



# AUDIT OF THE CITY'S IMPLEMENTATION OF THE TENANT ANTI-HARASSMENT ORDINANCE





April 3, 2025

Honorable Karen Bass, Mayor  
Honorable Hydee Feldstein Soto, City Attorney  
Honorable Members of the Los Angeles City Council

**Re: The City's Implementation of the Tenant Anti-Harassment Ordinance (TAHO)**

A core tenet in our society is that a person should have safety, security, and serenity in their home. In the City of Los Angeles, where more than 60% of households are made up of renters and a significant number of renters live in rent-controlled units, some landlords have resorted to tenant harassment to force tenants from their homes. This harassment takes many forms, including threats of physical harm, reduced housing services (e.g., taking a parking spot, shutting off heat, removing laundry services), withholding necessary repairs, and immigration status-based harassment. As the City contends with a housing shortage and the inability to house tens of thousands of Angelenos, tenant harassment not only causes detriment and harm to the individual tenants but it pushes them toward displacement and further exacerbates the homelessness crisis.

Our Office conducted this audit to evaluate the City's implementation of the Tenant Anti-Harassment Ordinance (TAHO), enacted in June 2021, and determine whether the law was achieving its goals to protect vulnerable tenants and hold unethical landlords accountable for harassment. We reviewed the features of the TAHO program and focused our assessment on the implementation, enforcement, and tracking of TAHO complaints and violations.

We found that the TAHO program was not effectively designed, resourced, or implemented. The TAHO program has lacked structure, and does not have a well-established set of standards for conducting investigations or initiating enforcement actions. TAHO is neither achieving its goal of holding landlords who harass their tenants accountable, nor deterring future instances of harassment. For example, **72% of respondents to our audit survey (comprised of tenants who had recently submitted a TAHO complaint) reported that their landlord continued to harass them even after their TAHO case was closed.**

The Los Angeles Housing Department (LAHD) is the primary department responsible for implementing TAHO. The audit reviewed TAHO implementation from the August 2021 rollout through December 2023. It became evident that the lack of efficacy in implementation and enforcement was due in large part to the City's failure to empower LAHD with the necessary resources to properly investigate complaints or the authority to independently enforce TAHO. Another contributing factor is LAHD's failure to develop a comprehensive TAHO investigation and enforcement program.

We found that LAHD did not receive additional staffing to support its implementation efforts during the rollout and has only incrementally increased its staffing in recent years. In addition to lacking staffing resources, LAHD has not provided formal training and guidance to investigators responsible for investigating TAHO complaints nor has it developed a formal set of policies and procedures to govern implementation and enforcement.

LAHD's enforcement power is extremely limited. Upon evidence of a TAHO violation, LAHD investigators have the authority to send a "TAHO Letter" to the landlord in the hopes that this would inspire landlords to voluntarily comply with TAHO mandates. In instances of non-compliance, LAHD could refer the matter to the City Attorney's Office, which has the power to bring criminal and civil complaints on behalf of the city, to act on enforcing TAHO through the means available to that office. As of July 2024, **only 23 out of over 11,000 total TAHO complaints had been referred to the City Attorney's Office** for enforcement beyond the letter that LAHD is authorized to issue upon a finding of a TAHO violation.

## Key Findings

- **72%** of respondents to our audit survey (tenants who had recently submitted TAHO complaints) reported that their landlord **continued to harass** them even after their TAHO case was closed.
- LAHD has **not** provided its housing investigators with **adequate guidance** for managing TAHO complaints.
- **Inadequate staffing and resources** have limited LAHD's ability to carry out investigations and enforcement of TAHO.
- LAHD's **ability to enforce** TAHO has mainly consisted of **sending educational letters**. For enforcement beyond that, it has **heavily relied on the City Attorney's Office**.
- **There were 10,968 TAHO complaints** submitted to LAHD between February 2022 and December 2023.
- As of July 2024, **only 23 TAHO complaints** were referred to the City Attorney's Office for enforcement beyond sending an educational letter.
  - Only 4 citations (non-criminal administrative) were issued.
  - Only 4 cases were referred for alternative resolution proceedings.
  - All other cases are either under review for potential criminal filings, or have been rejected from prosecution.
- LAHD's Rent Division, the division responsible for implementing TAHO, **initially did not receive any funding or dedicated staff** to implement TAHO.
- LAHD **has not established clear guidelines for determining whether a TAHO violation has occurred**.
- LAHD **has not established formal policies or procedures** for conducting TAHO investigations.
- LAHD **did not provide its housing investigators with sufficient training** on how to conduct TAHO investigations.
- Based on a review of a sample of TAHO cases, the Controller's Office found that only 21% of complaints resulted in a complete investigation.
- **Case outcome data is not standardized**, so case outcomes cannot be accurately tracked.
- A **survey** conducted by the Controller's Office showed that LAHD's **efforts to address harassment by landlords** has **not been effective**:
  - **72%** of tenants reported their landlords were **continuing to harass** them even **after** TAHO cases were reported, investigated, and closed.

- **41%** of tenants reported that **LAHD did not clearly communicate what evidence was needed** to substantiate a harassment allegation.
- **50%** of tenants were **unsure of the outcome** of their TAHO case.
- Tenants were **confused** by LAHD's TAHO **investigation process**.

### Key Recommendations

- The City should assess the feasibility of revising TAHO to provide LAHD with the authority to independently issue **administrative citations and fines** in response to identified violations of the law.
- The City should assess the feasibility of **increasing citation fine amounts** for TAHO violations.
- City Council should consider amending TAHO language to **increase the maximum civil penalty amount** for TAHO violations.
- City Council should consider amending TAHO language to **guarantee** the awarding of **additional civil penalties** to prevailing tenants that are **older than 65** or that have **disabilities**.
- LAHD should **establish formal policies and procedures** for managing TAHO cases.
- LAHD should **provide formal training** on TAHO for housing investigators.
- LAHD should **hire additional housing investigators** to conduct TAHO investigations..
- LAHD should **develop a tracking and enforcement protocol** that will allow the department to **identify and track rental units which become vacant due to confirmed violations of TAHO**.

The City has made efforts to strengthen TAHO since 2021. While the ordinance has been updated to include guaranteeing attorneys' fees for prevailing tenants, establishing a minimum civil penalty of \$2,000, and requiring that prevailing tenants be awarded three times the amount of the determined compensatory damages, among other revisions it still fails to address the underlying flaws in the City's implementation and enforcement of TAHO. We must do more to protect our tenants and ensure the spirit of the law is vindicated. Our office remains committed to researching and assessing TAHO implementation and enforcement performance, and making recommendations for how we can more effectively shield tenants from unlawful conduct by landlords. We hope this audit will be a vital tool for our City to understand the work that needs to be done in providing tenants with the protections they deserve and getting landlords to abide by the legal requirements spelled out in the TAHO ordinance.

Sincerely,



Kenneth Mejia, CPA

City Controller





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Abbreviations Used in This Report	
<b>ACE</b>	Administrative Citation Enforcement
<b>ACS</b>	American Community Survey
<b>CD</b>	Council District
<b>CEU</b>	Code Enforcement Unit
<b>CPI</b>	Consumer Price Index
<b>DCR</b>	Department of Cannabis Regulation
<b>FMR</b>	Fair Market Rent
<b>GAO</b>	U.S. Government Accountability Office
<b>HCID</b>	Housing and Community Investment Department
<b>HUD</b>	Department of Housing and Urban Development
<b>I&amp;E</b>	Investigations and Enforcement
<b>JCO</b>	Just Cause Ordinance
<b>LAAC</b>	Los Angeles Administrative Code
<b>LADBS</b>	Los Angeles Department of Building and Safety
<b>LAHD</b>	Los Angeles Housing Department
<b>LAMC</b>	Los Angeles Municipal Code
<b>RSO</b>	Rent Stabilization Ordinance
<b>SCEP</b>	Systematic Code Enforcement Program
<b>TAHO</b>	Tenant Anti-Harassment Ordinance
<b>ULA</b>	United to House LA



## EXECUTIVE SUMMARY

More than 60% of households in the City of Los Angeles (City) are made up of renters. A significant number of those Angelenos live in rent-controlled apartments and are struggling to get by. **This reality—and the steady growth in housing costs—can exacerbate the inherent tension between renters and property owners.**

The City's Rent Stabilization Ordinance (RSO) was designed to limit annual rent increases for occupied units, but landlords are permitted to raise rents to market rates when a tenant willingly vacates their unit. **Driven by the potential for financial gain, some landlords use harassment as a tactic to circumvent the RSO and oust tenants from their rent-stabilized units.** Once "willingly" vacated, the units can be leased to new tenants at higher, market rates. Displaced tenants may struggle to secure affordable housing in their communities and may experience significant disruption to their lives. Tenants of non-RSO units can also face harassment when landlords decide they want a tenant to vacate, but have no legal right to initiate an eviction.

The City passed its Tenant Anti-Harassment Ordinance (TAHO) in June 2021 to protect renters and deter unethical landlords from misconduct. Modeled after similar laws implemented in other California jurisdictions, **TAHO applies to all rental properties in the City, and prohibits landlords from engaging in harassing actions directed towards tenants, such as threatening a tenant with physical harm, reducing housing services, or failing to perform repairs to a unit in a timely manner.** Landlords who violate TAHO can be subject to a range of penalties including fines, civil lawsuits, and criminal prosecution.

**The City tasked the Los Angeles Housing Department (LAHD) as the primary entity responsible for implementing TAHO.** Within LAHD, the Rent Stabilization Division (Rent Division) has historically been responsible for receiving complaints from tenants alleging RSO violations (e.g., illegal evictions and illegal rent increases) and conducting investigations to determine whether RSO violations occurred. In February 2022, "Harassment" was added as an allegation type to the Rent Division's complaint management system.

The passage of TAHO led to a significant uptick in workload for Rent Division investigators—more than 10,000 TAHO complaints were received between February 2022 and December 2023. During this period, tenant advocacy groups and elected officials began raising concerns about a lack of TAHO enforcement. The City Council has made some updates to the TAHO ordinance in recent months in an effort to improve protections for tenants. While those updates represent positive changes, the City must do more to enhance tenant protections and address the underlying programmatic issues impacting the City's tenant anti-



harassment program.

**Our Office initiated this audit to evaluate the City's implementation of TAHO and determine whether the ordinance was achieving its goals to protect vulnerable tenants and hold unethical landlords accountable for harassment.** Specifically, we sought to answer the following questions:

- Has TAHO resulted in improved protections for tenants facing harassment?
- Are LAHD's complaint intake and investigative functions effectively processing and resolving TAHO complaints?
- When landlords are found to be harassing tenants, what processes are in place to enforce compliance with TAHO and related housing laws?
- What processes are in place to escalate and refer substantiated TAHO allegations to the City Attorney's Office?

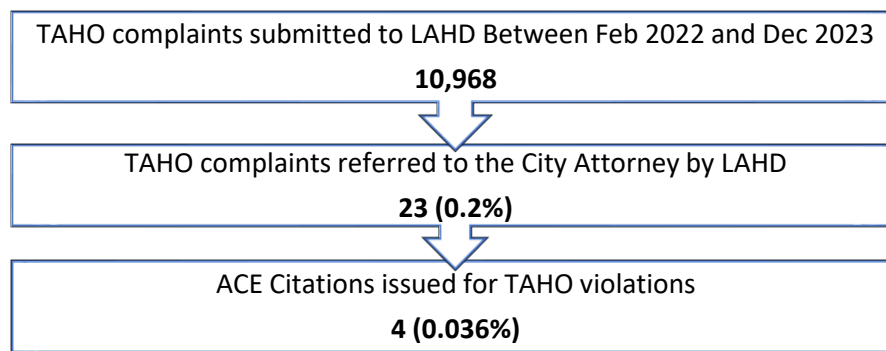
The scope of the audit primarily covers the City's rollout of TAHO between August 2021 and December 2023. We also developed and administered a survey to tenants who submitted TAHO complaints to better understand their experiences and gauge their perception of the effectiveness of LAHD's TAHO program. **This report offers recommendations designed to improve LAHD's TAHO investigation and enforcement program, and deliver much needed protection to tenants facing harassment.**

## **What We Found**

**Overall, we found that the TAHO program was not effectively designed, resourced, and implemented. We found significant issues that indicate the City is neither achieving its goal of holding landlords accountable for tenant harassment, nor deterring future instances of harassment.**

LAHD has not provided Housing Investigators with adequate guidance for investigating and managing TAHO complaints, and investigators have found that harassment can be difficult to substantiate due to the complex nature of the allegations. LAHD's ability to enforce TAHO when a property owner is found to have violated the ordinance is limited. LAHD has been heavily dependent on the City Attorney's Office to enforce TAHO. Additionally, staffing and resource challenges have limited LAHD's ability to carry out TAHO investigations and enforcement efforts, as the introduction of TAHO led to a large influx of cases for both RSO and non-RSO units. We identified several areas of concern regarding the City's response to allegations of tenant harassment.

- **Between February 2022 and December 2023, the Rent Division received 10,968 TAHO complaints from tenants. Yet, the City Attorney’s Office reported receiving only 23 TAHO case referrals from LAHD as of July 2024 and has not initiated any criminal filings against property owners as a result of those referrals.** The City Attorney’s Office has issued four non-criminal, administrative citations to a single property owner through its Administrative Citation Enforcement (ACE) program. The office sent four cases to the City Attorney Hearing program, which is an informal proceeding that is conducted as an alternative to a misdemeanor criminal prosecution. All other cases are either under review for potential criminal filings, or have been rejected for prosecution.<sup>1</sup>



- **Our analysis of TAHO case data found that the department’s primary enforcement action is to send a property owner an informational TAHO letter which advises them of TAHO’s tenant protections.** If an investigator is unable to gain compliance from a landlord through the issuance of letters, LAHD is highly dependent on the City Attorney’s Office for additional enforcement actions.
- **Although LAHD’s Rent Division has been accepting and investigating TAHO complaints for the past three years, the division has not established formal policies and procedures for conducting TAHO investigations.** The lack of policies and procedures creates a challenging work environment for the division’s Housing Investigators because they do not have clear guidelines for conducting investigations,

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<sup>1</sup> The City Attorney’s Office is responsible for providing legal guidance to City departments. The City Attorney’s Office declined the Audit Services Division’s request to meet or communicate directly with its subject matter experts during this audit engagement. Audit Services Division staff requested meetings with subject matter experts to discuss TAHO’s requirements, LAHD’s efforts to implement TAHO, and the challenges facing the City as it works to enforce the ordinance. The City Attorney’s Office would only allow Audit Services Division staff to submit questions to a liaison in writing. The inability to meet with City Attorney’s Office personnel limited the audit team’s ability to assess the legal issues associated with TAHO and LAHD’s TAHO enforcement program. This may impact some of the analysis contained in this report.

or for determining whether a TAHO violation has occurred. Additionally, LAHD did not provide its Housing Investigators with sufficient training on how to conduct TAHO investigations.

- **Rent Division investigators do not categorize case closure dispositions (which indicate the outcome of a case) in a standardized manner. As a result, the division cannot rely on closure disposition data in its case management system to accurately track case outcomes for TAHO investigations, nor can it analyze program performance.** We analyzed a random sample of 92 TAHO cases and found that, based on the case closure summaries contained in the investigation management system, complete investigations for TAHO complaints occurred for only 21% of cases, and **investigators typically closed harassment cases after sending an informational letter to the property owner.**<sup>2</sup>
- Responses to our survey of tenants who submitted TAHO complaints indicated that a majority of tenants believe LAHD's efforts to address harassment by landlords has not been effective. **Our survey showed that 72% of tenants believed their landlord continued to harass them even after the submission and closure of their TAHO complaint.** Tenants also said that they were confused by LAHD's TAHO investigation process. The survey indicated 41% of tenants believed that LAHD did not clearly communicate the evidence that was needed to substantiate an allegation of harassment, and 50% of tenants were unsure about the outcome of their TAHO case.
- The June 2021 passage of TAHO resulted in a significant increase in the number of RSO complaints submitted to LAHD, creating workload challenges for the department. The number of RSO complaints doubled between 2021 and 2023—from 7,194 complaints to 14,576 complaints. Despite the sharp increase in the division's workload, **the Rent Division initially did not receive any funding or position authorities to implement TAHO.**
- TAHO was initially designed to be enforced through private litigation by giving tenants the right to sue property owners for TAHO violations in civil court. However, **TAHO initially did not guarantee that attorneys' fees or civil penalties would be awarded to prevailing tenants.** This likely discouraged private attorneys from representing clients with TAHO claims.

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<sup>2</sup> We made determinations on completeness based on case reporting requirements contained in the LAHD Investigation and Enforcement Procedures Manual. The manual governs the RSO investigation process and requires investigators to summarize the facts of the case, the evidence submitted by the tenant, any laws that were violated, and the investigator's final determination for the case.



- **Compared to other jurisdictions with tenant anti-harassment programs, such as the City of Santa Monica and the City of West Hollywood, LAHD's complaint intake process requires very little information about the alleged harassment.** This often requires the department to initiate TAHO investigations without basic information about the alleged harassment. The current TAHO complaint intake process also likely results in the submission of complaints that would be difficult to substantiate due to a lack of evidence, and the submission of allegations that may not constitute harassment based on the ordinance's harassment definition.

In November 2024, the City Council approved revisions to the TAHO ordinance intended to strengthen the law and address some of its initial flaws. Those changes included guaranteeing attorneys' fees for prevailing tenants, establishing a minimum civil penalty of \$2,000, and requiring that prevailing tenants be awarded three times the amount of the determined compensatory damages, among other revisions. **While they are a positive step, the updates to the ordinance do not address the underlying flaws in the City's administration and enforcement of TAHO.** The City should also consider additional updates to the ordinance to further enhance tenant protections.

### **What We Recommend**

**The City must take steps to improve its TAHO investigation and enforcement program to protect tenants from unethical property owners seeking to make living conditions for tenants difficult.** LAHD should develop and strengthen its TAHO program and provide formal training to LAHD investigators to ensure they are equipped to conduct thorough investigations of harassment allegations, and manage cases in a consistent manner. The City Council should also consider making additional changes to the ordinance to provide new enforcement authorities to LAHD, and strengthen penalties for property owners when either the City or the court determines they have violated TAHO.

