



*"Great Apartments Start Here!"*

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September 20, 2021  
**Via Electronic Mail**

Hon. Mayor Lindsey P. Horvath and Members of the City Council  
West Hollywood City Hall  
8300 Santa Monica Boulevard  
West Hollywood, California 90069

**Re:** Update on the Eviction Moratoria and Utilization of West Hollywood Emergency Funds in Response to Covid-19 (Agenda Item 4A)

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Dear Hon. Mayor Horvath and Members of the West Hollywood City Council:

At the September 20, 2021 City Council meeting, the Council will consider directing the City Manager on whether, if the Los Angeles County eviction protections unrelated to nonpayment of rent are not extended, to maintain continuity of existing County eviction protections by Emergency Executive Order after existing County protections sunset on September 30, 2021. The Apartment Association of Greater Los Angeles (AAGLA or Association) is opposed to any such Emergency Executive Order or any new local ordinance establishing Los Angeles County's Residential Eviction Moratorium as West Hollywood's own law for any length of time as doing so would clearly be in direct violation of state law. We urge the City Council to reject any request by staff for such illegal conduct.

As staff correctly states, Assembly Bill 832 went into effect on June 28, 2021. As Staff recognizes, it and its predecessor bills (Assembly Bill 3088 and Senate Bill 91) were passed to prevent piecemeal legislation throughout the state. Assembly Bill 832 contains provisions regarding certain protections for renters for r evictions based on non-payment of rent. However, it also contains provisions prohibiting local governments from instituting new moratoriums based on COVID-19. Section 1179.05(a)(1) states:

"(a) **Any** ordinance, resolution, regulation, or administrative action adopted by a city, county, or city and county in response to the COVID-19 pandemic to protect tenants from eviction is subject to **all** of the following:

(1) **Any** extension, expansion, renewal, reenactment, or new adoption of a measure, however delineated, that occurs between August 19, 2020, and March 31, 2022, shall have no effect before **April 1, 2022.**"

Staff states that the reason it is coming to the West Hollywood City Council with this item is that the Los Angeles County Eviction Moratorium that was passed as a temporary ordinance in response to COVID-19 is due to expire on September 30, 2021. It is this specific local legislation that is creating the "emergency" for which staff is suggesting that power be delegated to the City Manager to issue an "Emergency Executive Order". The actions being suggested by staff clearly fall under the broad



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prohibitions stated in Section 1179.05(a)(1). Thus, for the City of West Hollywood to move forward in any way, by ordinance or Executive Order, would be in direct violation of state law.

Furthermore, staff has provided no justification for why West Hollywood would need to reinstate the County's eviction moratorium provisions if the County itself determines not to extend their moratorium and given that the state and federal government entities are allowing their temporary eviction moratoriums to expire. These eviction moratoriums were specifically intended as temporary solutions in response to the onset of the COVID-19 pandemic and were never intended as long-term solutions to housing issues. It is time to consider a path forward to restore stability for small business rental housing providers and renters.

Thank you for your time and consideration of these matters. If you have any questions, please call me at (213) 384-4131; Ext. 307 or contact me via electronic mail at [janet@aaqla.org](mailto:janet@aaqla.org).

Very truly yours,

*Janet M. Gagnon*

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