



# Rent Assistance Programs and Resources

City Council Meeting – April 11, 2023

# Background

On March 7, 2023, the City Council requested staff to provide a report on current rent assistance programs and resources available, including:

- A recent history of tenant protections
- A recent history of tenant assistance programs

On March 31, 2023, the Los Angeles (LA) County's COVID-19 Tenant Protections Resolution (Resolution) expired.

# Tenant Relocation Assistance Ordinance (Ordinance)

- On June 11, 2019, the City Council adopted an Ordinance (Long Beach Municipal Code [LBMC] Chapter 8.97) that required rental property owners with four units or more to pay relocation assistance payments to tenants that:
  - Received a notice of rent increase of 10% or more in any 12 consecutive month period,
  - Received a notice to vacate due to the landlord's rehabilitation of the unit, or
  - Were in good standing and receive a notice of non-renewal or notice to vacate.
- The Ordinance was a tenant relocation assistance program and did not restrict rent increases or require just cause for termination.

# State Tenant Protection Act of 2019

- After LBMC 8.97 was passed, the State Legislature adopted the State Tenant Protection Act of 2019 (Assembly Bill [AB] 1482), which took effect on January 1, 2020, and contains two major provisions:
  - Prohibits annual rent increases of greater than 5% plus the change in Consumer Price Index, or 10%, whichever is lower.
  - Requires that landlords may only terminate tenancies if they have just cause to do so.
- The State Regulation includes rent control and just cause provisions, providing significantly greater tenant protections than the Ordinance.

# City Council Response to AB 1482

The policy triggers in AB 1482 were more stringent, making LBMC 8.97 effectively inoperable.

In response to AB 1482, the City Council chose to:

- Repeal LBMC 8.97
- Adopt an Ordinance with just cause termination of tenancy provisions that were more protective than those of AB 1482
- Create a Senior and Disabled Security Deposit Assistance Program for qualified lower income households.

# A Recent History of Tenant Protections: COVID-19 Era

Minimizing evictions was critical to reducing the spread of COVID-19 in vulnerable populations by allowing all residents to stay in their homes.

Governor Newsom's Executive Orders:

- Authorized local governments to halt evictions
- Encouraged financial institutions to slow foreclosures
- Protected renters and homeowners against utility shutoffs
- Extended the period for response by tenants to unlawful detainer actions and prohibited evictions of tenants who satisfied certain requirements

On April 6, 2020, the California Judicial Council issued a moratorium on all evictions and judicial foreclosures.

# COVID-19 Tenant Relief Act of 2020 (Assembly Bill 3088)

- The first State legislative Act to prevent eviction was signed into law on August 31, 2020
- Limited a landlord's ability to evict a tenant for non-payment of rent due from March 1, 2020 through January 31, 2021 (Covered Time Period) if a tenant had experienced financial hardship related to COVID-19
- Additional provisions of AB 3088 included:
  - Creating a repayment plan system for tenants
  - Providing relief to small landlords
  - Establishing new notice requirements for landlords seeking eviction

# AB 3088 and Subsequent Legislation

COVID-19 Tenant Relief Act of 2020 (AB 3088) and its protections were extended multiple times by subsequent legislation:

## **Senate Bill 91:**

- Extended and modified the protections provided by AB 3088 from January 31, 2021 to June 30, 2021
- Established a new rental assistance program (block grant for counties and cities), which provided financial assistance to eligible low-income tenants and landlords



# AB 3088 and Subsequent Legislation (continued)

## Assembly Bill 832:

- Extended the protections provided by SB 91 until September 30, 2021
- Expanded the rental assistance program, which previously paid 80% of rent owed to landlords, to retroactively cover 100% of unpaid rent
- Required rental assistance to tenants, as well as new application intake, to end by March 31, 2022
- Extended protections until March 31, 2022, for tenants who had submitted applications on or before the due date

# AB 3088 and Subsequent Legislation (continued)

## Assembly Bill 2179:

- Extended protections until June 30, 2022, for tenants who had submitted applications before the due date (but did not extend the application deadline established by AB 832)

# Los Angeles County COVID-19 Tenant Protections Resolution

Los Angeles County COVID-19 Tenant Protections Resolution (formerly known as the LA County Eviction Moratorium)

- The County declared a state of emergency on March 4, 2020
- Imposed a temporary moratorium on evictions for non-payment of rent by residential or commercial tenants impacted by COVID-19 on March 19, 2020 (commencing March 4, 2020)
- Was amended to expand and extend the tenant protection provisions multiple times
- Was last amended on January 24, 2023 and was extended through March 31, 2023

# Los Angeles County COVID-19 Tenant Protections Resolution (continued)

- Protections against evictions for:
  - Non-payment of rent by residential or commercial tenants impacted by COVID-19
  - No-fault eviction reasons
  - Nuisance
  - Unauthorized occupants or pets who began residing in the unit between March 1, 2020 and January 20, 2023
- Rent increase freeze for rent-stabilized units in unincorporated areas of the County
- Anti-harassment and retaliation protections

# Los Angeles County COVID-19 Tenant Protections Resolution (continued)

- For tenants who utilized the non-payment of rent protection, or for tenants with unauthorized occupants or pets, **the following protections have remained:**
  - Protections against no-fault evictions, except for qualified owner move-ins;
  - Qualified tenants whose household income is at 80% Area Median Income (AMI) or below that notified their landlords before March 31, 2023 of their inability to pay rent during the Rent Protection Period, and made a payment plan, would not be evicted. Such residential tenants have up to 12 months to repay any past due rent that was accrued during the Rent Protection Period;
  - Starting April 1, 2023, landlords are required to provide tenants with a 30-day notice to “cure or quit” prior to filing an eviction based on back due rental payments accrued prior to March 31, 2023 and for presence of unauthorized occupants and pets; and,
  - Anti-harassment and retaliation protections.

