

# ULA PROTECTIONS FROM TENANT HARASSMENT PROGRAM GUIDELINES

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City Council Consideration  
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## INTRODUCTION

### 1. Program Summary

#### a. Goals and Requirements

The Protections from Tenant Harassment Program seeks to prevent homelessness by ensuring that both landlords and tenants are educated about their rights and what constitutes tenant harassment, and that tenants understand how to exercise their rights and avail themselves of City of Los Angeles (City) resources to address harassment.

The Protections from Tenant Harassment Program is designed to be synergistic with other United to House LA (ULA) programs and services focused on eviction prevention, promoting housing stability, and collaboration with community-based organizations to inform tenants about protections against harassment and other rights. The Protections from Tenant Harassment Program is intended to be implemented consistent with and in coordination with other ULA Homelessness Prevention Programs.

The City adopted the Tenant Anti-Harassment Ordinance (TAHO), effective August 6, 2021, to protect tenants residing in the City from harassment by landlords. The Protections from Tenant Harassment Program establishes protocols, guidelines, resources, and expectations for harassment investigations, outreach and education to both tenants and landlords, and mechanisms for enforcing the TAHO.

The Protections from Tenant Harassment Program Guidelines shall apply to ULA-funded activities related to the implementation and enforcement of TAHO or other anti-harassment laws. LAHD may, at its discretion, subcontract with and/or delegate responsibilities for the purposes of pursuing civil remedies on behalf of eligible program participants.<sup>1</sup> These Protections from Tenant Harassment Program Guidelines also apply to education and outreach activities funded by ULA, to be implemented by community-based organizations and any umbrella entity overseeing or directing the activities of community-based organizations and non-profit organizations, collectively referred to as “Contracting Partners.”<sup>2</sup>

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<sup>1</sup> Guidelines established for other ULA Homelessness Prevention Programs (including, but not limited to, the Eviction Prevention and Defense Program) empower LAHD to partner with and subcontract to Legal Service Providers for identified activities. While Legal Service Providers, or LSPs, include the same name in these Protections from Tenant Harassment Program Guidelines as in other guidelines, and may consist of the same entities, the guidelines, standards, and requirements included in these Protections from Tenant Harassment Program Guidelines are specific to LSPs contracted with for the purposes of executing the eligible activities and the scope of services identified in *Sections 2.3* and *3.1*, respectively, of this document. The guidelines, standards, and requirements included in these Protections from Tenant Harassment Program Guidelines shall not apply to LSPs in their execution of any other Homelessness Prevention Program, and no other guidelines, standards, or requirements shall apply to LSPs in the execution of responsibilities consistent with the Protections from Tenant Harassment Program.

<sup>2</sup> At the time of the drafting of these Protections from Tenant Harassment Program Guidelines, Stay Housed LA (SHLA) was under contract with LAHD to operate as the outreach contractor, or the

The goals of the Protections from Tenant Harassment Program are to:

- Prevent displacement and constructive eviction through the use of harassing tactics.
- Curb patterns and practices of habitability non-compliance as a harassment tactic.
- Increase public awareness and enforcement of tenant protections.
- Expand city-wide TAHO awareness and compliance.

**b. List of subprograms or activities**

The Protections from Tenant Harassment Program is a ULA Homelessness Prevention Program, designed to complement ULA's direct service and/or financial assistance programs by ensuring that tenants are well-informed about tenant protections and resources, that landlords understand what constitutes tenant harassment and are aware of their obligations under TAHO, and that anti-harassment protections are enforced. The program shall include City enforcement of anti-harassment laws via the Administrative Citation Enforcement (ACE) ordinance, City Attorney civil or criminal prosecutions, and pursuit of private rights-of-action by Legal Service Providers (LSPs) on behalf of tenants, as well as education and outreach to the general public about protections against tenant harassment and the ULA programs designed to combat tenant harassment.