To improve LAHD's ability to enforce TAHO and deter landlords from harassing tenants, the department should work in conjunction with the City Attorney's Office and City Council to:

- **Assess the feasibility of revising TAHO to provide LAHD with the authority to independently issue administrative citations and fines in response to identified violations of the law.**
- **Assess the feasibility of increasing ACE citation fine amounts to a level that is commensurate with the harm that tenant harassment poses to the community, and discourages landlords from engaging in tenant harassment.**

To improve the TAHO complaint review and investigation process and standardize the department's management of TAHO cases, LAHD should:

- **Establish formal policies and procedures for managing TAHO cases.** Policies and procedures should address (1) the investigation of TAHO cases, (2) harassment determinations and evidence standards for the substantiation of harassment, (3) the referral of cases to the TAHO Task Force and the City Attorney's Office, and (4) the standardization of case closure dispositions and other relevant fields in LAHD's case management system.
- **Develop and deliver formal training to Housing Investigators** to provide guidance and share best practices for the investigation of TAHO complaints and the TAHO complaint management process.
- **Develop a tracking and enforcement protocol that will allow the department to identify and track rental units which become vacant due to confirmed violations of TAHO**, and ensure those units are rented at lawful rates, as prescribed by the ordinance. Examples of confirmed violations could include a court finding or the issuance of a citation from the City.

To encourage enforcement of TAHO through private litigation and deter landlords from engaging in acts of tenant harassment, the City should consider amending the language in TAHO to:

- **Increase the maximum civil penalty amount for TAHO violations, in line with peer jurisdictions.**
- **Guarantee the awarding of additional civil penalties to prevailing tenants in TAHO cases that are older than 65 or disabled.**

To improve the TAHO complaint intake and case management process and maintain a manageable workload for the Rent Division, LAHD should:

- **Hire and train additional Housing Investigators**, and ensure that the new investigators possess the necessary specialized skill set to conduct efficient and effective TAHO investigations.
- **Modify the TAHO complaint intake process to require more information from tenants**, including which TAHO provisions the tenant believes the property owner has violated, descriptions of the alleged violations, and evidence to support each claim.
- **Expand the online complaint submission forms to languages other than English and Spanish.**

**No Angeleno, particularly those who rely on rent-stabilized housing, deserves to be subjected to harassment by unethical property owners.** However, for as long as financial incentives exist to displace tenants from their homes, the City will need to act to ensure tenants are protected. **By implementing the recommendations in this report, we believe that the City and LAHD will strengthen its response to TAHO allegations, and provide much needed relief to the tenants experiencing harassment.**



## BACKGROUND

On June 23, 2021, the Los Angeles City Council passed the Tenant Anti-Harassment Ordinance (TAHO). TAHO added a new article to the Los Angeles Municipal Code (LAMC) codifying the protections, and updated the City's existing Rent Stabilization Ordinance (RSO). The law prohibits landlords from engaging in harassing conduct directed towards tenants. TAHO covers all residential rental units in the City of Los Angeles (City), and was developed in response to increased reports of "tenant harassment" by landlords. As defined in the ordinance, tenant harassment includes actions such as misrepresenting to a tenant that they are required to vacate their unit, threatening a tenant with physical harm, reducing housing services, intentionally disturbing a tenant's peace and quiet, failing to perform necessary repairs, and refusing to accept a tenant's rent payments.

The Los Angeles Housing Department (LAHD), which is the lead City department for overseeing the City's affordable housing programs and regulatory and code enforcement for multifamily housing, is responsible for TAHO implementation. The risk of harassment is most significant for people living in rent stabilized housing units. Housing advocates assert that some landlords use tenant harassment as a tactic to motivate tenants to move out of rent-stabilized units (i.e., rental units subject to rent increase limits). Once a tenant voluntarily vacates a rent-stabilized unit, landlords in the City have the ability to lease the unit out to a new tenant and charge higher, market-rate rents.

The primary purpose of this audit was to evaluate the effectiveness of LAHD's implementation of TAHO. Audit staff sought to answer the following questions:

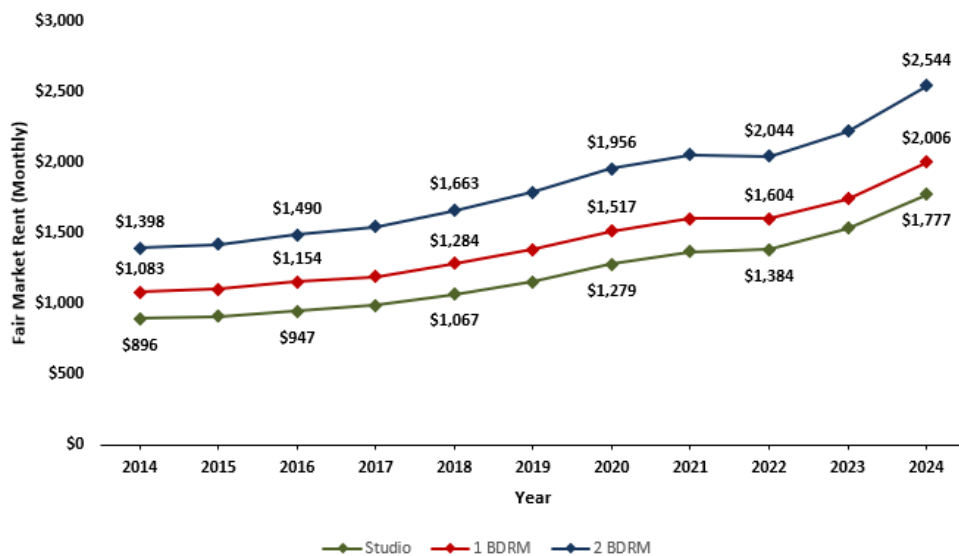
- Has TAHO resulted in improved protections for tenants facing harassment?
- Are LAHD's complaint intake and investigative functions effectively processing and resolving TAHO complaints?
- When landlords are found to be harassing tenants, what processes are in place to enforce compliance with TAHO and related housing laws?
- What processes are in place to escalate and refer substantiated TAHO allegations to the City Attorney's Office?

TAHO became effective on August 6, 2021. This audit primarily covers LAHD's efforts to implement and enforce TAHO between August 2021 and December 2023. This audit also examines updates to the TAHO ordinance passed by the City Council in November of 2024, and potential impacts of those changes.

## The Housing Landscape in Los Angeles

Over the past decade, the prices for rental housing in Los Angeles have sharply increased, intensifying the cost burden for many renters. According to the U.S. Department of Housing and Urban Development (HUD), the fair market rent (FMR) for a one-bedroom apartment in the Los Angeles metropolitan area increased by approximately 85%--from \$1,083 in 2014 to \$2,006 in 2024. The FMR for studio apartments increased by 98% and the FMR for two-bedroom units increased by 82%.

**Figure 1: HUD's Fair Market Rent in Los Angeles (2014-2024)**



The increase in housing costs has far outpaced increases in worker wages, which creates a heavy cost burden for renters. The most recent housing data released by the U.S. Census Bureau indicates that renters in Los Angeles spend a large portion of their household income to pay rent for housing. **HUD defines “cost-burdened” households as those paying more than 30% of household income to housing. According to the 2023 American Community Survey (ACS), renters in 531,381 out of 904,772 (59%) occupied rental units in the City paid 30% or more of their household income to rent.**

Cities across California have passed rent control laws to create and maintain affordable housing. However, state law places certain limits on local rent control laws, and under certain circumstances allows landlords to increase rents on units subject to rent increase restrictions.

### **Rent Stabilization Ordinance (RSO)**

The City's RSO was developed in the late 1970s in response to years of rising home values, inflation, and rapidly rising rents. The RSO was passed and went into effect on May 1, 1979. Originally, the RSO was to be renewed annually, but the law was made permanent in April

1982. The purpose of the RSO is “to regulate rents so as to safeguard tenants from excessive rent increases, while at the same time providing landlords with just and reasonable returns from their rental units.”<sup>3</sup> The law controls and limits annual rent increases for RSO-protected rental units to a percentage between 3% to 8%, depending on the Consumer Price Index (CPI) for the previous 12-month period.<sup>4</sup>

The RSO also provides other benefits to renters, including prohibitions against evictions under certain circumstances and relocation assistance for certain types of legal evictions. Rental units built before October 1, 1978 are generally RSO-protected. The RSO generally does not apply to single family homes or rental units in buildings constructed after October 1, 1978. As of April 2024, there are approximately 661,000 RSO-protected rental units located across 156,000 properties in the City. Additionally, there are approximately 381,000 rental units that are not protected by the RSO (non-RSO units) also located within City limits. See **Appendix A** for a summary of additional protections provided by the RSO.

### **Costa-Hawkins Rental Housing Act**

In 1995, the State of California passed the Costa-Hawkins Rental Housing Act, which placed limitations on local rent control laws.<sup>5</sup> Prior to the passage of the act, some cities in California, such as Santa Monica and Berkeley, had rent control laws that allowed cities to set the prices that property owners could charge for vacant units. After the Costa-Hawkins Act was passed, cities were generally no longer allowed to restrict the price of vacant rental units. Landlords were given the power to set rental prices for unoccupied units, but cities retained the power to regulate rents for occupied units.

Given that the owners of rent-stabilized units in Los Angeles can raise rental prices to market rates once a unit becomes vacant, a landlord may be incentivized to oust existing tenants for financial gain. This dynamic contributes to an environment where harassment of tenants can take place. Many other cities in California have sought to protect renters from harassment by property owners and passed tenant anti-harassment laws, including neighboring jurisdictions Santa Monica and West Hollywood. Both cities passed their tenant anti-harassment laws in 1995.

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<sup>3</sup> Los Angeles Municipal Code Section 151.00 – 151.33

<sup>4</sup> The Consumer Price Index (CPI) is a U.S. Department of Labor measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services.

<sup>5</sup> California Civil Code, Chapter 2.7. Residential Rent Control [1954.50 – 1954.535]

## The City's Tenant Anti-Harassment Ordinance (TAHO)

The Los Angeles City Council's efforts to pass an ordinance protecting tenants from harassment began in February 2017 with a City Council motion that instructed LAHD to review anti-tenant harassment laws from other California cities and report on the feasibility of the City adopting a comparable law of its own. The City Council ultimately passed TAHO (Ordinance No. 187109) on June 23, 2021 and it went into effect on August 6, 2021.

TAHO added Article 5.3 to Chapter IV (Public Welfare) of the LAMC "to prohibit and deter tenant harassment by landlords in all rental units." TAHO applies to all rental housing units in the City, which includes multifamily housing units (i.e., apartments) and single-family homes. The law's Declaration of Purpose states that TAHO "provides an aggrieved tenant with a private right of action and affirmative defense in eviction, ejectment, and other actions." **In simple terms, TAHO allows tenants to bring civil lawsuits against landlords that engage in tenant harassment, and the law also provides some protections for tenants facing eviction.** TAHO also added Section 151.33 to the City's RSO (LAMC Chapter XV), specifying that all RSO rental units are protected from harassment as provided in TAHO.

When passed in 2021, TAHO defined **"tenant harassment"** as a landlord's knowing and willful course of conduct that causes detriment and harm to a tenant and serves no lawful purpose. The summary below describes the 16 actions that were specifically prohibited by TAHO. Tenant harassment includes, but is not limited to, the actions listed below.<sup>6</sup> See **Appendix B** for the full harassment definitions under the 2021 TAHO ordinance.

1. Reducing or eliminating housing services, including parking
2. Failing to perform repairs and maintenance in a timely manner; or failing to minimize exposure to harmful noise, dust, lead paint, asbestos or other building materials
3. Abusing the right of access to a rental unit, including entering and photographing
4. Threatening a tenant with physical harm
5. Attempting to coerce a tenant to vacate a unit with offers of payments
6. Misrepresenting to a tenant that the tenant is required to vacate a unit; or enticing a tenant to vacate a unit through lies or omissions of facts
7. Threatening or acting to terminate a tenancy based upon facts which the landlord has no reasonable cause to believe to be true

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<sup>6</sup> The November 2024 TAHO ordinance update added an additional protection generally prohibiting landlords from unilaterally requiring an existing tenant to agree to a new rental agreement.



8. Threatening to or engaging in actions that interfere with the tenant's right to use and enjoy a rental unit
9. Refusing to accept rent payments
10. Inquiring into or requiring a statement about a tenant's immigration or citizenship status
11. Disclosing or threatening to disclose a tenant's immigration or citizenship status
12. Disclosing or threatening to disclose information about a tenant to any government entity for engaging in legally protected activities
13. Engaging in any activity prohibited by housing anti-discrimination laws
14. Retaliating, threatening, or interfering with tenant organizing activities
15. Interfering with or requesting information that violates a tenant's right to privacy
16. Other repeated acts or omissions that interfere with or disturb the comfort or peace and quiet of a tenant

Landlords found to have violated TAHO may be subject to a range of penalties, including civil penalties, criminal penalties, and a rent adjustment penalty. Civil and criminal penalties must be assessed by a court.

- **Civil penalties** – TAHO listed potential civil penalties that may be awarded to tenants. The law initially stated that a “tenant prevailing in court under this article may be awarded compensatory damages, rent refunds for reduction in housing services, reasonable attorney’s fees and costs, imposition of civil penalties up to \$10,000 per violation...and other appropriate relief, as adjudged by the court.” The law also stated that violations against tenants that are older than 65 or disabled may result in additional civil penalties of up to \$5,000 per violation.
- **Criminal penalties** – The ordinance states that “a violation of any provision of this article is punishable as an infraction or misdemeanor.” Misdemeanor convictions can result in a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.
- **Rent adjustment penalty** – TAHO contains an additional provision that prohibits landlords from raising rents if a unit becomes vacant due to tenant harassment. The ordinance states that any RSO unit that becomes vacant as a result of a TAHO violation “shall only be permitted to be rented at the lawful rent in effect at the time of the most recent termination of tenancy.”

In November 2024, the Los Angeles City Council passed Ordinance No. 188416 to update TAHO and revise some of its provisions. Specifically, it required the awarding of attorneys' fees to prevailing tenants, and established a minimum civil penalty of \$2,000. It also updated TAHO requirements regarding the awarding of compensatory damages to tenants, and changed the definition of tenant harassment from a landlord's "knowing and willful" conduct directed at a specific tenant or tenants that causes detriment and harm, to a landlord's "bad faith" conduct that harms tenants.

## The Los Angeles Housing Department's TAHO Enforcement Role

LAHD is responsible for proposing, developing, and implementing a comprehensive city-wide affordable housing policy which promotes the production and preservation of affordable housing in the City. Its responsibilities include housing policy analysis and development, serving as a public lender to support the construction of affordable housing, and regulatory and code enforcement for multifamily rental housing within the City.

LAHD's Rent Stabilization Division (Rent Division) is responsible for enforcing the RSO and TAHO. The City Council passed TAHO in the midst of the COVID-19 pandemic, during a period of significant budget uncertainty for the City. The Rent Division did not receive any initial funding for TAHO implementation when the law passed in June 2021. The City's adopted budget for the Rent Division in Fiscal Year (FY) 2022-23 and FY 2023-24 allocated four positions for the implementation of TAHO. The four positions included one Senior Housing Investigator, two Housing Investigators, and one Communications Information Representative. The adopted budget for FY 2024-25 added ten additional positions to LAHD's TAHO program, which included additional investigation and code inspection positions. Table 1 shows the positions and associated funding for TAHO implementation from FY 2021-22 through FY 2024-25.

**Table 1: LAHD Budgeted Positions for TAHO (FY 2022-23 – FY 2024-25)**

	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
<b>Total Budget for TAHO Positions</b>	\$0	\$290,612 <sup>7</sup>	\$555,689	\$2,321,612
<b>Full Time Equivalent Positions</b>	0	4	4	14

Within the Rent Division, a group known as the TAHO Task Force is responsible for managing LAHD's TAHO implementation efforts. The TAHO Task Force has been comprised of one Principal Housing Inspector, two Senior Housing Investigators, and one Housing Investigator. As of May 2024, LAHD's Rent Division had 21 Housing Investigators that are responsible for

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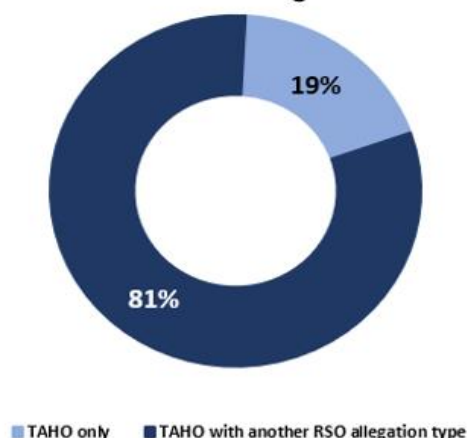
<sup>7</sup> For FY 2022-23, the adopted budget included six-months funding for TAHO implementation.

carrying out investigations related to the RSO, TAHO, and several other housing code issues. Investigators work out of four LAHD regional offices. The division also employs seven contract paralegals that serve as investigators. Investigators operate out of four LAHD offices that are located throughout the City (Central/Sunset, South, East, and North/Valley).

### **TAHO Complaint Management**

Allegations of TAHO violations that are submitted to LAHD are received and managed by the Rent Division as an RSO complaint, whether or not the tenant submitting the complaint lives in an RSO-covered rental unit. Tenants can file a TAHO complaint with LAHD online, over the phone, or in-person at an LAHD office.

**Figure 2: TAHO Complaints Submitted with Another RSO Allegation**



The “harassment” allegation was added to the department’s complaint case management system and online complaint intake form in February 2022. Between February 2022 and December 2023, LAHD received 10,968 TAHO complaints.<sup>8</sup> As shown in Figure 2, TAHO complaints are usually submitted along with other RSO allegation types, rather than being submitted as a standalone allegation.

