**#18A**



May 30, 2020

The Honorable Board of Supervisors

County of Los Angeles

383 Kenneth Hahn Hall of Administration

500 West Temple Street

Los Angeles, California 90012

Dear Supervisors:

**LEGISLATIVE PROPOSALS FOR LOS ANGELES COUNTY**

**IN RESPONSE TO THE HEALTH AND ECONOMIC CRISIS CAUSED BY COVID-19 PANDEMIC**

The people of LA County deserve an urgent, robust, and professional response to the growing public health and economic crisis caused by COVID-19. While the “Safer at Home” measures issued by California Governor Gavin Newsom and the Los Angeles County Department of Public Health are necessary to combat the spread of COVID-19, the resultant restrictions on business will lead to crippling economic hardship for Angelenos. A decisive public health and economic response starts with caring for the most vulnerable: elderly residents, workers, families, the undocumented, the unhoused, the uninsured.

The Executive Order issued by Supervisor Kathryn Barger as the Chair of the County Board of Supervisors on

March 20, 2020, is a firm first step, but much more is needed to ensure the protection of all LA County residents. This must include bold, immediate, ambitious and progressive economic measures that motivate the local leaders of the 88 cities within LA County to follow suit and stem the shock of the outbreak.

The power of democracy is that we, the people, know exactly what we need. Over the last two weeks, a network of over 230 advocacy organizations -- worker centers, labor unions, service providers, religious congregations, community groups, affordable housing developers and advocates, public interest lawyers, and public health and safety organizations -- united across race, class, gender, orientation, religion, and geography to form the Healthy LA Coalition. We are now collectively working alongside each other to create concrete solutions to the hardships our people are facing as a result of the COVID-19 pandemic.

There is no better way to demonstrate our fundamental interconnectedness than uniting to battle a common foe. Thus, we urge you to take the following steps to prevent COVID-19 from devastating our families and our communities:

# Protections for Tenants and Homeowners

The County must take swift and decisive action to protect County residents at this time. Losing one’s home means losing the ability to practice social distancing, to self-quarantine, and to care for sick family members. No one should lose their housing as a result of complying with necessary public health orders. Without these protections, we risk forcing thousands of Angelenos into overcrowded conditions or unsheltered homelessness. That would be a public health nightmare. When the health imperative is for everyone to stay home, people must have a home to stay in. We request the County Board of Supervisors adopt the following policies:

1. A Robust Eviction and Foreclosure Moratorium**.** ​ The County has taken a good first step to​ protect tenants in unincorporated areas by banning no fault evictions and evictions of tenants that can show they are unable to pay rent because of a loss of income due to COVID-19. However, this is not enough. The County must do what it can to halt all eviction and foreclosure proceedings at every stage of the process *for the entire County, not just*​  *the unincorporated areas*​.[[1]](#footnote-1) The County should also clearly state that local jurisdictions may pass stronger protections if they so choose.
2. Remove Causal Requirement for Failure to Pay**.** ​ In addition to prohibiting evictions on​ other grounds, the County should remove the requirement that tenants show their failure to pay rent is due to COVID-19. The Safer at Home Orders impact all tenants and COVID-19 will be the most common reason tenants cannot pay rent. Many low income and informal economy workers will struggle to produce documentation showing their loss of income is due to COVID-19.
3. Rent Relief and Mortgage Suspension**.** ​ The County should do everything in its power to​ forgive rents in connection with mortgage relief to keep residents in the housing they have, both during the crisis and afterwards as the economic effects of the outbreak reverberate through low income communities.
4. Countywide Rent Freeze. For tenants whose rent is not forgiven, the County should​ prohibit rent increases Countywide on units eligible for rent stabilization. This protection should apply for the duration of the emergency and for a reasonable recovery period to follow.
5. Prohibit Charging of Late Fees. While the County Executive Order protects tenants from being​ evicted for failing to pay late fees during the emergency, it does not appear to prohibit landlords from charging such late fees and requiring tenants to pay these fees after the Order expires. Landlords should be prohibited from charging late fees during the state of emergency.
6. Rent Repayment Period**.**​ For tenants whose rent is not forgiven, tenants must have more than​ six months to repay back rent as currently required in the County Executive Order. It will take many tenants, especially low-income tenants, months to get back on their feet after this crisis and they should not be burdened by unrealistic repayment obligations. Tenants should have at least 24 months to repay any unforgiven rent.
7. Avoid Evictions at the End of the Rent Repayment Period. For tenants whose rent is not​ forgiven, back rent should be treated as traditional consumer debt, not as rent due. This small, but important clarification will allow rent to be collected through standard consumer debt collection practices, but not be the grounds for eviction, preventing the potential for mass evictions at the end of the payment period.
8. Support homeowners and “mom and pop” landlords. DBCA should partner with HUD-approved​ housing counselors to assist low and moderate income homeowners, “mom and pop” landlords, and faith communities and non-profit organizations serving vulnerable communities, in identifying credible resources to access loan modification and mortgage forbearance opportunities. Further, DBCA should raise awareness of fraudulent and predatory practices targeting low-income property owners and identify entities engaged in such unlawful practices for referral to the District Attorney. To achieve this as quickly as possible, the County should

