas and Universal Access to Right to Counsel for all residents Countywide, including 187 incorporated cities, seems extremely unwise and ill-timed given the already stretched and underfunded budget for existing obligations, insensitive to those facing criminal charges, unnecessary based on DCBA’s own data. It also seems like a monumental overreach for the 187 incorporated cities **not** under the County’s jurisdiction or responsibility. As such, we ask the Board of Supervisors to delay this motion in its entirety until such time as the County is fully able to fund its existing legal representation obligations and until SHLA is in full compliance with its existing contractual obligations.

Thank you for your time and consideration. If you have any questions, please call me at (213) 384-4131; Ext. 309 or contact me via electronic mail at janet@aagla.org.

Sincerely,

Janet M. Gagnon

Janet M. Gagnon, Esq.

CC: Daniel Yukelson, Executive Director, Apartment Association of Greater Los Angeles