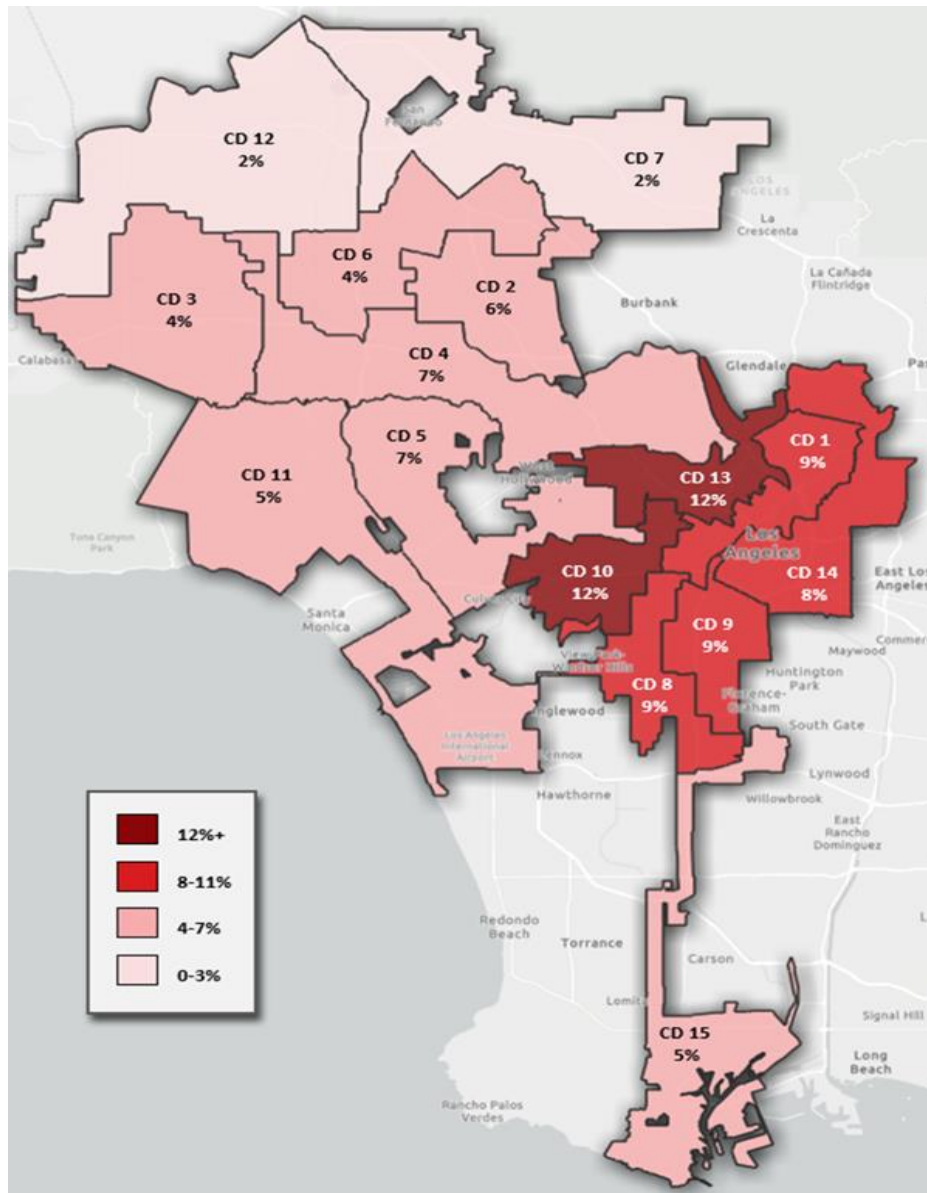
TAHO cases are submitted to LAHD from tenants from across the City. However, certain communities account for a larger share of

harassment complaints than others. Council District 10, which includes the neighborhoods of Koreatown and Crenshaw, and Council District 13, which includes East Hollywood and Echo Park, each accounted for 12% of TAHO complaints submitted to LAHD. Figure 3 below displays a map showing the percentage of TAHO complaints submitted by Council District. See **Appendix C** for a detailed breakdown of TAHO complaint submission totals by Council District.

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<sup>8</sup> This figure includes complaints where only a TAHO violation is alleged, as well as complaints that include both TAHO and other housing allegation types within a single complaint.

**Figure 3: TAHO Complaint Submissions by Council District**



The Rent Division logs and tracks TAHO complaints in its RENT case management system. Upon receiving a TAHO complaint, the complaint is assigned to a Housing Investigator. Though the complaint review and investigation process can vary case-by-case, investigators are responsible for collecting facts and evidence, interviewing relevant parties, and determining whether the facts of the case warrant a referral to the TAHO Task Force. Investigators are responsible for inputting case information into the RENT system. This includes evidence, records of communications with tenants, and case summaries containing the facts of the investigation.

When an investigator identifies a possible TAHO violation, the investigator may work with the landlord to resolve the issue and ensure full compliance with the ordinance. Investigators can also send letters to landlords (sometimes referred to as TAHO informational letters in this report) informing them of TAHO protections and warning them of potential penalties.

If a landlord fails to comply, the TAHO Task Force may refer the case to the City Attorney's Office for further action. The TAHO Task Force specifically seeks to identify cases where harassment by landlords is egregious or where there has been a pattern of harassment by the landlord. The City Attorney's Office is responsible for initiating criminal and civil complaints on behalf of the City. It also administers administrative citations on behalf of LAHD to property owners found to be in violation of TAHO.

This performance audit analyzes LAHD's efforts to implement TAHO, and considers the challenges that the department, tenants, and other stakeholders are facing amid efforts to enforce the ordinance and eliminate the harassment of tenants in the City. As part of this performance audit, we also administered an email survey to solicit feedback from tenants who submitted a harassment complaint. A total of 1,674 individuals received the survey, which was available in English and Spanish, and 306 individuals responded.<sup>9</sup> The recommendations contained in this report aim to improve LAHD's processes and assist the City in the development of a robust system for enforcing TAHO.

## **I. LAHD HAS NOT DEVELOPED A COMPREHENSIVE TAHO INVESTIGATION AND ENFORCEMENT PROGRAM**

Despite TAHO having gone into effect in August 2021, LAHD has not developed a comprehensive and defined program to ensure the successful implementation of the ordinance. LAHD has not developed a formal set of policies and procedures to govern the TAHO investigation and enforcement process, and the department has provided limited training and guidance to Housing Investigators who are responsible for vetting TAHO complaints submitted by tenants. As a result, the TAHO program has lacked structure, and does not have a well-established set of standards for conducting investigations or initiating enforcement actions.

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<sup>9</sup> There were 10,134 TAHO cases submitted between February 2022 and December 2023 that were considered closed. Of those cases, 6,607 (65%) contained email contact information for the tenant. We randomly selected 1,982 TAHO cases (30%) that contained tenant email contact information to receive the survey. A total of 1,674 individuals successfully received the survey (some emails were duplicates, some individuals had opted out of the survey provider's services, and some emails bounced back).



It is critically important that the department formalize its TAHO program to ensure that the Rent Division manages and investigates cases in a consistent manner, and so that the department can accurately track case outcomes.

## **LAHD Has Not Adopted Policies and Procedures for the TAHO Program**

LAHD's Rent Division is responsible for investigating and enforcing TAHO, with those efforts overseen by the TAHO Task Force. The Rent Division's primary guideline for its investigation program is the Investigations and Enforcement Procedures Manual, which describes the division's procedures for investigating and resolving complaints related to the RSO. Although TAHO's tenant anti-harassment protections apply to all units in the City, the Rent Division manages TAHO complaints through the RSO allegation complaint process.

The Investigation and Enforcement Procedures Manual covers several areas related to administrative and investigative operations for RSO complaints.<sup>10</sup> Definitions, functions, and procedures covered by the manual include, but are not limited to, the following:

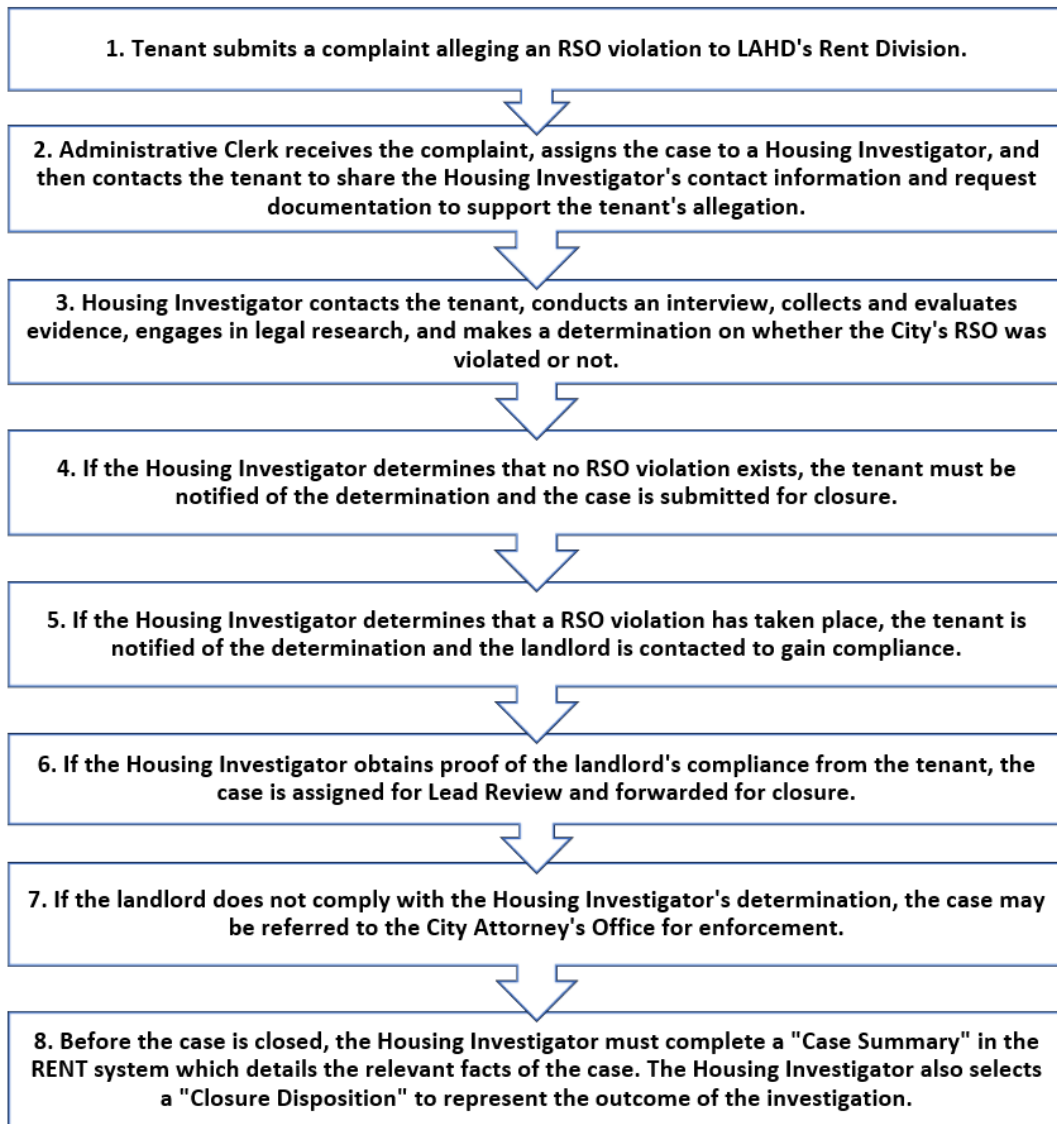
- the types of RSO investigations that are carried out by the Rent Division (illegal rent increases, illegal evictions, reductions of services, nonpayment of relocation assistance, demands for electronic or online rent payments, etc.);
- administrative management of RSO cases, including registration of new complaints, closure of duplicate complaints, and correspondence and communication with constituents;
- documentation of investigation activities and retention of evidence collection during the investigation process;
- determining whether an RSO violation has occurred;
- determining the case closure disposition based on the outcome of the investigation and any relevant follow-up activities; and
- the referral of cases to the City Attorney's Office.

While each RSO allegation is unique and the steps taken to investigate an allegation can vary, investigations typically follow a standard set of steps that are prescribed by the Investigation and Enforcement Procedures Manual. **Investigators do not typically go into the field to carry out investigative activities, and primarily rely on tenants and landlords submitting evidence to an investigator.** Figure 4 below summarizes the RSO investigation process, and is based on auditors' assessment of the Investigation and Enforcement Procedures Manual and interviews with LAHD staff.

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<sup>10</sup> The Audit Services Division reviewed the July 2023 revision of the Investigation and Enforcement Procedures Manual

**Figure 4: LAHD's Typical RSO Investigation Process**



The Investigation and Enforcement Procedures Manual (which was primarily developed for the management of RSO cases) provides general guidelines that investigators can use when examining a harassment complaint. **However, the manual does not adequately address TAHO, and does not have any specific procedures for the investigation and referral of TAHO complaints.** When the Rent Division became responsible for administering TAHO, it made limited revisions to the Investigations and Enforcement Procedures Manual. There are two sections in the manual which reference TAHO.

- **Section 3.2 (Investigation Categories)** – Within Section 3.2, harassment (LAMC 151.33) is listed as one of the allegation types that are investigated by the Rent Division, along with various types of RSO allegations

- **Section 3.11 (Harassment)** – Section 3.11 describes the actions by landlords which constitute harassment, as prescribed by TAHO

Insufficient policies and procedures for TAHO complaints can create challenges for investigators due to the complex nature of harassment cases compared to RSO cases. **TAHO initially required the City (or tenants should they choose to file a civil case) to demonstrate that a landlord knowingly and willingly engaged in harassment of a tenant in a manner that served no lawful purpose. According to LAHD, TAHO complaints tend to be more difficult to prove compared to substantiating RSO violations.** Cases involving RSO violations tend to be more compliance-oriented and based on rental unit leases and agreed upon services, rent increases, and eviction regulations. Furthermore, some TAHO violations, such as misrepresenting to a tenant that they are required to vacate a rental unit and threatening a tenant with physical harm, are less likely to be documented and may be more difficult to substantiate than violations of the RSO.

**LAHD acknowledged that the implementation of TAHO has been difficult.** The Rent Division is in the process of developing a TAHO Task Force Procedures Manual to assist the division with its handling of harassment cases, but the department does not yet have a specific implementation timeline for the manual. The department has found it difficult to establish standards or thresholds regarding the evidence required to substantiate TAHO violations.

**According to LAHD staff, the City Attorney's Office also has not provided clear guidance to the Rent Division regarding the evidence required to substantiate harassment cases, or the types of cases that should be referred to the City Attorney's Office.** The Rent Division said this has complicated their efforts to create TAHO investigation, evidence, and case referral standards.

According to LAHD, during the initial phases of the rollout of TAHO, the City Attorney's Office provided guidance to the Rent Division regarding the types of evidence that should be used to support a criminal case against an individual that has violated TAHO. Based on this guidance, LAHD was instructed to collect evidence that shows a pattern of misconduct by a property owner that is intentional. That evidence could include recordings or videos, emails or writings from the property owner, photos or videos of living conditions, witness statements from corroborating witnesses, and code enforcement inspector reports.

The types of evidence needed to develop a criminal case highlight the difficulty of substantiating a harassment allegation, particularly for LAHD investigators who are primarily focused on investigating possible RSO violations, and do not conduct investigative work in the field. According to LAHD staff, the City Attorney's Office recently provided new guidance to the Rent Division regarding the development of harassment cases and the referral of cases to the City Attorney's Office. **According to LAHD staff, documented testimony from the tenant such as an email, or an investigator's write up, is now sufficient for referral to the City Attorney's**

**Office, so long as the LAHD investigator determines that the actions fall under one of the 16 TAHO elements.<sup>11</sup>**

### **Formal Investigator Training Has Been Limited**

Although the TAHO Task Force is currently responsible for the department's TAHO implementation efforts, the Rent Division's investigators operating out of LAHD regional offices are ultimately responsible for conducting investigations and making determinations about the referral of cases to the TAHO Task Force. During the initial rollout of LAHD's TAHO program, LAHD management communicated to investigation supervisors that Housing Investigators should "review" harassment allegations submitted to the department, but not make official determinations regarding TAHO violations. The department's initial plan for reviewing and triaging complaints was to:

- gather facts;
- determine whether the rental unit is subject to the RSO or other protections;
- determine whether harassment by a property owner is building-wide, or occurring across multiple properties owned by the same landlord; and
- refer cases to the City Attorney's Office, if warranted.

**Although Housing Investigators are responsible for conducting TAHO investigations, Rent Division does not have a formal TAHO training program or training course for investigative staff.** According to TAHO Task Force managers, the task force has primarily focused on educating supervisory investigators so they can gain a better understanding of TAHO's protections, and expectations for TAHO investigations. The task force said it has held regular meetings with field office supervisors and investigators to discuss harassment allegations and identify opportunities to refine the department's harassment investigation processes.

We spoke with several supervisory investigators and non-supervisory investigators that said they received little or no guidance related to the investigation and management of TAHO allegations, which creates challenges for investigators because they stated that confirming instances of harassment is often difficult. **According to investigators, harassment allegations are frequently based upon subjective interactions between tenants and landlords, and tenants often lack clear evidence to substantiate their harassment allegation. Harassment may involve subtle acts and is often not easily documented, which**

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<sup>11</sup> The City Attorney's Office is responsible for providing legal guidance to City departments. The City Attorney's Office declined the Audit Services Division's request to meet or communicate directly with its subject matter experts during this audit engagement. Audit Services Division staff requested meetings with subject matter experts to discuss TAHO's requirements, LAHD's efforts to implement TAHO, and the challenges facing the City as it works to enforce the ordinance. The City Attorney's Office would only allow Audit Services Division staff to submit questions to a liaison in writing. The inability to meet with City Attorney's Office personnel limited the audit team's ability to assess the legal issues associated with TAHO and LAHD's TAHO enforcement program. This may impact some of the analysis contained in this report.

**requires investigators to use more time to collect evidence, and educate and interview tenants.** In addition, department managers stated that establishing a pattern of harassment may require several investigations.

Investigators said that they had to develop their own processes and strategies for conducting TAHO investigations, or had to rely on their general experience and knowledge of investigative best practices. **One investigator described the incorporation of the harassment allegation into the RSO investigation program as a process that included a lot of “trial and error.”** This approach undermines the City’s larger goal of developing an effective enforcement framework to address tenant complaints.