activate the housing counseling networks and the small business networks that already exist and support these organizations with additional funding.

1. Property Tax Relief. Suspend any new lending under the LA County PACE program and enact​ a moratorium on property tax payments for low-income households, including all collection of Property Assessed Clean Energy (PACE) loans. Waive the collection of late fees and interest on unpaid assessments. Extend property tax relief to faith communities that serve vulnerable and impacted populations..
2. Ensure Access to Water by Halting Utility Shutoffs**.**​ We are excited to see the steps the County​ is considering to ensure all County residents have access to water in this time of crisis through the Motion before the Board on March 31, Agenda Item 27.
3. Stabilize Neighborhoods During Recovery:​ Prepare for landlords of small and medium multifamily housing who will be required to exit the rental market by developing plans and resources to preserve this housing for low-income households by purchasing the properties for conversion to permanently affordable housing owned and operated by existing tenants, community land trusts, and/or mission-driven affordable housing developers. Consider policy establishing County, tenant or non-profit opportunity to purchase residential properties as a tool to counter speculation at time of sale.
4. Optimize Use of Public Land to Address Post-crisis Housing Needs: Deploy surplus, vacant or​ underutilized publicly-owned properties that have been repurposed as emergency shelter or housing during the crisis to contribute to long-term economic recovery by permanently meeting housing and other community needs of low-income residents.

# Protections for Workers

1. Paid Sick Leave:​ The County should require employers to provide two weeks (80 hours for a full-time employee) of COVID-19 related paid sick leave for employees continuing to work in essential services, and prohibit retaliation against those who take it. Workers must feel safe to stay home through their illness for the public’s safety. Too many workers in the County would otherwise only receive 3 days of paid leave, when the CDC urges anyone exhibiting symptoms to stay home for 14 days.
2. Workplace Health and Safety:​ Prioritize workplace health and safety, including mandated paid time for and access to hand-washing and sanitizing, provision of protective gear, and appropriate training for those still at work, who are providing essential services like food, transportation, care, and other crucial needs, and continuing to interact with the public. The County, through the Department of Public Health, may be able to take bold leadership to ensure workers are protected in this way throughout the County.
3. Reduce Unemployment:​ Protect workers’ livelihoods to ensure that when it is safe to return to work, people still have jobs to return to. Through Right of Recall and Worker Retention policies, laid-off workers should be first to be rehired after the crisis, and be retained even if their place of employment changes ownership. These policies should be permanent and retroactive to the declaration of the emergency. The County can also reduce unemployment by partnering with hard-hit industries, for example with high road hospitality operators for the provision of emergency food and shelter.
4. Delivery Platform Requirements:​ Require delivery platforms to provide drivers and shoppers with hand sanitizer, disinfectant cleaning products, and other personal protective equipment, prohibit these companies from deactivating drivers or shoppers who change their work schedules, and offer drivers and shoppers a “non-contact delivery” option. To balance this the delivery driver must be required to deliver the food to the recipient where they can access it despite age or disability. This may require food to be delivered into a home with necessary protections.