# Just Cause for Termination of Tenancies (LBMC 8.99)

## At-Fault Reasons for Eviction

- Non-payment of rent
- Breach of lease agreement
- Criminal activity on the property
- Nuisance or disturbance of other tenants
- Assigning or subletting the unit without landlord's consent
- Failing to vacate the unit after the lease term has ended

## No-Fault Reasons for Eviction

- Owner or relative move-in
- Demolition or substantial rehabilitation of the property
- Withdrawal of the unit from the rental market
- Compliance with a government order to vacate the property

## Notice Requirements:

- Landlords must provide a written notice of termination including the reason for the eviction
- The notice must be given at least 30 days before the termination date or
- The notice must be given at least 60 days before termination date if the tenant has lived in the unit for at least one year

# Just Cause for Termination of Tenancies (LBMC 8.99) (continued)

- Relocation Assistance:
  - Landlords are required to provide relocation assistance to tenants who are displaced due to a no-fault eviction.
  - The relocation assistance or rent waiver shall be equal to the greater of \$4,500 or two months of the tenant's for substantial remodel cases, and one month of the tenant's rent for all other no-fault just cause terminations.
  - The relocation assistance or rent waiver shall be equal to one month of the tenant's rent for all other no-fault just cause terminations.
- Exemptions: Some rental properties may be exempt, depending on factors such as the age and type of the property.



# Tenant Relocation and Code Enforcement (Order to Vacate) (LBMC 18.25)

- Provides for owner-paid relocation payments and assistance to residential tenants who are displaced due to the code enforcement activity.
- Requires landlords to maintain their rental properties in a safe and habitable condition.
- Relocation assistance of \$3,366
- Move-back option for displaced tenant households

# The Senior and Disabled Security Deposit Program

- Upon repealing LBMC 8.97 on December 3, 2019, the City Council also established the Senior and Disabled Security Deposit Program.
  - Designed to assist low-income seniors and individuals with disabilities by providing a one-time grant to cover security/utility deposits
  - Provides income-qualified households up to \$3,000

# Long Beach CARES Emergency Rental Assistance Program (LB-CARES)

- On March 27, 2020, the Federal Coronavirus Aid, Relief and Economic Security Act (CARES Act) was signed
- On June 9, 2020, City Council authorized the creation of LB-CARES, funded by the Community Development Block Grant Cares Act and the HOME-Investment Partnership Grant (HOME).
  - LB-CARES provided rental assistance of up to \$1,000 per month for three months
  - Households earning 80% or less of the AMI prior to COVID-19 who had experienced loss of income due to COVID-19 were eligible
  - Payments were made directly to property owners/landlords
  - \$4.2 million in funding was spent assisting 1,431 households

# Los Angeles County COVID-19 Rent Relief Program (L.A. County Rent Relief Program)

- Provided emergency rental assistance to income-eligible renters (50% AMI or below) financially impacted by COVID-19 pandemic.
- The program, which was later expanded to cover incorporated cities, provided up to \$10,000 to cover rent arrears and was administered by L.A. County-contracted non-profits.
- The L.A. County Rent Relief Program, assisted 1,154 Long Beach households for a total amount of \$9.3 million.

# Long Beach Emergency Rental Assistance Program (LB-ERAP)

- On December 27, 2020, the Federal Consolidated Appropriations Act of 2021, authorized the Emergency Rental Assistance Program (ERAP) and appropriated \$25 billion in federal rental assistance (ERA1).
- On March 11, 2021, the American Rescue Plan Act (ARPA) established the federal Emergency Rental Assistance Program (ERA2).
- SB 115 established the State Rental Assistance Cashflow Loan Program, which provided the City with immediate funding in the form of a forgivable loan while the City awaited additional federal funding.
- Program implementation was based on guidelines from the U.S. Treasury and SB 91/AB 832.

# LB-ERAP Funding Sources

- ERA 1 and ERA 2 Direct Federal Allocation: \$35.9 million
- ERA 1 and ERA 2 State Block Grant (pass-through): \$29.5 million
- State Cashflow Rental Assistance: \$13.1 million
- Federal Reallocation Funds (Recaptured Funds): \$4.9 million

# Rent Relief Assistance Provided Directly to City Residents:

Programs	Households	Amounts
LB-CARES	1,431	\$4.2 million
LB-ERAP	6,480	\$70.1 million
LA County	1,154	\$9.3 million
<b>Total</b>	<b>9,065 Households</b>	<b>\$83.6 Million</b>

# Other Tenant Assistance Programs

Tenants have access to legal services, right to counsel, and outreach and education through:

- LA County's Stay Housed L.A. Program
- The Fair Housing Foundation
- The Long Beach Resource Line
- Dedicated City staff in the Development Services Department





Thank you

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