### **Rental Units That Become Vacant as a Result of Harassment**

TAHO prohibits a property owner from leasing a rent stabilized unit at the market rate after a tenant has vacated a unit due to harassment by the property owner. TAHO Section 45.37 (A) states:

*Any rental unit subject to the Rent Stabilization Ordinance of the City of Los Angeles which becomes vacant as a result of a violation of any provision of this article shall only be permitted to be rented at the lawful rent in effect at the time of the most recent termination of tenancy.*

However, there is currently no mechanism in place to track instances in which a unit was vacated due to a case of harassment, and it is unclear how LAHD would enforce this provision of the law. According to the Rent Division, the ordinance does not specifically define the entity that has the authority to determine that a unit was vacated following a case of harassment.

### **LAHD is Unable to Reliably Track Case Outcomes**

The Rent Division uses its RENT case management system to track the progression of TAHO cases, including the closure of investigations and what investigators reported as the reason for case closure. However, based on our review of the Investigation and Enforcement Procedures Manual and case information contained in the RENT system, the Rent Division is not able to accurately track case outcomes due to data reliability problems and poorly defined definitions for the case closure categories used by investigators.

When an investigator closes a case in the RENT system, they input the “Closure Disposition” of the case, which is intended to reflect the reason a case was submitted for closure and the final outcome of the case. However, the Investigation and Enforcement Procedures Manual does not define the closure disposition types contained in the RENT system, which results in investigators having to exercise a large degree of discretion when entering closure disposition information.

The Investigation and Enforcement Procedures Manual contains 12 different closure dispositions and corresponding definitions. However, the closure dispositions in the manual do not reflect the closure dispositions investigators can select within the RENT system. Table 2

below shows the discrepancy between closure dispositions defined in the manual and closure dispositions in the RENT system.

**Table 2: Closure Disposition Categories**

Closure Dispositions in Manual	Closure Dispositions in RENT System
<ul style="list-style-type: none"> <li>Abandoned Complaint</li> <li>Conflicting / Insufficient Evidence</li> <li>Court Enforced Eviction; Writ Sheriffs Lock Out</li> <li>Duplicate Complaint</li> <li>Habitability (Referred)</li> <li>I&amp;E Compliance</li> <li>No RSO Violation Found</li> <li>Non-RSO Issue</li> <li>Referred to City Attorney</li> <li>RSO Exemption</li> <li>RSO Violation Found</li> <li>Withdrawn</li> </ul>	<ul style="list-style-type: none"> <li>Resolved</li> <li>Closed Without Resolution</li> <li>No RSO Violation Found</li> <li>Referred to City Attorney</li> <li>Complaint Referred</li> <li>Duplicate Complaint</li> <li>Other</li> </ul>

To better understand investigators' reasons for closing TAHO cases, we reviewed closed TAHO cases and collaborated with TAHO Task Force staff to develop definitions describing how investigators typically use the dispositions contained in the RENT system for harassment allegations. Those descriptions are described below.

- **Resolved** – The tenant indicates the harassment that was previously reported has subsided or is no longer taking place, or the investigator has sent a TAHO informational letter to the property owner and believes investigation and enforcement options have been exhausted.
- **Closed Without Resolution** – The tenant did not respond to the investigator's attempts to establish communication, the tenant failed to submit evidence or the evidence that they submitted was insufficient, or the tenant voluntarily withdrew the case.
- **No RSO Violation Found** – The investigator closed the case because the evidence and facts of the case led to a determination that harassment could not be substantiated or did not occur.
- **Referred to City Attorney** – The case was referred to City Attorney for further review.
- **Complaint Referred** – Due to the nature of the allegation or jurisdictional issues, the investigator referred the case to another unit within LAHD, or a department or agency outside of LAHD.
- **Duplicate Complaint** – The case was closed because there was already an open case for the tenant submitting the complaint.



- **Other** – Unique and other cases that are not covered by other categories, including abandoned cases, withdrawn cases, cases where a tenant moved out or vacated the unit, and cases where a TAHO informational letter was sent to the landlord.

The lack of formal definitions and overlapping uses for closure dispositions results in investigators using closure dispositions inconsistently, making it difficult to use RENT system data about case closures to analyze case outcomes and trends. **For example, an investigator can designate a case “Resolved” in situations where alleged harassment by a landlord ends, or whether the investigator sends a TAHO informational letter to the property owner and has no other avenues for conducting investigative work or gaining compliance from a property owner.** A case that was abandoned by a tenant could be captured under the “Closed Without Resolution” category or “Other” category.

Table 3 shows examples of how cases with the same outcome are frequently categorized inconsistently by investigators. It includes five cases that were considered abandoned by the tenant and the case summaries and closure dispositions input by investigators at case closure.

**Table 3: Inconsistent Use of Closure Disposition Categories**

Housing Investigator Case Closure Summary	Closure Disposition
<i>“On April 24, 2023, the tenant filed a complaint alleging harassment. The tenant failed to respond to the request to submit documents and to contact the Housing Investigator to discuss the housing matter. The tenant specifically failed to submit documents related to the complaint alleging harassment in order to move forward with this investigation. <b>Thus, this complaint is considered abandoned.</b>”</i>	Closed Without Resolution
<i>“On June 1, 2023, the tenant filed a complaint alleging harassment. The tenant failed to respond to submit documents and to contact the Housing Investigator to discuss the housing matter. The tenant specifically failed to submit documents related to the complaint alleging harassment in order to move forward with this investigation. <b>Thus, this complaint is considered abandoned.</b>”</i>	No RSO violation found

Housing Investigator Case Closure Summary	Closure Disposition
<p><i>"[Tenant] filed a complaint on June 14, 2023 alleging harassment. Per BIMS, as of 2020, this unit is exempted from the RSO and subject only to SCEP. Tenant filed harassment complaint after his landlord refused his rent payment for June 2023. Tenant was served with a 3-day notice for nonpayment of rent that expired on June 8, 2023. Tenant attempted to make payment via his residential portal on June 9, 2023 but was unable to complete his payment. In an Email to his landlord, dated June 13, 2023, Tenant notified his landlord that he had been unable to complete his payment via the residential portal. His landlord responded that it is policy to reject rent payments from tenants after their eviction notice expires. The Housing Investigator reviewed Tenant's supporting documents and contacted Tenant to inquire whether he had been served with an unlawful detainer. Tenant confirmed he had been served and had already filed his answer in response. The Housing Investigator requested that Tenant submit a copy of the filed unlawful detainer so that the Housing Investigator may review the eviction notice for any potential RSO violations. To address the harassment allegation, the Housing Investigator mailed the Department's TAHO informational letter to both landlord and Tenant. Tenant failed to submit copies of unlawful detainer and eviction notice as requested. <b>This complaint is now considered abandoned.</b>"</i></p>	Resolved
<p><i>"Tenant filed complaint on October 30, 2023 alleging an illegal eviction, reduction of service, and harassment. A TAHO letter was mailed to the landlord. A 10-day letter was sent to the tenant on January 31, 2024 requesting additional information to investigate the other allegations in the complaint. Tenant failed to contact housing investigator or provide any additional information to continue with the investigation. <b>Complaint is submitted for closure as abandoned.</b>"</i></p>	Resolved
<p><i>"On August 26, 2022, the tenant filed a complaint alleging harassment. The tenant failed to respond to the telephone and written request to submit documents and to contact the Housing Investigator to discuss the housing matter. The tenant was mailed a letter and left with telephone voicemail messages requesting the tenant to call the Housing Investigator to discuss the complaint and to specifically submit documents related to the complaint alleging harassment in order to move forward with this investigation. However, the tenant failed to respond. <b>This complaint is considered abandoned.</b>"</i></p>	Other

Although RENT system closure disposition data is not sufficiently reliable to support conclusions about the outcomes of investigations, we reviewed system data to assess investigators' determinations regarding case closures. From February 2022 (when the harassment allegation was added to LAHD's RSO complaint portal) through December 2023,

LAHD closed 10,134 harassment complaints.<sup>12</sup> Nearly 40% of cases were “Closed Without Resolution”, while 27% of cases were closed as “Resolved.” For 10% of cases, the investigator reported there was no violation of TAHO and closed the case as “No RSO Violation Found.” It is important to note that while some tenants file complaints that only allege harassment (i.e., a violation of TAHO), the vast majority of harassment complaints are submitted to LAHD as part of a complaint submission that includes other RSO allegations. This means that an investigator will examine RSO and TAHO allegations as part of a single case.

**Table 4: The Number of Closed Harassment Cases by Closure Disposition Type**

Closure Disposition	Number of Closed Cases	Percentage
Closed Without Resolution	3,916	39%
Resolved	2,781	27%
Other	1,294	13%
Duplicate Complaint	1,000	10%
No RSO Violation Found	981	10%
Complaint Referred	26	<1%
Referred to City Attorney	2	<1%

Given the lack of clarity related to investigation protocols and the reliability issues associated with case closure dispositions, it is important that LAHD formalize its TAHO investigation procedures, and take steps to improve the consistency and quality of data input into RENT. Doing so will support investigators in the field as they work to investigate allegations of harassment by property owners and allow for new opportunities to analyze the effectiveness of the TAHO program.

## Recommendations

To improve the TAHO complaint review and investigation process and standardize the department’s management of TAHO complaints, LAHD should:

1. Establish formal policies and procedures for managing TAHO cases. At a minimum, policies and procedures should address:
  - a. Investigative steps and best practices for the investigation of TAHO cases;
  - b. Harassment determinations and evidence standards for the substantiation of harassment;
  - c. The referral of cases to the TAHO Task Force and City Attorney’s Office;

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<sup>12</sup> There were 134 closed TAHO cases for which there was no closure disposition.

- d. The standardization of case closure dispositions and other relevant fields in the RENT system.
2. After establishing policies and procedures, deliver formal training to Housing Investigators to provide guidance on the TAHO investigation and complaint management process.
3. Develop a tracking and enforcement protocol that will allow the department to identify and track rental units which become vacant due to confirmed violations of TAHO, and ensure those units are rented at lawful rates, as prescribed by the ordinance. Examples of confirmed violations could include a court finding or the issuance of a citation from the City.

## **II. LAHD LACKS THE AUTHORITY TO ENFORCE TAHO AND ADDRESS INSTANCES OF HARASSMENT**

Although LAHD is the lead department for implementing TAHO, it has very little authority to enforce the ordinance. LAHD's lack of enforcement tools makes it difficult for the department to hold property owners accountable, and limits its ability to help tenants subjected to harassment. To evaluate whether LAHD's investigation and enforcement efforts are adequately vetting harassment complaints and addressing harassment when it occurs, **we conducted a review of the case closure summaries of randomly selected TAHO cases and found that investigators do not always complete thorough fact-finding reviews of harassment complaints.** We also found that regardless of the facts of a case, investigators can do little more than send letters to property owners.

### **LAHD's TAHO Enforcement Primarily Consists of Sending Letters and Seeking Voluntary Compliance from Landlords**

Housing Investigators are responsible for gathering facts regarding allegations of harassment. Upon completing an investigation, the investigator must make a reasonable conclusion as to whether harassment has likely occurred, and whether the case warrants referral to the TAHO Task Force.

If there is insufficient evidence to suggest harassment has occurred, an investigator can send the property owner a letter informing them of TAHO and its protections. The department refers to these letters, which are intended to be educational, as "TAHO Informational Letters." If an investigator believes based upon the evidence that a property owner has violated TAHO, the investigator should send a TAHO Letter to the landlord informing them of the results of the review and the need to take corrective actions to ensure compliance with the ordinance.

In the event an investigator has notified a property owner of a potential TAHO violation, the investigator can attempt to obtain voluntary compliance from the property owner believed to have violated TAHO. This process may include communicating with the property owner to explain necessary corrective actions, confirming with the landlord that those corrective actions took place, and confirming with the tenant that the actions they believed constituted harassment have ceased.

**If a property owner does not comply with the corrective actions recommended by the investigator, the investigator has few remaining options for gaining compliance.** Rent Division investigators are unable to independently issue criminal citations and can only issue administrative citations and fines through the City Attorney's ACE program. If the investigator believes a TAHO violation is egregious, or the investigator identifies a pattern of harassment by the property owner, they can refer the case to the TAHO Task Force. The task force may conduct additional research into the case, and will consider the case for referral to the City Attorney's Office.

Records provided by the Rent Division showed that, as of May 2024, the TAHO Task Force considered 159 cases for further review. However, 100 of those cases were closed prior to TAHO's August 6, 2021 effective date, with some cases dating back to the 1990s and early 2000s. According to LAHD staff, the list of cases considered by the task force includes harassment cases referred by investigators, allegations reported by City Council Offices, and other connected cases that predate the establishment of TAHO.

#### **LAHD Has Referred Few Cases to the City Attorney's Office**

Given that LAHD's primary method of enforcement for TAHO is issuing letters and attempting to gain voluntary compliance from property owners, the department is highly reliant on the City Attorney's Office to enforce the ordinance. The City Attorney's Office is responsible for initiating criminal or civil cases on behalf of the City. In addition to criminal and civil filings, the City Attorney's Office can issue non-criminal citations or refer cases to an informal hearings process.

Based on information provided by the City Attorney's Office, it was aware of 23 cases referred to the office by LAHD as of July 8, 2024.<sup>13</sup> The status of those 23 cases as of July 2024 is described below.

- **Eight cases were considered for criminal filings and rejected**, meaning no criminal filing was initiated.

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<sup>13</sup> Records provided by LAHD's Rent Division indicated that as of April 2024, the division had referred 25 cases to the City Attorney's Office.

- **Seven cases are currently under consideration for criminal filings.**
- **Two cases were referred to a City Attorney hearing and successfully completed.** This consists of an informal proceeding that is conducted as an alternative to a misdemeanor criminal prosecution, and where a crime has been committed but prosecution may be inappropriate. Hearing officers work to achieve compliance with various code requirements as part of the hearing process.
- **Two cases were referred to a City Attorney Hearing with the hearing still pending.**
- **Four cases resulted in four Administrative Citation Enforcement (ACE) citations to a single property owner.** The City Attorney's ACE program is a non-criminal approach to nuisance abatement and quality of life offenses resulting from Los Angeles Municipal Code violations. It issues fines as an alternative to arrests and incarceration, and helps individuals avoid criminal records.

The limited number of cases that LAHD ultimately refers to the City Attorney's Office for enforcement highlights the need for the City to develop effective enforcement strategies that hold unethical property owners accountable.

## **An In-Depth Review of Case Summaries Showed that TAHO Investigation and Enforcement Efforts Are Often Limited**

To evaluate the Rent Division's TAHO investigations and identify the most common outcomes when tenants file a harassment complaint, we randomly sampled cases and reviewed each case file's case closure summary, as well as the case closure letter that is sent to the tenant when an investigation is completed. We sought to review cases where harassment was the only allegation, as well as cases where harassment was one of multiple RSO allegations submitted by the tenant.

In total, we reviewed 92 closed TAHO cases containing an allegation that a property owner violated TAHO. We randomly selected 46 cases where harassment was the only allegation submitted by the tenant, and 46 cases where harassment was one of multiple RSO allegations.<sup>14</sup> Based on our review of the case closure summaries for these 92 cases, the scope of TAHO investigations was often inconsistent, and many investigations appeared to

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<sup>14</sup> The 92 closed cases selected for review came from a pool of 9,119 cases from the RENT system – 1,660 cases where harassment was the only allegation, and 7,459 cases where harassment was one of multiple RSO allegations. For each pool of cases, we selected 46 cases, resulting in a 95% confidence interval, with a 10% margin of error. We sought to examine the outcomes of cases that had not resulted in an attempted enforcement action by LAHD or the City Attorney's Office. The pool of cases from which the sample was selected excluded 38 cases where data fields indicated that the case had been referred to the City Attorney, or the LAHD investigator attempted to gain compliance related to an alleged TAHO or RSO violation.



fall short of the Rent Division's Investigation and Enforcement Procedures Manual requirements. **The manual requires investigators to summarize the facts of the case, the evidence submitted by the tenant, any laws that were violated, and the investigator's final determination for the case.**

- **21% of case closure summaries indicated that a complete investigation into the alleged harassment had taken place**, and contained case summary information required by the manual.
- **30% of case closure summaries indicated a complete investigation had not taken place**, and did not contain required case summary information.
- **49% of case closure summaries indicated that a complete investigation could not be completed** because the tenant abandoned the case, withdrew their case, or did not submit evidence to the investigator.

Due to RENT system data reliability issues discussed in this report, we also sought to examine the impact of TAHO investigations by determining the final outcome for each case. We found that tenants frequently filed complaints but ultimately did not submit evidence to the assigned investigator, or withdrew the case. When investigators reviewed harassment allegations and evidence submitted by tenants, investigators usually did not make any determination as to whether a TAHO violation took place, and the cases were often closed after a TAHO letter was sent to the property owner. In a limited number of instances where an investigator did not explicitly substantiate a harassment allegation, the investigator was able to work with tenants and property owners to resolve the dispute that led to the harassment complaint.

Table 5 below shows the final outcome of the 92 TAHO cases selected for review, as determined by audit staff. Note that Table 5 describes our assessment of the final outcome of each case in the sample, whereas information described in the bulleted list above reflects the results of a separate analysis on whether a complete investigation occurred or not.

**Table 5: TAHO Case Sample Outcomes**

Case Outcome / Closure Justification	Percentage
No evidence was submitted by the tenant	41%
No harassment determination was made and the case was closed after a TAHO letter was sent to the property owner	34%
Complaint was formally withdrawn by the tenant	13%
No harassment determination was made and the case was closed without sending a TAHO letter to the property owner	5%
No harassment determination was made but the investigator facilitated resolution of the dispute that caused the harassment complaint	3%
Investigator determined no TAHO violation had occurred	2%
Investigator referred the tenant to a different government agency	1%

According to TAHO Task Force managers, investigators may, but are not required to, make formal determinations as to whether a property owner has violated the ordinance. Investigators instead may refer cases where egregious harassment may have occurred to the TAHO Task Force. However, this expectation is inconsistent with procedures established in the Investigation and Enforcement Procedures Manual, which generally requires investigators to make determinations as to whether a violation of a law took place.