# Protections for the Undocumented

1. End Transfers to ICE:​ Undocumented residents and workers must be protected by ending all transfers of Angelenos—who have already served their time and are due for release back to their homes and families — to Immigration and Customs Enforcement (ICE). and the Adelanto immigration prison. Specifically, following the action the City of Los Angeles has already taken, the County of Los Angeles should no longer facilitate the arrest of a person by federal immigration authorities, unless it is pursuant to a judicial probable cause determination for a criminal offense, or otherwise required by law.
2. Provde Cash Assistance: Develop and support a cash assistance fund for undocumented​ workers -- including street vendors and the estimated 20% of L.A.’s workforce that is undocumented in industries like domestic work, home health care, day labor, carwash, garment, restaurant, etc.
3. Refund and Waive Fees: If applicable to the workers’s industry, refund all permit or license fees​ paid to the City and waive any fees owed. If applicable to the workers’s industry, make permits and licenses free for at least the remainder of the year.
4. Extend Street Vending Grace Period:​ Continue enforcement grace period for street vendors once vending resumes after the crisis.
5. Provide Relief to Undocumented Small Business Owners: Ensure undocumented workers are​ included in all small business relief programs created by the County in response to the crisis, and remove immigration and other eligibility barriers for participation in these programs.
6. Provide Public Information Regarding Services: Conduct public campaigns providing​ immigrants’ rights information relating to accessing city relief and hospital services.

# Protections for the Unhoused

1. Utilize Empty Hotels/Motels and Put Hospitality Workers Back to Work: Make use of hotel and​ motel rooms to immediately house all Angelenos experiencing homelessness. There are 98,000 hotel/motel units in Los Angeles County, a hospitality workforce that is eager to return to work, and high road hotels which have adopted protocols to protect those who work and stay in the hotels. Opening hotel and motel rooms is the safest option to allow for the quarantine of unhoused people who are elderly or have conditions that will make COVID-19 especially deadly.
2. Utilize County Properties: Immediately open vacant County-owned buildings, vacant lots, and​ park space for camping and provide items needed to slow/stop the spread.
3. Provide Walk-up Supply Stations:​ The COVID-19 pandemic has shut down many food pantries and programs that provide life-saving meals and hygiene supplies to low-income and vulnerable populations. With the demand for these essential supplies at an all-time high, people need to be able to access food and supplies easily in their own neighborhoods. Similar to the “grab and go” stations set up for LAUSD students, the County should create neighborhood supply stations with ready-to-eat food, water, soap and first aid supplies. This can also help stabilize certain sectors of the food service industry.
4. Provide Testing: Make COVID-19 testing available to the unhoused population via DPH and​ DHS.
5. Expand bathroom and hygiene access:​ Immediately implement 24-7 restroom access in County-operated parks, beaches, and government properties., which have the largest stock of public restrooms and handwashing stations, and can be made immediately available. Supply dumpsters, showers, hand washing stations, portable toilets, soap, water, garbage bags and cleaning supplies to every informal settlement in Los Angeles, and provide services needed to keep the occupants healthy, including vermin abatement, expanded trash pickup and spot cleanings.
6. The County must implore Los Angeles Homeless Services Authority (LAHSA) to utilize their outreach worker capacity to provide public health supplies, education, and awareness on combating COVID-19.

# Protections for the Incarcerated

**A.** Preventing Spread of Covid19 Among Incarcerated Populations: Given the inherent risk of​ contracting the virus in jail, we must reduce the population of those incarcerated and provide proper medical and mental health care to those who are. At Tuesday’s meeting (March 31), the Board of Supervisors is considering Agenda Item 13, which calls for the Board to consider ways to reduce the existing prison population and prevent increases in that population to protect community health, as well as for increased protections, services, and opportunities for contact and education for those who are incarcerated. We support these and additional considerations necessary to reduce the number of people incarcerated and the risks to these communities in prison and upon release.

The truth of this moment is the truth of every moment in our society, only more so. If our goal is for all of us to be safe and healthy, then we train our eyes and resources on those who need the most — this approach is not new. It’s called equity. Racial and economic equity has and will always mark the path forward, but in this moment, it is more crucial than ever. Our own health depends on the health of the person next to us, and the person next to them. Ensuring every Angeleno’s access to the space, resources, and health services they need is how we take care of each other. Our local governments’ actions must reflect this essential truth and rise to the scale of this enormous challenge. This is not the time for half-steps or hesitation. Now is the moment to protect the most vulnerable. When we do that, we protect everyone.

Signed,

Healthy LA Coalition:

1. During a county proclaimed local emergency, the county can adopt regulations that cover both incorporated and unincorporated areas pursuant to Gov. Code Section 8634. Several counties in Northern California have already done so, including San Mateo and Santa Clara Counties. [↑](#footnote-ref-1)