LAHD enforces anti-harassment laws, including TAHO, by investigating tenant allegations of harassment, and where warranted, issuing compliance letters and/or ACE citations, and referring complaints to the Office of the City Attorney. The Office of the City Attorney evaluates LAHD referrals for possible criminal or civil prosecution. Under this program, where appropriate, LAHD would also refer harassment complaints to contracted LSPs for potential private right-of-action filings under the TAHO or other anti-harassment laws.

**2. Context**

The ULA measure and ordinance requires three percent (3%) of the annual ULA Program revenue to be dedicated to the Protections from Tenant Harassment Program, as a core and proactive strategy to prevent homelessness.<sup>3</sup> The ULA measure and ordinance further

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Contracting Partner as defined above. These Protections from Tenant Harassment Program Guidelines are intended to be read as consistent with SHLA's existing contractual obligations. If these Protections from Tenant Harassment Program Guidelines conflict with an existing contractual obligation, that conflict shall not be deemed a material breach of any obligation. Notwithstanding the foregoing, these Protections from Tenant Harassment Program Guidelines are applicable to any subsequent contract with any party for operation of Protections from Tenant Harassment Program activities.

<sup>3</sup> Los Angeles Administrative Code, Section 22.618.3(d)(2)(ii)c.

specifies that this program should fund nonprofit organizations and City services to monitor and enforce tenants' rights including protections against tenant harassment, and to inform tenants of such protections and support them in exercising their rights. It further specifies that at least thirty percent (30%) of the program expenditure shall fund programs led by non-profit organizations.

According to the 2022 American Community Survey (ACS) 5-year estimate, there are approximately 886,998 renter households in the City, and approximately 2,245,299 people are renters. Of those renters, approximately 54% of tenants are rent-burdened, and 29% are severely rent-burdened.<sup>4</sup> As of March 31, 2024, approximately 24,000 eviction cases are filed each year in the City. Black and Latinx tenants, especially female heads of households, are disproportionately impacted by evictions each year in the City. Evictions that ultimately lead to homelessness create significant costs for local and state governments, including but not limited to the costs associated with providing emergency shelter, interim and long-term housing, hospital-backed health care, and transportation costs, which can also result in increased costs associated with child dependency and incarceration or unhoused family members.

At times, landlords may engage in harassment to circumvent tenant protections that would otherwise keep people housed, causing tenant displacement. Even if a formal eviction is never filed, many tenants choose to self-evict rather than endure harassment that can be emotionally draining and even physically dangerous. In 2023, LAHD received approximately 6,000 complaints alleging violations of TAHO. The Protection from Tenant Harassment Guidelines are intended to prevent the disruptive consequences of tenant harassment by 1) educating tenants and landlords regarding what type of activities constitute harassment, 2) tracking patterns and practices associated with harassment through technology and the deployment of LAHD investigators and inspectors, 3) enforcing the City's Tenant Anti-Harassment Ordinance, and 4) providing additional resources, including legal representation contingent on available funding, to tenants to address unlawful harassment.

### **3. Commitment to Racial Equity**

Existing data and scholarship confirms that Black, Latinx, and other communities of color are disproportionately affected by homelessness. These Protections from Tenant Harassment Program Guidelines acknowledge that this disproportionality is the result of generations of structural racism. Decades of land use policies, zoning practices, and laws promoting an imbalanced landlord-tenant relationship have reinforced racial segregation, poverty, environmental injustice, and disinvestment that is manifested in the demographics of our contemporary homeless population.

As ULA seeks to prevent homelessness through a variety of interventions, the implementation of the Protections from Tenant Harassment Program is specifically designed

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<sup>4</sup> Rent burden data from 2023 Comprehensive Housing Affordability Strategy (CHAS) estimates.

to promote racial equity, with a focus on preventing homelessness by preventing tenant harassment in the City's most vulnerable communities.

