September 18, 2020

Via Electronic Mail

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


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

At the September 21st City Council meeting, the Council will consider clarifying sections of the City’s temporary residential eviction moratorium to comport with Assembly Bill 3088, clarifying provisions that prohibit residential evictions based on the presence of companion animals, and maintaining the other local prohibitions contained within the City’s current temporary residential eviction moratorium through January 31, 2021.

The California State Legislature has enacted the “Tenant, Homeowner, and Small Landlord Relief and Stabilization Act of 2020”, effective as of September 1, 2020. The state law preempts localities in regard to extension of local moratoriums, and specifically states under Section 1179.05(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 the following: (1) Any extension, expansion, renewal, reenactment, or new adoption of a measure, however delineated, that occurs between August 19, 2020 and January 31, 2021, shall have no effect until February 1, 2021”. This section is not limited to evictions for non-payment of rent. Accordingly, based on the new law, the Association believes that the City does not have the legal authority to extend any of the local residential eviction prohibitions contained within the City’s temporary eviction moratorium.

Thank you for your time and consideration of these matters. If you have any questions, please call me at (213) 384-4131; Ext. 309 or contact me via electronic mail at danielle@aagla.org.

Very truly yours,

Danielle Leidner-Peretz

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