

Apartment Association of Greater Los Angeles Files Preliminary Injunction Motion Against the City of Los Angeles

Latest Move Seeks Emergency Relief From the City's Eviction Ban and Rent Freeze Moratoria

LOS ANGELES, CALIFORNIA – September 22, 2020: The Apartment Association of Greater Los Angeles (AAGLA) announced that it has filed a Preliminary Injunction Motion against the City of Los Angeles seeking relief from the City's Eviction Ban and Rent Freeze Moratoria. AAGLA had previously filed a lawsuit against the City of Los Angeles in Federal Court this past June challenging the City's eviction ban, prohibitions on late fees or interest, and moratorium on annual rent increases.

In its latest motion, AAGLA is seeking an emergency order to immediately invalidate the City's Eviction Ban and Rent Freeze Moratoria. AAGLA's President of the Board, Earle Vaughan, stated: "The City's eviction ban goes way overboard in providing benefits to renters at the expense of all landlords, particularly the small "mom and pop" landlords making up the majority of housing providers within the City. Many of the renters that have benefited under these ordinances have not been impacted during the pandemic and yet still choose not to pay rent. As a result, the City has exposed itself to significant liability risk for damages associated with the eviction ban, and in particular, damages stemming from the lack of an "end date" on the eviction ban and prohibition on rent increases, which now seven months following their establishment is still a date unknown."

Board Member and incoming AAGLA President, Cheryl Turner, stated: "No one invests in rental housing to be in the 'eviction business.' Evictions always have and always will remain a very last resort to deal with the most extreme cases. However, the City's Eviction Moratorium not only strips away one of the rights owners have to ensure the collection of rent, the City's ordinance completely eliminates the right and ability of all property owners to deal with problematic tenants and major lease defaults where criminal activity is occurring at the property, threats of physical harm to other residents are being made, or where a tenant is destroying property."

AAGLA's Executive Director, Daniel Yukelson, stated: "The City has completely overstepped its bounds here by forcing housing providers to bear the entire financial burden of housing the City's renters without compensation. The City has used the crisis to wield unbridled power, and in doing so, it has singled out property owners and landlords by nullifying various aspects of their contractual relationships with their tenants embodied in lease contracts. The fact that we are in an emergency does not grant expanded or unwarranted powers to the government or diminish the restrictions imposed upon power under the Constitution. It is time to pump the brakes on the City's abuse of power here."

AAGLA is represented by attorney Douglas J. Dennington of Rutan & Tucker of Costa Mesa. Mr. Dennington stated: "The City's unconstitutional and overreaching abuse of power has forced landlords to absorb the economic losses suffered by their tenants because of the novel coronavirus pandemic. We are requesting that the Court invalidate the City's Eviction Moratorium and related measures which prohibit landlords from evicting tenants who would otherwise be subject to eviction for defaulting on the payment of their rent or another significant violation under their rental agreement."

The Apartment Association of Greater Los Angeles seeks to promote the highest levels of professionalism within the multifamily rental housing industry. It accomplishes this objective by providing a wide array of educational seminars and member events throughout each year, by offering expert operational advice, and by supplying

and maintaining virtually every conceivable agreement form and notice rental housing providers require to successfully own and manage rental properties. The Association also serves as a powerful advocate and lobbyist for rental housing providers at the local, county, state, and federal levels of government. Owning and operating rental housing today has become a highly regulated industry, and accordingly, owning and managing rental property has become far more challenging and riskier than ever before. Without an organization such as the Apartment Association of Greater Los Angeles, there would be no other voice fighting for the rights of property owners within city halls, county offices, and at state and federal capitols. AAGLA IS THE VOICE THAT EFFECTS CHANGE!

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