In addition to reviewing the case summaries included in our random sample, we identified several examples of cases where harassment appears to have been substantiated by the investigator, or where an allegation indicated egregious harassment may be occurring, but no substantive enforcement action was initiated beyond the sending of an informational TAHO letter. **In Table 6 below, we summarized the case closure summaries for five TAHO cases where harassment appears to have occurred and was substantiated by the investigator or egregious, but the case was closed with the issuance of a TAHO letter. None of the cases in Table 6 were referred to the City Attorney's Office or the TAHO Task Force.** All cases had a closure disposition of "Resolved." Refer to **Appendix D** for the complete LAHD case closure summary for each case.

**Table 6: Examples of Substantiated or Egregious Allegations of Harassment**

Auditor Summary of Case Facts	Closure Disposition
<p><b>Example 1</b> – A tenant filed a harassment complaint because her landlord entered her rental unit, and threatened her and roommates to the point where a Temporary Restraining Order was filed against the landlord. The tenant and her roommates left the unit prior to the end of the lease, but some of their possessions were still at the property. <b>The Housing Investigator determined that “the timeline provided [by the tenant] which revealed that the action by landlord supported [the] tenant’s harassment claim.”</b> An informational TAHO Letter was sent to the landlord. <b>The case was “submitted for closure because any further action is a civil matter outside the jurisdiction of the RSO.”</b></p>	Resolved
<p><b>Example 2</b> – A tenant filed a harassment complaint alleging harassment. The tenant alleged that a property manager threatened to charge the tenant for broken shower glass even though the restroom door impeded the shower door from opening safely, that flood lights pointed at the tenant’s window disturbed privacy and quiet enjoyment, and that the property manager failed to deposit the tenant’s rent payments in a timely manner. The tenant submitted a timeline and evidence to support their claims. The case summary states, <b>“The Housing Investigator determined that the Property Management’s actions substantiate harassment which violates [TAHO].”</b> The housing investigator sent a TAHO informational letter to property management and the case was submitted for closure <b>“because the Property Management/tenant were informed of the TAHO protections.”</b></p>	Resolved
<p><b>Example 3</b> – The tenant submitted a harassment complaint alleging that their landlord excessively issued 24-hour notices to enter their unit, and also entered their unit without proper authorization. The case summary states, <b>“The Housing Investigator determined that, based on tenant’s documents submitted as well as worklog by the Code Enforcement Unit Inspector, the weight of information gathered supported the tenant’s claim that harassment had occurred.”</b> The landlord was sent a TAHO informational letter and the case was submitted for closure <b>“because the Housing Investigator addressed the allegation of Harassment by sending the TAHO Informative Letter that informed of tenants rights under [TAHO].”</b></p>	Resolved
<p><b>Example 4</b> – A tenant submitted a harassment complaint alleging that her landlord threatened her on regular occasions in an attempt to get her and her family to vacate the property. The tenant claimed that the landlord made threatening comments <b>“such as threatening the tenant to move out or the landlord would move them out in a casket.”</b> The tenant submitted to the Housing Investigator a police report dated May 28, 2023 as evidence. <b>The Housing Investigator sent a TAHO informational letter to the landlord and encouraged the tenant to seek legal counsel if she wanted to pursue the matter further.</b></p>	Resolved

Auditor Summary of Case Facts	Closure Disposition
<p><b>Example 5</b> – A tenant submitted a harassment complaint <b>alleging the landlord had "been verbally telling the [Tenant] to vacate because her rent is too low and he no longer wants to rent to Section 8."</b> The tenant had an open case with code enforcement for habitability issues. The tenant also alleged that the landlord made false accusations against her and her children and installed cameras pointing at her bedroom and entry door. <b>The Housing Investigator sent a TAHO informational to the landlord and the case was considered resolved.</b></p>	Resolved

LAHD's overall lack of enforcement authority and the inconsistent outcomes for TAHO cases observed as part of this review indicates that the department has struggled to address instances of harassment and hold property owners that violate TAHO accountable.

### **Tenants Reported Dissatisfaction with the TAHO Complaint Process**

Responses to our survey of tenants that had submitted a TAHO complaint indicated that regardless of the harassment they reported and the evidence they submitted, tenants often felt that the submission of a TAHO complaint did not result in property owners ending their harassment of tenants. Survey respondents reported experiencing many types of harassment. The most common forms of harassment tenants reported experiencing are described below.

- 73% said the property owner used lies or intimidation intended to force them to move out
- 64% said the property owner intentionally disturbed their peace and quiet
- 62% said the property owner refused to complete required repairs
- 62% said the property owner threatened or served an eviction notice based on false reasons
- 54% said the property owner interfered with their right to privacy
- 52% said the property owner took away services provided in the lease

**Overall, survey respondents were unsure of how the TAHO complaint process worked, and were unclear about the outcome of their case.** A large portion of tenants reported submitting evidence to Housing Investigators, but were unclear about the evidence they needed to submit to the Housing Investigator in order to show proof that harassment was occurring. Eighty-five percent of tenants said they provided evidence of harassment to LAHD. However, just over 40% of respondents believed that LAHD investigators had clearly communicated to them the evidence that would be needed to substantiate an allegation of harassment. Fifty

percent of survey respondents said they did not know what the final outcome of their case was.

Perhaps the most concerning feedback received from tenants was their belief that the TAHO complaint process did not result in the cessation of harassment by their landlord. **Over 70% of survey respondents said their landlord continued to harass them even after LAHD had conducted its review and closed the case.** Table 7 below shows the responses to select survey questions which asked about tenants' experience with the TAHO investigation process, and the outcome of their case.

**Table 7: Responses to Select Tenant Survey Questions**

<b>Do you believe the LA Housing Department clearly communicated to you the evidence that was needed to substantiate an allegation of harassment?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	131	43%
No	124	41%
Unsure	51	17%
<b>Did you provide evidence of harassment (e.g., documents, text messages, photos, videos) to the LA Housing Department?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	259	85%
No	22	7%
Unsure	25	8%
<b>Did you receive a letter from the LA Housing Department explaining the outcome of your case?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	152	50%
No	118	39%
Unsure	36	12%
<b>What was the outcome of the investigation?</b>	<b>Responses</b>	<b>Percentage</b>
I chose to withdraw my case	18	6%
The LA Housing Department referred me to a different City department or non-City government agency	18	6%
The LA Housing Department found that harassment could not be substantiated	40	13%
The LA Housing Department found that the landlord violated the City's harassment law	76	25%

Unsure	154	50%
<b>Do you believe harassment by your landlord has continued after the closure of your harassment complaint?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	219	72%
No	41	13%
Unsure	46	15%

Responses to our survey indicate that the City needs to do more to address tenants' concerns and provide additional relief to those that believe they are experiencing harassment. LAHD should also take additional steps to reach out to tenants and property owners and expand education efforts so that both parties are aware of tenants' rights. See **Appendix E** for the complete results of the tenant survey.

### **Opportunities to Expand LAHD Authorities and Increase Fine Amounts**

LAHD currently lacks the authority to independently cite property owners that have violated TAHO, and impose administrative fines. Other City departments responsible for enforcing municipal code provisions have administrative citation authorities and can impose fines, an authority which could provide LAHD with an additional enforcement tool supporting its efforts to address the harassment of tenants.

- The City's Civil and Human Rights Department has the authority to levy and process administrative penalties for violations of the City's Civil and Human Rights Law.<sup>15</sup> The City's Human Rights Law authorizes the Civil Rights Department's General Manager to make the determination as to whether a person or entity has violated the City's law prohibiting discrimination and retaliation, and issue a Notice of Violation to the violator. The General Manager has the authority to impose penalties up to \$250,000. The offending party can request an administrative hearing through the department, and can also appeal an administrative ruling to the department's Commission on Civil Rights.
- The City's Department of Cannabis Regulation is responsible for issuing cannabis licenses and overseeing licensed cannabis activity in the City. Similar to the Civil and Human Rights Department, the Los Angeles Administrative Code authorizes the

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<sup>15</sup> The City Council passed the Civil and Human Rights Law in 2019, which added Article 16 to the Public Welfare Chapter (Chapter IV) of the Municipal Code. This law prohibits discrimination in the private sector areas of commerce, education, employment and housing and allows for local enforcement of those protections.

Department of Cannabis Regulation to independently enforce the City's cannabis law.<sup>16</sup> The Department of Cannabis Regulation can enforce the law by issuing Notice of Violations, and assessing penalties against non-compliant cannabis businesses. The department is authorized to assess fines up to \$42,026 for major violations. In addition, the Department of Cannabis Regulation has a formal hearing process where a case can be brought before a Hearing Officer to appeal the Notice of Violation.

Opportunities may also exist to increase fines for property owners that have violated TAHO in order to deter property owners from harassing tenants. LAHD and the City Attorney's Office began issuing ACE citations for TAHO violations in March 2024. However, the current fine structure for TAHO violations may not be sufficient to deter property owners from engaging in harassing behavior, particularly given the potential for financial gain if a landlord successfully pushes a tenant to vacate a rent stabilized unit. ACE citations for TAHO violations are subject to the program's default fine structure – \$250 per violation for a first citation, \$500 per violation for a second, and \$1,000 per violation for a third citation.<sup>17</sup>

**The Municipal Code allows for the imposition of stricter ACE fines for some code violations which have negatively impacted the community and residents' quality of life.** The Los Angeles Police Department can issue citations through the ACE program to property owners of "party houses" that create excessive noise and violate the City's Loud and Unruly Gatherings Ordinance. The ordinance authorizes the City to impose ACE fines of up to \$8,000. Similarly, the Los Angeles Department of Building and Safety and LAHD can also issue ACE fines greater than \$1,000 for violations of the City's Home-Sharing Ordinance.<sup>18</sup> Property owners with Regular Home-Sharing Registration may be subject to an ACE fine of \$2,422 for each additional day that their property is rented beyond the 120-day per calendar year limit specified in the City's law.

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<sup>16</sup> The City Council passed Ordinance No. 185852 in late November 2018. The ordinance amended Article 3, Chapter 31 of Division 22 of the Los Angeles Administrative Code to create the Department of Cannabis Regulation. The law tasked the Department of Cannabis Regulation with the administration of licenses for cannabis-related activities in the City and the enforcement of Chapter 31 of the Los Angeles Administrative Code.

<sup>17</sup> In June 2013, the City passed Ordinance 182610 which established the Administrative Citation Enforcement (ACE) Program. The purpose of ACE is to provide an alternative method of enforcement for violations of the City's code. Unless otherwise codified in the City's Municipal Code, ACE citation fines are \$250 for the 1<sup>st</sup> offense, \$500 for the 2<sup>nd</sup> offense, and \$1,000 for the 3<sup>rd</sup> offense. ACE citation fines for TAHO violations are applied to each enumerated incident of harassment.

<sup>18</sup> LAHD is responsible for enforcement of the Home-Sharing Ordinance for multi-family residential housing. The Los Angeles Department of Building and Safety enforces the ordinance for single family homes.



## **Recommendations**

To improve its ability to enforce TAHO and enhance the City's efforts to deter property owners from harassing tenants, LAHD should work in conjunction with the City Attorney's Office and the City Council to:

4. Evaluate the feasibility of increasing ACE citation fine amounts to a level that is commensurate with the offense and discourages landlords from engaging in tenant harassment.
5. Assess the feasibility of revising TAHO to provide LAHD with the authority to independently cite property owners and impose administrative fines.

## **III. THE CITY'S DISJOINTED TAHO ROLLOUT WEAKENED THE ORDINANCE'S EFFECTIVENESS**

TAHO provides tenants with a private right of action when their property owner engages in harassing behavior that violates the ordinance, meaning the tenant has the right to sue their landlord to enforce TAHO. However, the original ordinance was not prescriptive in its language about the awarding of civil penalties and the awarding of legal fees to the attorneys of prevailing tenants. This likely discouraged attorneys from filing lawsuits on behalf of tenants, and ultimately resulted in tenants becoming increasingly reliant on LAHD for relief.

In addition, LAHD's ability to handle the influx of TAHO cases and enforce the ordinance's protections has been limited by several factors. The department has lacked sufficient resources to effectively administer the TAHO program, particularly given the significant increase in the scope of its responsibilities. Furthermore, LAHD's online complaint intake process has likely contributed to the submission of complaints that are not credible, or allegations that would not constitute a TAHO violation.

### **LAHD Resources Were Insufficient to Successfully Implement TAHO**

TAHO protections cover all rental units in the City, including multifamily housing units that are not subject to the RSO and single-family homes. The inclusion of complaints related to non-RSO units and single-family homes as allegations falling under the purview of the Rent Division's investigation and enforcement program represented a departure from the division's normal role and practices. The Rent Division's primary responsibility is enforcing tenant protections for RSO units.

In reports to the City Council prior to the passage of TAHO, LAHD assessed the potential impact the ordinance could have on RSO complaint submission rates, and the staffing levels

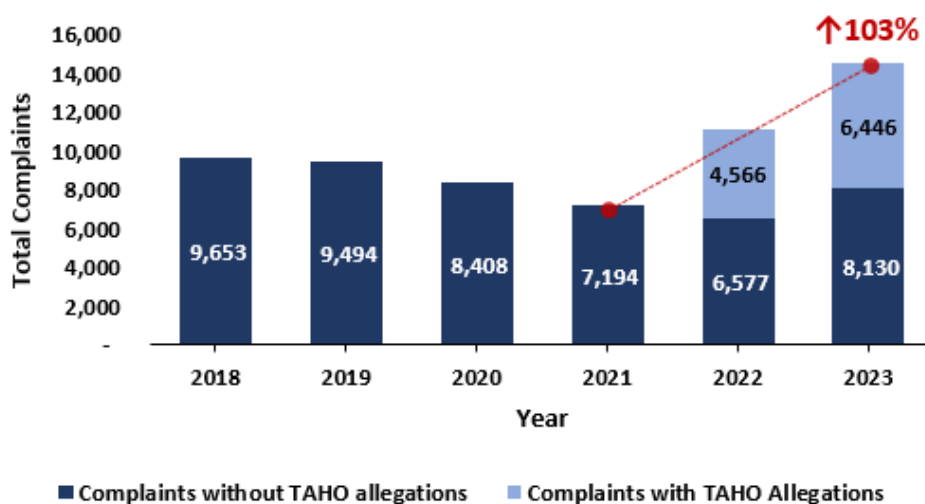
necessary to manage the influx of cases. The department anticipated that the adoption of TAHO would result in a significant increase in complaints, and a December 2018 report to the City Council initially recommended the establishment of seven new positions for the administration of TAHO. LAHD recommended funding for three positions in the City Attorney's Office so that eligible TAHO complaints could be referred to the City Attorney's Dispute Resolution program, which provides no-cost mediation services to residents and businesses.

However, when TAHO passed in June 2021, the City was in the midst of its response to the COVID-19 pandemic, which created a significant amount of financial uncertainty for the City. As a result, the City enacted a hiring freeze. In light of budget constraints caused by the pandemic, the City Council passed TAHO without any new funding or new positions for LAHD. TAHO complaints also would not be referred to the City Attorney's Dispute Resolution Program.

#### **The Inclusion of TAHO as an RSO Complaint Type Created Workload Challenges for LAHD**

In order to receive and track TAHO complaints, LAHD added "Harassment" as an allegation type in the Rent Division's RENT case management system and online complaint intake form in February 2022. As LAHD anticipated, the number of RSO complaints received by the Rent Division dramatically increased following the passage of TAHO. As shown in Figure 5 below, total RSO complaints received by the department increased from 7,194 in 2021 to 14,576 in 2023, which represented an increase of 103% over a two-year period.

**Figure 5: RSO Complaint Volume (2018-2023)**



Between February 2022 and December 2023, 44% of RSO complaints submitted to the Rent Division included an allegation of harassment. Housing Investigators we interviewed as part

of this audit said the introduction of the harassment allegation into the Rent Division’s investigation program created challenges. **Investigators stated that TAHO allegations were difficult to investigate because they were often more complicated than other RSO allegations such as illegal evictions and habitability issues, and because the evidence needed to substantiate harassment was less likely to be documented.** Table 8 below shows TAHO complaints submissions and the rates at which they are submitted along with other RSO allegations. Of the 10,968 TAHO complaints received between February 2022 and December 2023, less than 20% of TAHO cases included only the allegation of harassment, while just over 38% of TAHO complaints were submitted along with two or more RSO allegations.

**Table 8: Harassment Complaint Submissions (February 2022 – December 2023)**

<b>Allegation</b>	<b>Number of Cases</b>	<b>Percentage</b>
Harassment with Two or More RSO Allegations	4,215	38.4%
Harassment with Illegal Eviction	2,689	24.5%
<b>Harassment Only</b>	<b>2,066</b>	<b>18.8%</b>
Harassment with Reduction of Services	1,075	9.8%
Harassment with Illegal Rent Increase	626	5.7%
Harassment with Other RSO Allegation	297	2.7%

Rent Division investigators described needing to adapt given the new allegation type and workload increase. Senior Housing Investigators, who generally serve in a managerial role and review Housing Investigators’ casework, began taking on cases of their own and conducting investigative work themselves. The Rent Division also brought on contract paralegals to conduct investigations.

#### **LAHD Initially Received Little Funding for TAHO Implementation**

Although TAHO went into effect in FY 2021–22, the Rent Division did not receive any funding or budgeted positions to administer TAHO until FY 2022–23, when it was provided with resolution authority and six-months funding for four new positions – one Communications Information Representative II, two Housing Investigator I’s, and one Senior Housing Investigator I. With the four positions, LAHD did not implement a citywide TAHO program, but instead triaged harassment complaints and directed tenants towards legal services organizations, advocacy groups, and at times, other city departments. LAHD received authorization and funding for the same four positions in FY 2023–24. It also received one-time funding of \$1,000,000 in FY 2022–

23 and \$4,808,596 in FY 2023-24 for technology upgrades, and education and outreach efforts related to TAHO.