Consistent with this commitment to promote racial equity, the Protections from Tenant Harassment Program is designed to be attuned to the needs and realities of historically marginalized communities, and how racism, as well as disability, transphobia, sexism, and other tenant experiences, affect the vulnerability of a tenant and their experiences. Tenant harassment is strongly correlated to historically marginalized communities. To this end, the Protections from Tenant Harassment Program provides resources to support monitoring of tenant harassment and enforcement of TAHO to combat tenant harassment.

#### **4. Program Metrics**

The Los Angeles Housing Department (LAHD) and Contracting Partners will, on an ongoing basis, collect information and metrics in alignment with the ULA measure and ordinance reporting requirements and in a manner that supports the evaluation of long-term impacts and outcomes for the Protections from Tenant Harassment Program. To the extent feasible, this information includes but is not limited to, enforcement activities and the number of tenants and landlords receiving education about their rights and obligations. Enforcement activities will be measured by the count, volume, and complexity of cases, fines, and penalties issued, hearing outcomes, habitability improvements undertaken, or damages awarded to aggrieved tenants.

| Goal   | Metrics  |
|--|--|
| Anti-displacement and prevention of constructive eviction of lower-income households.                            | <ul style="list-style-type: none"> <li>• Number of evictions as compared to previous years.</li> <li>• Tenancy turnover rate in units subject to the Rent Stabilization Ordinance (RSO) as compared to previous years.</li> <li>• Number of TAHO Complaints Reviewed and Resolved.</li> <li>• Outcomes of all TAHO Complaints.</li> <li>• Number of households assisted with TAHO Complaints.</li> <li>• Number of TAHO Complaints, and outcomes, subject to enforcement by the City Attorney's Office.</li> <li>• Number of TAHO Complaints, and outcomes, subject to enforcement by LSPs.</li> </ul> |
| Collaboration to identify patterns and practices of non-compliant habitability violations as harassment tactics. | <ul style="list-style-type: none"> <li>• Number of evictions as compared to previous years.</li> <li>• Number of referrals from LAHD Monitoring to City Attorney for Enforcement.</li> <li>• Number of referrals from LAHD Monitoring to LSPs for Enforcement.</li> </ul>  |
| Public awareness and enforcement of tenant protections.  | <ul style="list-style-type: none"> <li>• Number of Tenant Education workshops, clinics, and other educational events held.</li> <li>• Number of tenant harassment complaints filed with LAHD.</li> </ul>   |
| Landlord awareness of their obligations under TAHO.  | <ul style="list-style-type: none"> <li>• Number of Landlord focused Education workshops, clinics, and other educational events held.</li> <li>• Number of inquiries made by Landlords regarding TAHO obligations and tenant harassment.</li> </ul>   |

Consistent with *Section 5.2* of these Protections from Tenant Harassment Program Guidelines, LAHD shall analyze these metrics and participant data annually and provide a summary of its analysis to the COC to allow for an assessment of whether the Protections from Tenant Harassment Program is meeting its goals and priorities.

## SECTION 1: PROGRAM ADMINISTRATION

### 1.1 Program Administrator

LAHD shall administer the Protections from Tenant Harassment Program, with the LAHD General Manager, or designee, designated as the Protections from Tenant Harassment Program Administrator (Program Administrator). At their discretion, the LAHD General Manager shall be empowered to delegate and/or revoke administrative responsibilities to participating LSPs, Contracting Partners, and/or appropriate LAHD staff.

### 1.2 Selection Process

The Protections from Tenant Harassment Program is to be administered by the LAHD General Manager, or designee, consistent with *Section 1.1* above. Any program partners or outside entity charged with implementing any portions of the Program, including the Contracting Partners or LSPs, shall be procured as described in *Section 5*.

## SECTION 2: GENERAL PROVISIONS

### 2.1 Eligible Participants

Eligible Participants: The Protections from Tenant Harassment Program shall serve tenants (inclusive of individual tenants and tenant households) in the City seeking education and TAHO enforcement. Eligible tenants must: 1) reside in a residential unit in the City, 2) meet the definition of a tenant under the Los Angeles Municipal Code, and 3) make an allegation that can be supported by documentation or proof sufficient to establish evidence of harassing conduct by a landlord.

