

Date: March 11, 2024

To: Thomas B. Modica, City Manager 

From: Christopher Koontz, Director of Community Development 

For: Mayor and Members of the City Council

Subject: **Update on Just Cause for Termination of Tenancies Ordinance**

Background

On March 10, 2020, the City Council adopted a Just Cause for Termination of Tenancies Ordinance (Ordinance) (Long Beach Municipal Code [LBMC] Chapter 8.99) modeled after The Tenant Protection Act (Assembly Bill [AB] 1482). The City of Long Beach's (City) Ordinance includes Substantial Remodel as an allowed no-fault just cause for termination of tenancy. On [December 7, 2021](#), the City Council directed the City Attorney to amend LBMC 8.99 to strengthen its tenant protections, including by requiring property owners to notify the City when applying the substantial remodel just cause for termination provision in conjunction with related construction work, requiring City staff to track data on this type of displacement, and deploying housing navigators to assist tenants who are displaced. The City Council also requested City staff to report back after one year with the first year's tenant displacement data.

The City Council implemented and subsequently extended a prohibition on termination of certain lawful residential tenancies through February 28, 2022. Additionally, Los Angeles County's (County) COVID-19 Tenant Protections Resolution protected tenants impacted by the pandemic from evictions, including those for substantial remodel or demolition, through March 31, 2023, which is when the City began to receive notices of substantial remodel just cause tenancy terminations.

Current Substantial Remodel Program

The Community Development Department (Department) receives data on just cause tenancy terminations, primarily those due to substantial remodel through the City's noticing requirement, and has a City staff member dedicated to responding to inquiries and complaints, providing housing services and referrals, and assisting both tenants and landlords in navigating housing policy and understanding their rights and responsibilities.

The Department has received notices of tenant displacement due to substantial remodel or demolition for approximately 100 tenants, to date.

Under LBMC Chapter 8.99, tenants are entitled to \$4,500 or the equivalent of two-months' rent, whichever is greater, from their landlords for substantial remodel just cause tenancy terminations. Although the Department reviews the permitted scope of work of substantial remodel projects, the enforcement mechanism for the violation of provisions of the Ordinance is the civil action by the tenant.

Right to Counsel Program

To assist tenants with their legal options, tenants who receive a 60-Day Notice and believe their rights are being violated may seek assistance through the City's Right to Counsel Program. The Department continues to work with the County to support the provision of legal services, right to counsel, and tenant outreach and education to qualified Long Beach residents through the County's Stay Housed LA Program. Eviction defense services are available to individuals at various income levels with a focus on lower-income renters. Nearly 2,500 people have been served by Right to Counsel through July 2023. Additionally, the City provided \$1.5 million in funding for Right to Counsel in the Fiscal Year 24 budget.

Homelessness Emergency Intergovernmental Workgroup Efforts

Since the City Council's adoption of the proclamation of a local homelessness emergency on [January 10, 2023](#), the Intergovernmental Work Group has focused its efforts on advocating at the County, State and Federal levels for additional resources, services, and funding needed to house people experiencing homelessness. Through direct outreach and advocacy, the Intergovernmental Work Group has played a key role in supporting critical legislation on housing and homelessness, securing nearly \$8 million in one-time funding to support the City's homelessness emergency effort, and advocating for additional resources through the Housing Choice Voucher program and the HOME Investment Partnership grant. The Intergovernmental Work Group has also worked with neighboring local governments to ensure all cities are engaged and contributing local resources to address homelessness in the region.

Most recently, the Intergovernmental Work Group has been researching and evaluating upstream policy considerations aimed at preventing future homelessness. This includes researching how other municipalities have developed their Just Cause Ordinance and tenant relocation assistance policies to help inform the City's policy options. As the City transitions out of the homeless emergency proclamation and into a new structure, the City's government affairs team will continue to advocate for policy outcomes that will reduce the number of people experiencing homelessness in Long Beach. Furthermore, as the City updates its Everyone Home initiative, staff will continue to provide research and analysis on a full range of policy issues.

Recommendations

On September 30, 2023, the Governor approved Senate Bill 567 (SB 567), which makes a series of revisions to the existing statewide restrictions on residential rent increases and the existing statewide protections against eviction without just cause in AB 1482. AB 1482 established limitations on the amount that residential landlords can raise the rent each year and stopped residential landlords from evicting tenants unless they have a specified legal justification. Although AB 1482 was a step in the right direction in the protection of renters, the residential rental landscape over the last few years has exposed several shortcomings in the act that SB 567 aims to address.

SB 567 (1) lowers the amount by which residential landlords can increase the rent each year; (2) extends the just cause for eviction protections to tenants in their first year in the unit; (3)

Update on Just Cause for Termination of Tenancies Ordinance

March 11, 2024

Page 3

closes loopholes in the provisions for just cause evictions based on owner move-ins, substantial repair or remodel, or removal of the unit from the rental market; and, (4) provides mechanisms for the redress of violations.

Because LBMC Chapter 8.99 was modeled after AB 1482 and aimed to be more restrictive, City staff recommends updating and amending the City's policy. The Intergovernmental Work Group created a criteria alternatives matrix to evaluate the feasibility, City staff capacity, equity, and impact of various policy alternatives. While the Intergovernmental Work Group has identified several policy considerations, the next step is for subject matter experts in Community Development to review and provide additional input. Following City staff's feedback, these policy considerations will be presented to City leadership and City Council for further direction.

Policy considerations currently under evaluation for the Ordinance include:

- Reevaluating the relocation assistance amounts;
- Closing loopholes for owner move-in and removal from market just causes; and,
- Providing greater protection for more vulnerable populations.

As SB 567 is scheduled to take effect in April 2024, City staff recommends bringing policy recommendations for the amendment of the Ordinance to the City Council in the near future.

For more information, please contact Meggan Sorensen, Housing and Neighborhood Services Bureau Manager, at Meggan.Sorensen@longbeach.gov or (562) 570-5269.

CC: DAWN MCINTOSH, CITY ATTORNEY
DOUGLAS P. HAUBERT, CITY PROSECUTOR
LAURA L. DOUD, CITY AUDITOR
APRIL WALKER, ASSISTANT CITY MANAGER
TERESA CHANDLER, DEPUTY CITY MANAGER
MEREDITH REYNOLDS, DEPUTY CITY MANAGER
GRACE YOON, DEPUTY CITY MANAGER
TYLER BONANNO-CURLEY, DEPUTY CITY MANAGER
KEVIN LEE, CHIEF PUBLIC AFFAIRS OFFICER
MONIQUE DE LA GARZA, CITY CLERK
DEPARTMENT HEADS