**Table 9: LAHD Adopted Budget and Contractual Expenditure Authority for TAHO**

Budget Item	FY 2021-22	FY 2022-23	FY 2023-24
Staffing Positions	\$0	\$290,612	\$555,689
Technology Upgrades, Education, and Outreach	\$0	\$1,000,000	\$4,808,596
<b>Grand Total</b>	<b>\$0</b>	<b>\$1,290,612</b>	<b>\$5,364,285</b>

LAHD plans to expand its TAHO program in FY 2024-25. For FY 2024-25, the adopted budget authorizes LAHD to use Measure ULA funds for staffing to protect tenants from tenant harassment.<sup>19</sup> In total, the budget authorizes 14 LAHD positions – four positions to continue LAHD’s TAHO implementation, and 10 positions that will support an expansion of the TAHO Task Force and its efforts to enforce the ordinance. New task force positions will include investigation, code enforcement, housing and economic planning analysis, and administrative positions.

#### **Rent Division Efforts to Enforce TAHO Creates State Law Compliance Risks**

The Rent Division is funded to conduct investigations and enforce the City’s RSO for properties covered under the RSO. Rent Division’s operations are funded by the Rent Stabilization Trust Fund, which is supported through the collection of annual registration fees for all RSO units in the City. In May 2020, during the TAHO development process, LAHD assessed the need for a new fee to fund TAHO enforcement for non-RSO units, which would be paid by the owners of the rental properties. LAHD directed an independent consultant to conduct a study to determine the fee amount necessary to cover the costs of implementing a citywide tenant anti-harassment program. The consultant determined that a new \$2.86 per unit annual fee would be required from non-RSO property owners to fund a TAHO investigation and enforcement program for non-RSO units. The City Council did not enact the new fee for non-RSO units.

Despite being funded to administer the RSO and investigate potential violations related to RSO-covered properties, the Rent Division accepts and examines harassment complaints from tenants in non-RSO properties. Of the 10,968 TAHO complaints received by the Rent

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<sup>19</sup> Measure ULA is a tax on conveyances of real property over \$5 million. ULA went into effect on January 1, 2023. The measure funds affordable housing projects and provides resources to tenants at risk of homelessness.

Division between February 2022 and December 2023, 2,135 (19%) were from tenants in non-RSO units. The Rent Division's management of TAHO cases for both RSO and non-RSO units increases the risk of noncompliance with Article XIII C of the California Constitution, also known as Proposition 218.<sup>20</sup>

Article XIII C of the California Constitution generally prohibits the use of local government fee revenue for purposes that do not benefit the payor. The law states that "local government bears the burden of proving by a preponderance of the evidence that a levy, charge, or other exaction is not a tax, that the amount is no more than necessary to cover the reasonable costs of the governmental activity, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity." **In other words, RSO fee revenue should not be used to support the regulation of non-RSO units.** The Rent Division should implement protocols that ensure that its activities related to non-RSO units comply with California State law.

### **Funding for TAHO Programs Moving Forward**

The City has been taking steps in recent months to expand its TAHO enforcement program. In January 2025, the City Council passed new legislation to establish a fee to provide new and ongoing funding for LAHD's investigation and enforcement. Ordinance No. 188468 amended the LAMC to establish a new \$31.05 Just Cause Enforcement Fee to provide funding for the administration and enforcement of the Just Cause for Eviction Ordinance for tenants in non-RSO rental units.<sup>21</sup> According to LAHD staff, funds collected via the Just Cause Enforcement Fee will also be used to enforce TAHO for tenants in non-RSO units. LAHD plans to use the new fee revenue to support the hiring of 17 new Housing Investigators to support LAHD's efforts to implement and enforce TAHO and the Just Cause Ordinance.

LAHD also anticipates that additional funding for TAHO's implementation will become available through Measure ULA. Measure ULA requires 3% of all funds collected through the City's new real estate transfer tax to be allocated to non-profits and city services for monitoring and enforcing protections against tenant harassment. As of December 2024, Measure ULA generated \$479 million in revenue since tax collections began in April 2023. However, there is some uncertainty concerning Measure ULA's future. According to LAHD staff, a case challenging the legality of Measure ULA is currently pending in state court, though a

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<sup>20</sup> Proposition 218, passed by California voters in 1996, added Article XIII C to the California Constitution. The article establishes restrictions related to voter approval for local tax levies.

<sup>21</sup> The Just Cause for Eviction Ordinance (Ordinance No. 187737) went into effect on January 27, 2023, and covers most residential properties in the City of Los Angeles that are not regulated by the City's Rent Stabilization Ordinance. It specifies legal reasons for the eviction of tenants, establishes eviction notification requirements, and requires property owners to pay relocation assistance in certain situations.

trial schedule has yet to be released. LAHD's ability to use Measure ULA funding for TAHO implementation will remain in question until the case is resolved.

### **TAHO's Language Likely Discouraged Enforcement Via Civil Litigation**

TAHO's "Declaration of Purpose" states, "This ordinance provides an aggrieved tenant with a private right of action and affirmative defense in eviction, ejectment, and other actions." For a tenant to pursue private right of action, they must be able to secure representation from private attorneys and file civil lawsuits against landlords to enforce their rights under TAHO. However, housing advocates and representatives from nonprofit legal services providers have reported that attorneys have been reluctant to take on clients with TAHO cases.

**While there may be other contributing factors that deter private attorneys from accepting TAHO cases, such as the complexity, cost, and length of time required to win a case, the language used in TAHO's Civil Penalties section, when the ordinance was initially passed in 2021, most likely discouraged attorneys from representing aggrieved tenants.** TAHO's Civil Penalties section originally stated, "A tenant prevailing in court under this article may be awarded compensatory damages, rent refunds for reduction in housing services, reasonable attorney's fees and costs, imposition of civil penalties up to \$10,000 per violation...and other appropriate relief, as adjudged by the court." Since the law used the language "may be awarded" as opposed to "shall be awarded," TAHO did not guarantee that attorneys would recoup their fees and costs, and it allowed for judicial discretion when determining if penalties would be awarded to prevailing tenants.

Several other cities and counties in California have passed similar laws to TAHO. We reviewed the anti-tenant harassment laws of nine other cities and counties in California to determine the language used by each jurisdiction regarding the awarding of attorneys' fees. Out of the nine laws included in the analysis, six guaranteed the award of attorneys' fees to prevailing tenants in civil cases. Three laws, including Los Angeles County's anti-tenant harassment law, did not guarantee that attorneys' fees would be awarded.

**Table 10: Attorneys' Fees Language in Tenant Anti-Harassment Laws**

Jurisdiction	Attorneys' Fees Language	Guaranteed Attorney Fees?
<b>City of Los Angeles</b>	<u>May be awarded</u> ...reasonable attorneys' fees and costs <sup>22</sup>	✗
<b>Santa Monica</b>	<u>Shall be liable</u> for such attorneys' fees and costs	✓
<b>West Hollywood</b>	<u>Shall be liable</u> for attorneys' fees and costs	✓
<b>San Francisco</b>	<u>Shall be entitled</u> to reasonable attorney's fees and costs	✓
<b>Los Angeles County</b>	Any tenant... <u>is authorized</u> to bring a civil action...for reasonable attorneys' fees and costs	✗
<b>Oakland</b>	<u>Is entitled to recover</u> the Tenant's reasonable attorney's fees	✓
<b>Culver City</b>	<u>Shall be liable</u> ... for tenant's attorneys' fees and costs	✓
<b>Long Beach</b>	<u>May award</u> reasonable attorneys' fees and costs	✗
<b>Berkeley</b>	<u>Shall be entitled</u> to reasonable attorneys' fees in addition to other costs	✓
<b>City of Alameda</b>	No language regarding attorneys' fees	✗

**Similar to attorneys' fees, the original TAHO ordinance did not guarantee the imposition of civil penalties.** The lack of guarantees for civil penalties, which are fines or other financial remedies awarded by the court, likely impacted private attorneys' willingness to take on cases, and weakened TAHO's deterrence effect. The tenant anti-harassment laws of eight out of the nine jurisdictions we reviewed required damages and/or civil penalties to be awarded for violations of the law. TAHO initially did not require any civil penalty, but allowed for the possible assessment of a civil penalty of up to \$10,000 by the court.

The range of civil penalties awarded varies from jurisdiction to jurisdiction. The City of Santa Monica for example requires civil penalties to be awarded for violations of its anti-tenant harassment law, and it allows for penalties to be assessed up to \$20,000. See **Appendix F** for

<sup>22</sup> Per the City of Los Angeles' original TAHO ordinance passed in June 2021.

a table showing the civil penalties language of each jurisdiction's tenant anti-harassment law.

**Table 11: Range for Civil Penalties by Jurisdiction**

Jurisdiction	Civil Penalty Range	Guaranteed Civil Penalties?
<b>City of Los Angeles</b>	Compensatory damages and up to \$10,000 per violation <sup>23</sup>	✗
<b>Santa Monica</b>	The greater between actual damages or \$1,000 to \$20,000	✓
<b>West Hollywood</b>	The greater between actual damages or \$10,000 per offense	✓
<b>San Francisco</b>	The greater between three times actual damages suffered or \$1,000	✓
<b>Los Angeles County</b>	Direct money damages and \$2,000 to \$5,000 per violation	✓
<b>Oakland</b>	The greater between three times actual damages suffered or \$1,000	✓
<b>Culver City</b>	Tenant's damages	✓
<b>Long Beach</b>	Direct money damages and \$2,000 to \$5,000 per violation	✓
<b>Berkeley</b>	Actual damages and \$1,000 to \$10,000 per violation	✗
<b>City of Alameda</b>	The greater between \$2,500 per violation per day or \$10,000 per violation	✓

TAHO's Civil Penalties section also addressed penalties for violations against protected classes. The section stated, "If a tenant prevailing under this article is older than 65 years or disabled when any of the harassing conduct occurred, the court may impose additional civil penalties up to \$5,000 per violation depending upon the severity of the violation." **Again, TAHO used "may" instead of "shall" and did not require a penalty to be assessed for a TAHO violation against seniors or disabled persons.** Five out of the nine jurisdictions included in the audit's analysis require additional damages or civil penalties for violations

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<sup>23</sup> Per the City of Los Angeles' original TAHO ordinance passed in June 2021.



against members of protected classes. See **Appendix G** for a table showing the language regarding penalties for violations against protected classes for each jurisdiction's tenant anti-harassment law.

### **Recent Updates to the City's TAHO Ordinance**

There have been efforts in recent months to strengthen the City's anti-tenant harassment law and direct more resources towards TAHO's implementation and enforcement. In November 2024, the Los Angeles City Council passed Ordinance No. 188416, updating TAHO with additional provisions. The ordinance made several important updates to the law. Specifically, it:

- Guarantees the awarding of attorneys' fees to prevailing tenants in civil cases.
- Establishes a minimum civil penalty of \$2,000 per violation.
- Requires that prevailing tenants be awarded three times the amount of the determined compensatory damages, which may include compensation for mental or emotional distress.
- Changes the definition of tenant harassment from a landlord's "knowing and willful" conduct directed at a specific tenant or tenants that causes detriment and harm, to a landlord's "bad faith" conduct that harms tenants.
- Strengthens protections related to a landlord's right of access into a rental unit, including requiring a landlord to explicitly state the justification for entry, coordinate entry with a tenant's schedule, and provide an approximate time window for entry.
- Establishes an additional prohibited activity to the existing 16 prohibited activities. The new ordinance generally prohibits landlords from unilaterally requiring an existing tenant to agree to a new rental agreement.

While recent updates to the ordinance are a positive step toward enhancing tenant protections, it did not address the uncertainty surrounding the award of additional civil penalties to tenants that are members of a protected class (older than 65 or disabled), nor did it increase the current maximum civil penalty of \$10,000.

### **The Harassment Complaint Intake Process Needs Improvements**

The Rent Division's TAHO complaint intake process may also be creating additional workload challenges for the department and hindering the efficiency of TAHO investigations. Tenants seeking to submit complaints regarding possible TAHO violations report their concerns through LAHD's RSO complaint intake process. Most TAHO complaints are submitted via

LAHD's website. To file a complaint through the website, tenants access LAHD's online "Tenant Complaint Intake Form."

Other than filling out personal information and address fields in LAHD's complaint form, a tenant is only required to click on a box next to the word "harassment" on the form's "Reason for Complaint" section. Harassment is one of 11 allegations in the "Reason for Complaint" section of the form. Tenants are not required to identify which of the prohibited activities described in TAHO they believe the property owners violated, nor are they required to provide evidence to support allegations. Since little information is required to submit a TAHO complaint, it is likely that the Rent Division receives many TAHO complaints which are not viable, as well as complaints where there would be limited or no evidence available to substantiate claims.

In addition to requiring little information from complainants, LAHD's Tenant Complaint Intake Form does not provide information about property owner actions that would constitute harassment, or the types of evidence that may substantiate a harassment allegation. The lack of information about TAHO throughout LAHD's complaint intake process may be a missed opportunity for the department to educate tenants about how harassment is defined in TAHO and the types of evidence that tenants should be collecting to assist with an effective and efficient investigation.

According to Housing Investigators and representatives of tenant groups and legal services organizations, TAHO is generally not well understood by tenants. Investigators also said that many tenants interpret "harassment" in a broad manner, and do not understand that evidence is required to substantiate an allegation, rather than solely a tenant's personal account of an incident.

Responses to our survey of tenants that had filed a TAHO complaint also indicated that harassment may not be well understood by tenants, which complicates investigators' ability to understand the potential TAHO violation and vet allegations efficiently. Asked if they had a clear understanding of how LAHD defines harassment, 29% of respondents said they either did not have a clear understanding or were unsure.

**Table 12: Tenants' Understanding of TAHO Definitions**

<b>Do you have a clear understanding of how the LA Housing Department defines harassment?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	216	71%
No	34	11%
Unsure	56	18%

Neighboring jurisdictions with tenant anti-harassment laws require more information at the point of submitting a complaint, providing officials responsible for investigation and enforcement with more information at the onset of the case review process. In the City of Santa Monica, tenants with a harassment allegation can submit an online complaint to the Public Rights Division in the Office of the City Attorney. In contrast to LAHD's online form, Santa Monica's "Consumer Complaint" form requires 14 data fields to contain information to submit a complaint. Santa Monica's form requires the complainant to provide a summary of their complaint, supporting documentation, and a description of what the complainant considers to be a fair resolution to their issue.

The City of West Hollywood's "Tenant Harassment Complaint Intake Form" is accessible online as a downloadable PDF that can be completed and emailed to the City's Rent Stabilization Division. The form contains 13 questions that correspond to the first 13 elements in West Hollywood's tenant harassment law and requests investigative information, such as dates and descriptions of incidents, involved parties, and witnesses.

### **Evidence Upload and Language Limitations**

Some tenants have expressed concerns related to their ability to submit evidence when filing a complaint on LAHD's website. According to LAHD, a technological issue impacting the department's online intake form has limited investigators' ability to receive some electronic files submitted by tenants. Currently, the RENT system and the online intake form only allows for certain file formats due to security requirements. This limitation usually impacts Apple device users. LAHD staff explained that some files submitted by tenants cannot complete the upload process, and that the problem is most common for photo and video files. During interviews, investigators stated that the need to ask tenants to re-submit evidence was common, and that the process can be frustrating for tenants.

While evidence can still be provided to investigators via email or in person at an LAHD field office, evidence submission issues appear to be common, which can create additional work for both tenants and investigators. Over 40% of tenant survey respondents said they have had to submit the same evidence more than once in order to support their TAHO complaint.

**Table 13: Tenants Report Providing Evidence More Than Once**

<b>Do you believe the LA Housing Department required you to submit the same evidence more than once?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	124	41%
No	127	42%
Unsure	55	18%

Language access issues also may be impacting LAHD's complaint intake process and limiting tenants' ability to file a complaint. LAHD's online complaint submission portal is available in English and Spanish. LAHD's RSO complaint data indicates that between 2018 and 2023, over 99% percent of complaints were submitted by individuals that reported their primary language was either English or Spanish. According to the U.S. Census Bureau, 16.6% of City of Los Angeles residents speak a language different than English or Spanish at home. Despite the City of Los Angeles' diverse population, there were very few complaints submitted where the primary language of the complainant was different from English or Spanish. This may indicate that the department's complaint intake process creates language accessibility barriers.

## **Recommendations**

To encourage enforcement of TAHO via private litigation and deter landlords from engaging in acts of tenant harassment, LAHD should work in conjunction with the City Attorney's Office and the City Council to:

6. Amend the language in Section 45.35 of TAHO to increase the maximum civil penalty amount for each TAHO violation, in line with peer jurisdictions.
7. Amend the language in Section 45.35 of TAHO to change "may" to "shall" with regard to the awarding of an additional civil penalty of up to \$5,000 per violation against tenants that are older than 65 years or disabled.

To improve the efficiency of the TAHO complaint intake and case management process and maintain a manageable workload for the Rent Division, LAHD should:

8. Recruit, hire, and train additional Housing Investigators to conduct TAHO investigations and assist with the Rent Division's increased workload, and ensure that those hired possess the necessary specialized skill set to efficiently and effectively conduct TAHO investigations.
9. Modify the TAHO complaint intake process to require more information from tenants, including which TAHO provisions the tenant believes the property owner has violated, descriptions of the alleged violations, and evidence to support each claim.
10. Periodically provide TAHO educational materials to the tenants and property owners of registered rental units so that both parties have a better understanding of the ordinance's tenant protections and harassment definitions.
11. Develop a solution to address the inability of tenants to submit certain file types to LAHD during the online complaint submission process.

12. Assess the feasibility of expanding the online complaint submission forms to languages other than English and Spanish.
13. Develop formal policies and procedures which ensure that Rent Division efforts to implement TAHO for non-RSO units do not violate Proposition 218 fee revenue restrictions.

## **Conclusion**

TAHO was passed in June 2021 to protect vulnerable tenants from harassment and assist them with maintaining their access to affordable housing. Over the past three years, the law and the City's implementation have not provided adequate relief to tenants living under the threat of losing their homes due to harassment. While the recent changes to the ordinance and potential new funding for tenant anti-harassment efforts are important steps in the right direction, these changes alone do not address most of the program implementation issues identified in this report. The City Council, LAHD, and its partners should continue to take steps to improve the City's enforcement of TAHO in order to provide real protections to tenants in need.