Landlords of residential structures in the City and landlord groups primarily composed of landlords of residential structures in the City may request and receive education about their rights and responsibilities and may request technical support to better ensure TAHO compliance.

### 2.2 Eligible Forms of Funding

The ULA measure and ordinance allocates three percent (3%) of overall annual program revenue for the Protections from Tenant Harassment Program. The ULA measure and ordinance mandates that at least 30% of the Protections from Tenant Harassment Program fund outreach and tenant navigation programs implemented by non-profit organizations. Non-profit organizations shall be contracted with by LAHD, or its designees, through a competitive procurement process, as further described in *Section 5*.

Up to seventy percent (70%) of the Protections from Tenant Harassment funds shall be spent directly by LAHD and the City Attorney's office in their execution of Eligible Activities and Services, as identified in *Sections 2.3* and *3.1*, respectively, of these Protections from Tenant Harassment Guidelines.

LAHD may seek and spend additional funding to expand the Protections from Tenant Harassment Program, including but not limited to potential grants, consistent with LAHD's general restrictions and requirements.

Funding may be expended to facilitate eligible activities, as further defined and discussed in *Section 2.3*, through contracts, purchase orders, and other contracting mechanisms that are consistent with City requirements and approved by the Program Administrator.

### **2.3 Eligible Activities**

Eligible activities of the Protections from Tenant Harassment Program fall broadly within three categories: Monitoring and Enforcement, Education, and Support. LAHD and the City Attorney's Office, on behalf of the City, are responsible for implementing Monitoring and Enforcement activities. Consistent with these Protections from Tenant Harassment Program Guidelines, LAHD may delegate some of these responsibilities to the participating non-profit organizations. Educational activities shall be executed by non-profit organizations, overseen by LAHD or its designee. Support activities may also be implemented by LAHD, the City Attorney's Office, LSPs, and the Contracting Partners as practically and tangentially required. Additional detail regarding these activities is provided in *Section 3.1, Scope of Services*.

Activities not determined to be within these identified categories may still be determined to be eligible activities consistent with the Protections from Tenant Harassment Program, subject to the discretion of the Program Administrator.

### **2.4 Ineligible Activities**

Any provision of services to landlords or property owners, other than technical assistance or guidance in adherence to the TAHO or the spirit and intention of these Protections from Tenant Harassment Program Guidelines, is expressly prohibited under this Program.

### **2.5 Program Funding – Caps and Limits**

ULA allocates three percent (3%) of annual ULA Program revenue for the Protections from Tenant Harassment Program. A minimum of thirty percent (30%) of these program expenditures are required to fund programs implemented by non-profit organizations.



## 2.6 Contractual Services

Contracts shall be executed with LSPs and non-profit organizations, consistent with the procedures described in *Section 5*, and may be renewed at LAHD's discretion, consistent with any contractual terms associated with that grant and the City's procurement requirements. If a contract is not renewed or extended, either because the LAHD declines to award an additional contract or because the contractee(s) choose not to apply or continue their services, wind-down funds shall be provided to assist with transferring obligations and operations to another contractee.

## SECTION 3: PROGRAM REQUIREMENTS: SERVICES AND FUNDING PRIORITIES

### 3.1 Scope of Services

LAHD, the City Attorney's Office, LSPs, non-profit organizations, and any other contracted entity, shall effectuate these guidelines and provide services necessary for the execution and performance of the Eligible Activities identified in *Section 2.3* of these Protections from Tenant Harassment Program Guidelines.