# RECOMMENDATION TABLE

Number	Recommendation
<i>Responsible Entity: Los Angeles Housing Department</i>	
<b><i>To improve the TAHO complaint review and investigation process and standardize the department's management of TAHO complaints, LAHD should:</i></b>	
<b>1</b>	<p>Establish formal policies and procedures for managing TAHO cases. At a minimum, policies and procedures should address:</p> <ul style="list-style-type: none"> <li>a) Investigative steps and best practices for the investigation of TAHO cases;</li> <li>b) Harassment determinations and evidence standards for the substantiation of harassment;</li> <li>c) The referral of cases to the TAHO Task Force and the City Attorney's Office;</li> <li>d) The standardization of case closure dispositions and other relevant fields in the RENT system.</li> </ul>
<b>2</b>	After establishing policies and procedures, deliver formal training to Housing Investigators to provide guidance on the TAHO investigation and complaint management process.
<b>3</b>	Develop a tracking and enforcement protocol that will allow the department to identify and track rental units which become vacant due to confirmed violations of TAHO, and ensure those units are rented at lawful rates, as prescribed by the ordinance. Examples of confirmed violations could include a court finding or the issuance of a citation from the City.
<i>Responsible Entity: Los Angeles Housing Department</i>	
<b><i>To improve its ability to enforce TAHO and enhance the City's efforts to deter property owners from harassing tenants, LAHD should work in conjunction with the City Attorney's Office and the City Council to:</i></b>	
<b>4</b>	Evaluate the feasibility of increasing ACE citation fine amounts to a level that is commensurate with the offense and discourages landlords from engaging in tenant harassment.
<b>5</b>	Assess the feasibility of revising TAHO to provide LAHD with the authority to independently cite property owners and impose administrative fines.

Number	Recommendation
<i>Responsible Entity: Los Angeles Housing Department</i>	
<b><i>To encourage enforcement of TAHO via private litigation and deter landlords from engaging in acts of tenant harassment, LAHD should work in conjunction with the City Attorney's Office and the City Council to:</i></b>	
<b>6</b>	Amend the language in Section 45.35 of TAHO to increase the maximum civil penalty amount for each TAHO violation, in line with peer jurisdictions.
<b>7</b>	Amend the language in Section 45.35 of TAHO to change "may" to "shall" with regard to the awarding of an additional civil penalty of up to \$5,000 per violation against tenants that are older than 65 years or disabled.
<i>Responsible Entity: Los Angeles Housing Department</i>	
<b><i>To improve the efficiency of the TAHO complaint intake and case management process and maintain a manageable workload for the Rent Division, LAHD should:</i></b>	
<b>8</b>	Recruit, hire, and train additional Housing Investigators to conduct TAHO investigations and assist with the Rent Division's increased workload, and ensure that those hired possess the necessary specialized skill set to efficiently and effectively conduct TAHO investigations.
<b>9</b>	Modify the TAHO complaint intake process to require more information for tenants, including which TAHO provisions the tenant believes the property owner has violated, descriptions of the alleged violations, and evidence to support each claim.
<b>10</b>	Periodically provide TAHO educational materials to the tenants and property owners of registered rental units so that both parties have a better understanding of the ordinance's tenant protections and harassment definitions.
<b>11</b>	Develop a solution to address the inability of tenants to submit certain file types to LAHD during the online complaint submission process.
<b>12</b>	Assess the feasibility of expanding the online complaint submissions forms to languages other than English and Spanish.
<b>13</b>	Develop formal policies and procedures which ensure that Rent Division efforts to implement TAHO for non-RSO units do not violate Proposition 218 fee revenue restrictions.

# LAHD's RESPONSE

Tiena Johnson Hall, General Manager  
Tricia Keane, Executive Officer

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February 28, 2025

Mr. Kenneth Mejia  
Los Angeles City Controller  
200 N. Main Street, Suite 300  
Los Angeles, CA 90012  
[Kenneth.mejia@lacity.org](mailto:Kenneth.mejia@lacity.org)

Dear Controller Mejia,

Thank you for the thorough review and thoughtful feedback produced by your team concerning the audit of the Los Angeles Housing Department (LAHD) Tenant Anti-Harassment Program. The purpose of this letter is to respond to the Controller Audit Final Report on the Implementation of the LAHD Tenant Anti-Harassment Ordinance (TAHO) Program, dated February 15, 2025 and received from your office.

## Introduction and Background

As you may know, TAHO is a relatively new ordinance and program, which is continuing to evolve. The ordinance was adopted in its initial form in June 2021 ([Ordinance 187109](#), effective August 6, 2021), and updated as recently as November 2024 ([Ordinance 188416](#), effective December 29, 2024). As originally adopted, TAHO was intended to create a private right of action to be enforced through civil action, offer an affirmative defense to a tenant in an unlawful detainer, ejectment, or other similar action brought by a landlord, or enable criminal enforcement as an infraction or a misdemeanor. In LAHD reports from [2018](#) and [2020](#) regarding the potential structure of the program, such as whether it would apply only to Rent Stabilized Units (RSO units) or all rental units citywide, LAHD provided projected staffing needs and proposed an annual fee of \$2.86 to be charged to units to cover costs of LAHD implementing the ordinance. However, during this time, the City was actively responding to the COVID-19 pandemic, resulting in significant financial uncertainty and a hiring freeze due to budget constraints caused by the pandemic. Accordingly, when TAHO was adopted in 2021, no funding was allocated and no staff positions were created within LAHD for enforcement and implementation of the ordinance. Instead, enforcement relied on the private right of action, potential criminal actions, and the affirmative defense provisions.

LAHD was tasked to implement the COVID-19 tenant protections, emergency rental assistance, and the responsibility of housing rights awareness during that unprecedented time. Although your report discussed the lack of resources, it is crucial to emphasize the impact of these challenges and decisions on LAHD operations. Immediately after the TAHO went into effect, LAHD received a 25 percent increase in hotline calls. The LAHD Investigations and Enforcement Unit experienced a 55 percent increase in new complaints filed between FY 2021-2022 and FY 2022-2023. Specifically, in 2022, 39 percent of new complaints included a harassment complaint allegation. In 2023, this percentage increased to 42 percent.

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Despite this increase in complaints and resulting workload, there was not a corresponding increase in staffing or other resources. Nevertheless, LAHD proactively addressed constituent harassment complaints and provided tenants with legal referrals to seek recourse through a private right of action or referral to the Stay Housed LA Program under the City Eviction Defense Program (EDP) services. LAHD further developed a procedures manual, drafted correspondence and templates to address harassment, and established an internal TAHO Task Force. This TAHO Task Force comprised a team of experienced staff reassigned from both the Rent and Code Divisions of the Regulatory Code & Compliance Bureau, and it continues to be responsible to identify patterns and practices of tenant harassment. It was not until the Fiscal Year 2023-2024 budget that four (4) dedicated TAHO positions were authorized, and an additional ten (10) dedicated positions were authorized in the Fiscal Year 2024-2025 budget. Filling these positions has been subject to the challenges of the City's managed hiring and Prioritized Critical Hiring (PCH) processes.

In September 2023, LAHD staff briefed your audit team that LAHD was working on developing and implementing the TAHO investigative protocols, identifying evidentiary standards, and establishing enforcement processes. LAHD led weekly meetings with the platform solutions contractor on the design and flow of a new case management database system for harassment cases referred to the TAHO Task Force. Since then, LAHD has been able to hire 13 employees assigned to the TAHO Task Force and Implementation Team. This recent addition of dedicated TAHO staff has and will continue to enhance LAHD's implementation of the ordinance.

#### **LAHD Responses to Recommendations**

While we appreciate the audit process, we do believe this review was conducted prematurely. As noted above, the ordinance itself has continued to evolve since it was originally adopted, and it is only recently that dedicated staffing was authorized and positions were able to be filled for TAHO implementation. In fact, at the time this assessment was conducted, several key elements of the program were still in development. Nevertheless, LAHD recognizes the importance of continuous evaluation and improvement to ensure compliance, efficiency, and effectiveness, and we appreciate the thoughtfulness of your recommendations. As described in more detail below, LAHD agrees with most of the audit recommendations and is pleased to share that several of the recommendations have already been substantially implemented. Implementation target dates are noted in the attachment to this letter.

#### **Recommendation # 1:**

The LAHD should establish formal policies and procedures for managing TAHO cases. At a minimum, policies and procedures should address:

- a. Investigative steps and best practices for the investigation of TAHO cases;
- b. Harassment determinations and evidence standards for the substantiation of harassment;
- c. The referral of cases to the TAHO Task Force and City Attorney's Office;
- d. Standardization of case closure dispositions and other relevant fields in the RENT system.

**LAHD Response:** We partially disagree because LAHD has already established procedures for managing TAHO cases. We will continue to update the manuals and procedures as needed.

- "a"- On November 7, 2023, the Investigation & Enforcement (I&E) Procedure Manual was updated to reflect various changes, including the harassment allegation. More specifically, this

version of the manual added the TAHO Allegation (Harassment) category; increased the Systematic Code Enforcement Program (SCEP) fee; added sections on the Eviction Threshold (Illegal Eviction Due to Tenant's Rent Owed Is Less Than Fair Market Rent), and Economic Displacement; and an updated the RSO Registration Fee. Since then, LAHD also created a separate TAHO Procedure Manual and the Navigator Guide to familiarize TAHO Investigators in utilizing the new case management platform, Service-Now (SNOW). The TAHO Procedure Manual sets forth the steps for TAHO investigations for the TAHO Task Force.

- "b"- As reflected in the I&E Procedure Manual - Harassment Section, Housing Investigators are directed to analyze whether the case facts and evidence submitted meet the definition of harassment under TAHO (knowing and willful course of conduct, directed at a specific tenant, and that serves no legitimate purpose). Note: Under the new TAHO amendments effective December 29, 2024, the definition of harassment was changed (bad faith conduct, directed at a specific tenant, that causes harm). The investigative process for Housing Investigators is reflected in Section 5 of the Procedure Manual.
- "c"- See related remarks below in Target Implementation Date.
- "d"- Closure dispositions in the RENT system are standardized. Because each case is unique and tenants may submit multiple allegations in one complaint, more than one closing reason may apply. Also, the closure dispositions in the RENT system may differ from the analysis through the TAHO Task Force's investigation. The most consequential TAHO closure disposition for I & E cases is "refer to TAHO Unit" since this status initiates the TAHO Task Force investigation. The TAHO Task Force Investigation is a 2nd level investigation conducted after a referral from the initial RENT investigation. Under the supervision of the TAHO Task Force managers, the referral investigation will undergo different processes in collaboration with other units and will be tracked in the independent case management system (SNOW).

As we obtain feedback from the City Attorney's Office, ACE Enforcement outcomes, and continuous legal education, we will update our processes and training manual and procedures accordingly. We have created templates for the drafting of a declaration and affidavit and provided guidance on the TAHO Task Force case referral process. We will incorporate these updates and resources to strengthen our existing TAHO policy and procedure training manual.

## **Recommendation # 2**

After establishing policies and procedures, deliver formal training to housing investigators to provide guidance on the TAHO investigation and complaint management process.

### **LAHD Response:**

- LAHD has conducted several trainings, updated our website, case correspondence templates, and Department publications, and incorporated ordinance amendments. We do see an opportunity to enhance our training manual and continue with staff professional development and education to strengthen the skills of our trained Investigators to address the complexity of a harassment investigation.

- In January 2023, the TAHO Task Force met with the City Attorney to seek guidance for referral of TAHO cases. In March 2023, the TAHO Task Force began regular monthly meetings with all Field Office Managers and Supervisors to discuss TAHO cases and potential case referrals. Since then, the TAHO Task Force has begun filling positions, and we have implemented lessons learned and deployed a new case management system (SNOW). In line with our 2025 Work Plan, staff training will be ongoing.
- To address the immediate needs of investigative staff, the TAHO Task Force has held regular meetings with investigative staff to assist with the review of evidence and to determine whether the elements of harassment are established. In December 2024, newly hired investigators assigned to the Investigations & Enforcement (I&E) Section received TAHO Training. Moving forward, formal training will be held quarterly.
- The 2025 Work Plan is to conduct quarterly TAHO training with the I&E Section and the TAHO Task Force. In line with this, LAHD held a TAHO Training in January 2025. All I&E investigative staff received substantive training regarding the TAHO Amendments, which became effective December 29, 2024.
- At our regularly scheduled monthly meetings, the TAHO Task Force shared “best practices” with all Managers and Lead Housing Investigators and shared with investigative staff on a case-by-case basis.
- Managers and Lead investigators are informed of the process to refer cases to the TAHO Task Force at regular monthly meetings. See also the I&E Procedure Manual and the TAHO Procedures Manual regarding preparing the case for a city attorney referral. The TAHO Task Force will continue updating the manual as the team evolves and incorporate lessons learned in case investigations and experience with our new case management system (SNOW).

### **Recommendation # 3**

Develop a tracking and enforcement protocol that will allow the department to identify and track rental units that become vacant due to confirmed violations of TAHO and ensure those units are rented at lawful rates, as prescribed by the ordinance. Examples of confirmed violations could include a court finding or the issuance of a citation from the City.

**LAHD Response:** Our case management system, Service-Now, is designed to track cases investigated and referred to the City Attorney and issuance of ACE Citations. The Investigations Unit often receives court judgements that may trigger the Rent Adjustment Penalty provision. The LAHD will facilitate discussions with LAHD sections about the rent adjustment penalty provision and collaborate on tracking and recordation in internal databases like the Rent Registry, Billing Systems, or inter/intra city systems, such as ZIMAS to strengthen this ordinance provision.



#### **Recommendation # 4**

Evaluate the feasibility of increasing ACE citations fine amounts to a level that is commensurate with the offense and discourages landlords from engaging in tenant harassment.

**LAHD Response:** LAHD agrees to review and work to enhance the current level of citation fees of \$250 (1st violation), \$500 (2nd violation), and \$1,000 (3rd violation) per enumerated incident. For example, the current fine could result in a \$2,500 citation for 10 infractions on the 1st violation. LAHD considered citation fines balanced against the punitive nature of enforcement to arrive at the current fine scheme. LAHD will evaluate the citation fee amounts and enforcement processes of other jurisdictions that employ a formal harassment enforcement process.

#### **Recommendation # 5**

Assess the feasibility of revising TAHO to provide LAHD with the authority to independently cite property owners and impose administrative fines.

**LAHD Response:** The LAHD has independent authority to issue Notices of Citation for TAHO violations. LAHD works with the City Attorney's Office to enforce TAHO violations through the Administrative Citation Enforcement (ACE) Program. The City Attorney administratively forwards the information to the vendor to issue the citation under the services of an existing contract. In establishing the framework for the TAHO Program, the City Council approved three (3) ACE positions, as recommended by LAHD: one City Attorney Administrative Coordinator I, one Paralegal 1, and one Deputy City Attorney III to provide legal support for the Tenant Harassment Program. These positions were included in the 2024-2025 approved budget funded by the ULA Fund. Additionally, any change to this structure will impact the recently adopted Resident Protections Ordinance - Withholding or Revoking of Demolition Permit Approval for Illegal Tenant Harassment or Eviction provisions.

#### **Recommendation # 6**

Amend the language in Section 45.35 of TAHO to increase the maximum civil penalty amount for each TAHO violation in line with peer jurisdictions.

**LAHD Response:** The TAHO was amended effective 12/29/2024, increasing compensatory damages, including damages for mental and emotional distress, and creating a floor of \$2,000 and up to \$10,000 for a prevailing tenant. Language of amendment:

*"A tenant prevailing in court under this article shall be awarded three times compensatory damages (including damages for mental or emotional distress), rent refunds for a reduction in housing services (if applicable), reasonable attorney's fees and costs, civil penalties up to \$10,000 but not less than \$2,000 per violation depending upon the severity of the violation, tenant relocation (if applicable), and other appropriate relief, as adjudged by the court."*

In line with the audit recommendations, LAHD will review remedies in other jurisdictions such as Santa Monica where damages range from \$1,000 - \$20,000.

#### **Recommendation # 7**

Amend the language in Section 45.35 of TAHO to change “may” to “shall” with regard to the awarding of an additional civil penalty of up to \$5,000 per violation against tenants who are older than 65 years or disabled.

**LAHD Response:** The municipalities of West Hollywood and Santa Monica have the term “shall” to award additional statutory damages to the elderly or disabled. Carrying out this recommendation requires Council approval and an ordinance amendment. LAHD will further review damages and penalties in other jurisdictions.

#### **Recommendation # 8**

Recruit, hire, and train additional housing investigators to conduct TAHO investigations, assist with the Rent Division’s increased workload, and ensure that those hired possess the necessary specialized skill set to efficiently and effectively conduct TAHO investigations.

**LAHD Response:** LAHD’s priority is to hire TAHO and other Rent positions, subject to the City’s prioritized critical hiring process. As of February 2025, the TAHO Task Force has grown to include a Senior Housing Investigator, Lead Housing Investigator, Principal Code Inspector, and five (5) Senior Code Inspectors. TAHO will add five (5) Housing Investigators as counterparts to the Code Inspectors.

#### **Recommendation # 9**

Modify the TAHO complaint intake process to require more information from tenants, including which TAHO provisions the tenant believes the property owner has violated, descriptions of the alleged violations, and evidence to support each claim.

**LAHD Response:** LAHD fully agrees with this recommendation. Implementation is in process.

#### **Recommendation # 10**

Periodically provide TAHO educational materials to the tenants and property owners of registered rental units so that both parties have a better understanding of the ordinance’s tenant protections and harassment definitions.

**LAHD Response:** Up-to-date TAHO information, materials/resources, and the required Renter Protections Notification template are available on the LAHD website. Both tenants and property owners benefit from the information contained therein. The website also provides information to help tenants file a harassment complaint. Information on TAHO rights is provided in the Renter Protections Notice to all tenants for which an eviction notice was filed with LAHD. Additionally, all landlords must have the Notice of Renters’ Protections posted on all residential properties in an accessible common area of the property. This Notice must also be given to tenants who begin or renew their tenancy on or after January 27, 2023. Additionally, the LAHD provides monthly webinars on programs, billing/registration, and updates to the law, which includes webinars on TAHO. Lastly, ULA funding has been allocated specifically to conduct TAHO outreach and education for targeted areas that run the risk of high displacement.