#### **Monitoring and Enforcement**

The Protections from Tenant Harassment Program includes Monitoring of tenant harassment and Enforcement of the TAHO or other anti-harassment protections in circumstances where landlords have violated the ordinance and/or any other federal, State, or local regulation intended to prevent tenant harassment. Consistent with these Protections from Tenant Harassment Program Guidelines, LAHD may delegate some of these responsibilities to qualified LSPs at its discretion. Monitoring and Enforcement Activities include, but are not limited to:

- Investigation of harassment allegations filed by tenants, review of landlords that have a history of non-compliance with LAHD Code or Rent Divisions, or other regulatory enforcement for which non-compliance is associated with tenant displacement, harassment, or retaliation against tenants.
- After investigation, referrals of appropriate cases to the appropriate entity for potential criminal prosecution or civil litigation, and/or to non-profit organizations for tenant support and education. All referrals should include the full LAHD case file, supporting documentation, and other records to expedite fact investigation and litigation. All referrals should be in writing.
- Enforcement in the form of remedies, which may include fines under the Administrative Citation Enforcement (ACE) Program or referrals to the City Attorney's Office for potential criminal prosecution.
- Development of an accessible complaint intake system that is accessible to tenants in multiple languages.

- Ongoing LAHD use of the case management information technology platform to streamline case creation and file keeping, centralize communications, track complaints and compliance, and help establish the patterns and practices of potential TAHO violators.

### **Education**

An Education component of the Protections from Tenant Harassment Program shall be implemented by LAHD and non-profit organizations that may be part of the Contracting Partner(s), or other umbrella entity, to ensure that tenants are well-informed about tenant protections and resources and that landlords understand what constitutes tenant harassment and are aware of their obligations under the TAHO. Eligible activities include any Protections from Tenant Harassment activities engaged in coordination with or supplementary to outreach and education activities under the Homelessness Prevention Programs. Educational activities include, but are not limited to:

- Workshops, clinics, events, and other materials directed to tenants and landlord groups describing what constitutes a violation, what evidence is relevant, and how to make a complaint.
- Targeted outreach to tenants, including but not limited to units and buildings where potential harassment is suspected based on complaints and on landlord histories of non-compliance with LAHD enforcement that correlates with tenant displacement or retaliation against tenants.
- Workshops, clinics, events, and other materials directed to landlord groups, such as the Coalition of Small Rental Property Owners, Apartment Association of Greater Los Angeles (AAGLA), or the California Apartment Association (CAA), to train small landlords on the TAHO, including understanding their responsibilities, and where appropriate, providing technical assistance to support them in compliance.

### **Support**

In addition to the Monitoring and Enforcement and Education services identified in *Section 3.1*, support will be required by LAHD, the City Attorney's Office, LSPs, and non-profit organizations consistent with their identified roles. Support may include, but is not limited to:

- Establishment of a Task Force with the City Attorney, LAHD, LSPs, and non-profit tenant advocacy organizations to ensure coordination and to avoid duplication of effort. The Task Force should meet every quarter to discuss coordination and implementation.
- Training conducted by the City Attorney for LAHD and LSPs on the types of civil and criminal cases they may be litigating.
- Monitoring and reporting of Program activities, including, but not limited to, preparation of reports for LAHD, the COC, and City Council, showing how many

cases are in each phase of the system, including complaints, pending investigations, and resolved cases, as well as program evaluation.

- Reporting of outreach and education activities specific to the Protections from Tenant Harassment Program.

### **3.2 Program Budget**

ULA allocates three percent (3%) of overall annual program revenue for the Protections from Tenant Harassment Program. A minimum of thirty percent (30%) of Protections from Tenant Harassment Program expenditures are required to fund programs implemented by non-profit organizations consistent with these Protections from Tenant Harassment Program Guidelines.

### **3.3 Funding Priorities**

Funding allocated to the Protections from Tenant Harassment Program shall be apportioned and prioritized for the eligible activities identified in the Protections from Tenant Harassment Program Guidelines subject to the approval, discretion, and/or delegation from the Program Administrator.

Contingent on available resources, the Program Administrator may prioritize the deployment of resources to the following:

- Households that are at high risk of becoming homeless.
- Tenants in communities experiencing heightened displacement, as flagged by the City's new anti-displacement tool to identify communities, streets, and parcels most at risk for displacement by harassment.
- Buildings where low-income tenants may be targeted for displacement based on being long-term, low-income RSO tenants for whom rents are substantially below market.
- Owners with track records of harassment, illegal displacement, and non-compliance.

## **SECTION 4: IMPLEMENTATION PLAN**

The City of Los Angeles Tenant Anti-Harassment Ordinance (TAHO) was approved by the City Council and Mayor in September 2021. The City Council approved a preliminary staffing plan for the enforcement of the TAHO in the FY22/23 budget, and approved a full staffing and implementation plan for the ULA Protections from Tenant Harassment program in October 2023. The eligible activities identified in these Protections from Tenant Harassment Program Guidelines (*Section 2.3*) are consistent with and intended to enhance and expand the provision of services already being implemented by LAHD.

## SECTION 5: CONTRACTUAL SERVICES

Implementation of the Protections from Tenant Harassment Program requires contracting with LSPs and non-profit organizations. All procurement activities must be conducted consistent with the City Administrative Code and relevant City and LAHD policies. Upon completion of any existing contract term, the Program Administrator may consider extending the term of that contract consistent with the terms of the existing agreement or conducting a competitive bid for Protections from Tenant Harassment Program services, consistent with the City's competitive bidding requirements.

### 5.1 Evaluation and Selection Process

Award of a contract for Program services shall be based on a best value competitive bid. Prior to release of a Request for Proposals (RFP), LAHD shall establish a scoring system assigning values to the following criteria, and rating responses to proposals accordingly:

- 1) Experience and approach to providing services set forth in *Sections 2.3 and 3.1* of these Protections from Tenant Harassment Program Guidelines.
- 2) Experience with and approach to providing services to the communities anticipated to be most at risk of displacement due to tenant harassment.
- 3) A cost proposal for solicited services.

The COC may consider recommending an integrated RFP process that allows service providers to bid for multiple Homelessness Prevention Programs under the same ULA-funded contract.

### 5.2 City Living Wage Ordinance

All contractors shall comply with the Living Wage Ordinance, Los Angeles Administrative Code Section 10.37 et seq., as amended from time to time. Contractors further shall agree to comply with federal law proscribing retaliation for union organizing. Any subcontract entered into by a contractor for work to be performed under these Program Guidelines must include an identical provision.

### 5.3 Data Collection and Reporting

Consistent with *Section 4 (Program Metrics)* of the Introduction to these Protections from Tenant Harassment Program Guidelines, information on the number of tenants receiving education, the number of landlords receiving education, and enforcement activities shall be collected and provided to the LAHD on a monthly basis. Wherever relevant, data shall be disaggregated by race, family composition, sexual orientation, age, ability, gender, and location (address, zip code, and Council District). This information includes, but is not limited to:

- Number of tenants receiving educational services, with sociodemographic data as deemed available.
- Number of residents served by Council District, disaggregated and searchable by race, family composition, sexual orientation, age, ability, and gender.
- Number of landlords receiving educational services.
- Number of events hosted and number and type of attendees.
- For enforcement activities, LSPs shall provide information on the number of cases, number of tenants, procedural status of cases, hearing outcomes, habitability improvements undertaken, or damages awarded to tenants.
- Fines and penalties issued by LAHD.
- For enforcement activities, LAHD shall request information from the City Attorney on the number of civil and criminal cases, number of tenants, status of case, complexity of cases, fines and penalties issued, hearing outcomes, habitability improvements undertaken.
- Quarterly reporting and updates from the Task Force described in *Section 3.1*.
- Number of Tenant Harassment cases subject to LAHD Monitoring.
- Number of referrals from LAHD Monitoring to City Attorney for Enforcement.
- Number of ACE Citations issued.
- Number of referrals from LAHD Monitoring to LSPs for Enforcement.
- Outcomes of all referrals from LAHD Monitoring to City Attorney and LSPs.