#### Recommendation # 11

Develop a solution to address the inability of tenants to submit certain file types to LAHD during the online complaint submission process.

**LAHD Response:** This recommendation is addressed in the design and flow of the new TAHO case management system in Service Now (SNOW), which accepts the most common file types according to industry standards. Supported file types include: bmp, cad, csv, doc, docx, gif, heic, jpeg, jpg, pdf, png, ppt, pptx, pub, rtf, tiff, txt, wpd, xls, xlsx, and svg. In anticipation of receiving key evidence in video and audio format, the constituent may contact the assigned TAHO Investigator for assistance.

#### Recommendation # 12

Assess the feasibility of expanding the online complaint submission forms to languages other than English and Spanish.

**LAHD Response:** In progress.

#### Recommendation # 13

Develop formal policies and procedures which ensure that Rent Division efforts to implement TAHO for non-RSO units do not violate Proposition 218 fee revenue restrictions.

**LAHD Response:** TAHO work can be paid by 3 funding sources: the Rent Trust Fund for RSO units, the Just Cause Fund for non-RSO units, and ULA funding. The Just Cause fee ordinance # 188468 became effective January 7, 2025, and is an eligible source of funding for services for non-RSO units. The LAHD staff is instructed on utilizing the correct work order number for the TAHO-related work performed. Additionally, since the inception of TAHO, LAHD implemented a special sub-task order number to track TAHO work in order to reimburse the Rent Trust Fund. The annual RSO and JCO fee payment period ends on February 28, 2025; therefore, the initial JCO fees are in process of being collected.

#### Conclusion

Once again, thank you for the opportunity to provide feedback on the audit team's thoughtful recommendations which will ultimately improve the quality of the TAHO program and disincentivize unlawful adverse actions against the City's renters.

Sincerely,



Tiena Johnson Hall  
GENERAL MANAGER

Attachment: Recommendation Response\_Implementation of TAHO

# AUDITOR COMMENTS ON LAHD'S RESPONSE

Of the 13 recommendations contained in this report, LAHD *agreed* with 11 recommendations, and *disagreed* with 2 recommendations. We strongly encourage LAHD to fully implement the recommendations it disagrees with.

**Recommendation 1:** Establish formal policies and procedures for managing TAHO cases. At a minimum, policies and procedures should address:

- a. Investigative steps and best practices for the investigation of TAHO cases;
- b. Harassment determinations and evidence standards for the substantiation of harassment;
- c. The referral of cases to the TAHO Task Force and the City Attorney's Office;
- d. Standardization of case closure dispositions and other relevant fields in the RENT system.

**LAHD Response:** Partially Disagree (see page 54)

**Auditor Comment:** LAHD's I&E Manual does not contain specific guidance on the investigative steps or best practices for conducting investigations into harassment, nor does it provide specific information regarding evidentiary standards for substantiating harassment. Formal and specific guidance for conducting TAHO investigations and evidence standards for substantiating harassment would provide necessary guidance to investigators responsible for investigating harassment complaints, which differ from other RSO matters and are frequently more complex. Formal guidance would also help to standardize the department's investigation practices.

LAHD should also take steps to standardize the use of closure dispositions. The closure dispositions listed and defined in the I&E Manual do not match the closure dispositions contained in the RENT system. Investigators also do not use resolution types consistently. For example, some investigators may use the closure disposition, "Resolved," to indicate that they vetted the harassment allegation and that the alleged harassment ceased as a result of LAHD's communications with the landlord. Other investigators may use "Resolved" to indicate that an informational TAHO letter was sent to the landlord. It is critical that LAHD takes steps to standardize the use of closure dispositions so that the department can use closure disposition data to analyze program performance going forward.

**Recommendation 5:** Assess the feasibility of revising TAHO to provide LAHD with the authority to independently cite property owners and impose administrative fines.

**LAHD Response:** Disagree (see page 57)

**Auditor Comment:** LAHD coordinates with, and relies on, the City Attorney's Office to administer ACE citations resulting from TAHO violations. Other city departments, such as the Department of Cannabis Regulation and the Civil and Human Rights Department, can cite and independently impose administrative penalties in response to identified violations of city law. LAHD should assess whether the ability to independently impose penalties for TAHO violations would enhance the City's enforcement efforts and deter landlords from engaging in activities which are considered to be harassment, as defined by TAHO.

In addition to the two recommendations the department *disagreed* with, we would like to provide additional information related to one recommendation that the department *agreed* with.

**Recommendation 6:** Amend the language in Section 45.35 of TAHO to increase the maximum civil penalty amount for each TAHO violation, in line with peer jurisdictions.

**LAHD Response:** Agree (see page p. 57)

**Auditor Comment:** While the November 2024 changes to Section 45.35 of TAHO does establish a minimum civil penalty of \$2,000, the revision did not change the maximum civil penalty amount of \$10,000. In conjunction with the City Council and City Attorney's Office, LAHD should examine increasing the maximum civil penalty amount for TAHO violations to further discourage property owners from engaging in acts of harassment.



# OBJECTIVES, SCOPE, AND METHODOLOGY

## Objectives

We conducted an audit of the Los Angeles Housing Department's (LAHD) implementation of the City of Los Angeles' Tenant Anti-Harassment Ordinance (TAHO). Our audit objectives were to determine whether LAHD established policies and procedures to effectively implement TAHO, evaluate the outcomes of complaints with allegations of harassment submitted to LAHD, and assess whether LAHD had adequate staffing, resources, and systems in place to effectively administer investigations and enforcement for TAHO.

## Scope

The audit scope included LAHD's activities and written documents associated with the development and implementation of TAHO between December 2018 and July 2024. The audit generally examined the Rent Division's RSO complaint data between 2018 and 2023. For the audit's case analysis, audit staff examined cases with allegations of harassment filed with LAHD's Rent Division between February 2022 and December 2023.

## Methodology

To complete our audit, we performed the following:

- Reviewed the City's Tenant Anti-Harassment Ordinance (TAHO)
- Reviewed the City's Rent Stabilization Ordinance (RSO)
- Reviewed the State of California's housing laws including the Tenant Protection Act of 2019 and the Costa-Hawkins Rental Housing Act
- Reviewed and analyzed LAHD's Investigations and Enforcement (I&E) Procedures Manual and draft TAHO manual
- Reviewed LA City Council files and analyzed reports related to the development and implementation of the Tenant Anti-Harassment Ordinance and the implementation of Measure ULA (United to House LA)
- Interviewed LAHD staff including Housing Investigators, Senior Housing Investigators, Code Enforcement personnel, and members of the TAHO Task Force
- Interviewed personnel from the Santa Monica City Attorney's Office, the Oakland City Attorney's Office, the LA Civil and Human Rights Department, the Berkeley Rent Board, and the San Francisco Rent Board

- Interviewed members and staff from the Apartment Association of Greater Los Angeles, Legal Aid Foundation of Los Angeles, the LA Tenants Union, Union de Vecinos, Stay Housed LA, and Keep LA Housed
- Reviewed and analyzed LAHD Rent Division's RSO complaint submission data from 2018 to 2023
- Analyzed LAHD policies and practices related to RENT system data input and data management
- Conducted a case analysis of complaints with allegations of harassment submitted to LAHD between February 2022 and December 2023
- Conducted in-depth examinations of 92 randomly selected TAHO case summaries to evaluate the outcomes of those cases.
- Reviewed and analyzed budget documentation to assess the adequacy of resources available to LAHD for TAHO implementation and enforcement
- Administered a survey to 1,982 randomly selected tenants that submitted a harassment complaint to LAHD and provided an email address, and analyzed the results of the survey.
- Reviewed and analyzed the tenant anti-harassment laws of nine other jurisdictions in California, including the cities of Long Beach, Santa Monica, West Hollywood, San Francisco, Oakland, Berkeley, Alameda and Culver City, and Los Angeles County
- Analyzed housing complaint submission forms for LAHD, the cities of Santa Monica and West Hollywood, and the State of New York
- Reviewed and analyzed LAHD internal documents regarding the department's investigative policies and procedures for cases with harassment allegations
- Analyzed City ordinances that established the Civil and Human Rights Department and the Department of Cannabis Regulation to identify the departments' enforcement authorities and processes

To evaluate the adequacy of internal controls, we performed the following:

- Reviewed the Government Accountability Office's Standards for Internal Control in the Federal Government to identify relevant internal control best practices
- Conducted a walkthrough of the complaint management system utilized by Rent Division staff

- Compared data submitted by LAHD staff for tracking harassment cases referred to the City Attorney's Office and TAHO Task Force against Rent Division's complaint data
- Compared LAHD Rent Division's TAHO investigation process against GAO Green Book principle requirements

## **Audit Limitation**

The City Attorney's Office is responsible for providing legal guidance to City departments. The City Attorney's Office declined the Audit Services Division's request to meet or communicate directly with its subject matter experts during this audit engagement. Audit Services Division staff requested meetings with subject matter experts to discuss TAHO's requirements, LAHD's efforts to implement TAHO, and the challenges facing the City as it works to enforce the ordinance. The City Attorney's Office would only allow Audit Services Division staff to submit questions to a liaison in writing. The inability to meet with City Attorney's Office personnel limited the audit team's ability to assess the legal issues associated with TAHO and LAHD's TAHO enforcement program. This may impact some of the analysis contained in this report.

## **How We Ensure Quality**

We conducted this audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. The Audit Services Division implemented policies and procedures to comply with generally accepted government auditing standards in July 2023. Government auditing standards require that we obtain an external peer review of our system of quality control at least once every three years. We plan to undergo an external peer review in 2025.

# APPENDIX A: SUMMARY OF RENT STABILIZATION ORDINANCE PROTECTIONS

RSO Protection	Summary
<b>Evictions</b>	Tenants in RSO-protected units are protected against evictions under certain circumstances. Tenants can only be evicted from their rental unit, without the payment of relocation assistance, for the reasons listed in the RSO, such as failure to pay rent, causing damage to a rental unit, or using a rental unit for an illegal purpose. These types of evictions are known as “at-fault” evictions, where the tenant was responsible for the eviction and relocation assistance from the landlord is not required. The RSO allows for “not-at-fault” evictions, where a landlord can recover a unit for certain reasons, such as for personal occupancy or to remove the unit from the rental market. Relocation assistance is required to be paid for “not-at-fault” evictions.
<b>Rent Increases</b>	Rent increases for RSO-protected units are limited to an annual increase between three and eight percent. The allowable annual rent increase is determined each year based on the Consumer Price Index (CPI) average for the previous year. For units where a landlord provides utility services, an additional one percent annual increase is permitted for each utility service provided (gas and electric). The most recent approved rent increase was four percent, effective February 1, 2024 through June 30, 2024.
<b>Reduction of Services</b>	Landlords who reduce housing services without reducing rent, are in effect, increasing rent for their tenants. Since the RSO does not allow for illegal rent increases, a rent reduction is required for a reduction of services.
<b>Tenant Relocation Assistance</b>	The RSO requires property owners to pay relocation assistance to tenants evicted via the “not-at-fault” eviction process. The required relocation assistance payment is determined by the length of tenancy, the tenants’ income, and whether the tenant is 62 or older, disabled, or has one or more minor dependent children. As of July 2024, the range of required relocation assistance payments for RSO-units is between \$9,900 to \$25,700.
<b>Buyout Agreements</b>	The RSO requires landlords to provide LAHD’s Disclosure Notice to tenants before executing a buyout agreement, where a tenant accepts compensation in exchange for vacating their rental unit. The Disclosure Notice includes information on tenants’ rights and relocation assistance. Landlords must also file executed buyout agreements and Disclosure Notices with LAHD.
<b>Annual Registration</b>	All units protected under the RSO must be registered annually with LAHD. The current yearly registration fee is \$38.75 per unit.

# APPENDIX B: HARASSMENT AS DEFINED IN THE 2021 TAHO ORDINANCE

TAHO Harassment Definitions	
<b>1</b>	Reducing or eliminating housing services required by a lease, contract or law, including the elimination of parking if provided in the tenant's lease or contract except when necessary to comply with a court order or local or state law, or to create an accessory dwelling unit or additional housing.
<b>2</b>	Failing to perform and timely complete necessary repairs and maintenance required by Federal, State, County, or local housing, health, or safety laws; or failure to follow applicable industry standards to minimize exposure to noise, dust, lead paint, asbestos, or other building materials with potentially harmful health impacts.
<b>3</b>	Abuse of the right of access into a rental unit as established and limited by California Civil Code Section 1954, including entering or photographing portions of a rental unit that are beyond the scope of a lawful entry or inspection.
<b>4</b>	Threatening a tenant, by word or gesture, with physical harm.
<b>5</b>	Attempting to coerce the tenant to vacate with offer(s) of payments.
<b>6</b>	Misrepresenting to a tenant that the tenant is required to vacate a rental unit or enticing a tenant to vacate a rental unit through an intentional misrepresentation or the concealment or omission of a material fact.
<b>7</b>	Threatening or taking action to terminate any tenancy including service of any notice to quit or other eviction notice or bringing action to recover possession of a rental unit based on facts which the landlord has no reasonable cause to believe to be true. No landlord shall be liable under this subsection for bringing an action to recover possession of a rental unit unless and until the tenant has obtained a favorable termination of that action.
<b>8</b>	Threatening to or engaging in any act or omission which interferes with the tenant's right to use and enjoy the rental unit or whereby the premises are rendered unfit for human habitation and occupancy.
<b>9</b>	Refusing to acknowledge or accept receipt of lawful rent payments as set forth in the lease agreement or as established by the usual practice of the parties or applicable law.
<b>10</b>	Inquiring as to the immigration or citizenship status of a tenant, prospective additional tenant, occupant, or prospective additional occupant of a rental unit, or requiring any of these people to make any statement, representation, or certification concerning their immigration or citizenship status.

TAHO Harassment Definitions	
<b>11</b>	Disclosing or threatening to disclose to any person or entity information regarding the immigration or citizenship status of a tenant, whether in retaliation for engaging in legally protected activities or to influence them to vacate or for any other reason.
<b>12</b>	Disclosing or threatening to disclose information about a tenant to any government entity for engaging in legally protected activities or to influence them to vacate.
<b>13</b>	Engaging in an activity prohibited by federal, state, or local housing anti-discrimination laws.
<b>14</b>	Retaliating, threatening, or interfering with tenant organizing activities, including forming or participating in tenant associations and unions.
<b>15</b>	Interfering with a tenant's right to privacy or requesting information that violates a tenant's right to privacy, including, but not limited to, residency or citizenship status or social security number, except as authorized by law.
<b>16</b>	Other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of a tenant(s) and that cause, are likely to cause, or are committed with the objective to cause a tenant(s) to surrender or waive any rights in relation to such tenancy.

## APPENDIX C: TAHO COMPLAINTS BY COUNCIL DISTRICT (FEBRUARY 2022 TO DECEMBER 2023)

Council District	TAHO Complaints	Percentage
<b>CD 1</b> (Highland Park, Cypress Park, Chinatown, Westlake, MacArthur Park, Pico-Union) <sup>24</sup>	944	9%
<b>CD 2</b> (North Hollywood, Valley Village, Valley Glen, Toluca Lake, Van Nuys)	698	6%
<b>CD 3</b> (Canoga Park, Reseda, Tarzana, Winnetka, Woodland Hills)	394	4%
<b>CD 4</b> (Encino, Sherman Oaks, Studio City, Hollywood Hills, Los Feliz)	764	7%
<b>CD 5</b> (Hancock Park, Miracle Mile, Pico-Robertson, Westwood, West LA, Century City)	797	7%
<b>CD 6</b> (Panorama City, Van Nuys, Lake Balboa, Sun Valley, Arleta)	441	4%
<b>CD 7</b> (Pacoima, Sylmar, Mission Hills, Sunland-Tujunga, Lake View Terrace)	215	2%
<b>CD 8</b> (West Adams, Exposition Park, Gramercy Park, Hyde Park, Vermont Vista)	952	9%
<b>CD 9</b> (Historic South-Central, South Park, South Los Angeles, Avalon Gardens, Florence)	972	9%
<b>CD 10</b> (Koreatown, Crenshaw, Mid-City, Arlington Heights, Leimert Park)	1,296	12%
<b>CD 11</b> (Venice, Mar Vista, Westchester, Brentwood, Sawtelle, Marina Del Rey)	558	5%
<b>CD 12</b> (Chatsworth, Northridge, West Hills, Granada Hills, Porter Ranch, North Hills)	241	2%
<b>CD 13</b> (Hollywood, East Hollywood, Silver Lake, Atwater Village, Larchmont, Historic Filipinotown)	1,281	12%
<b>CD 14</b> (Boyle Heights, Downtown Los Angeles, El Sereno, Eagle Rock, Lincoln Heights)	920	8%
<b>CD 15</b> (San Pedro, Wilmington, Watts, Harbor City, Harbor Gateway, Roosevelt)	495	5%
<b>Total</b>	<b>10,968</b>	<b>100%</b>

<sup>24</sup> The neighborhoods listed are either partially or completely inside each council district.

## APPENDIX D: TAHO CASE EXAMPLES

Closure Disposition	Case Closure Summary
Resolved	<p><b>Example 1</b> – On February 23, 2022, the Tenant filed a complaint that alleged harassment has occurred that impacted their tenancy. On initial contact, the tenant stated that her landlord entered their unit, threatened her and roommates to the point they had to get a Temporary Restraining Order (TRO) against the landlord. The Tenant revealed that one roommate vacated the unit due to fear of the landlord. The Tenant also revealed that she and another roommate left the unit with some of their possessions but they still have property in the unit and they have not ended their lease. <b>The Housing Investigator determined that the timeline provided which revealed that the action by landlord supported tenant’s harassment claim. As such, the Housing Investigator sent the Tenant Anti-Harassment Ordinance (TAHO) Informative Letter to the landlord as well as a copy of the TAHO Informative Letter to the tenant. The case was submitted for closure because any further action is a civil matter outside the jurisdiction of the RSO.</b> The tenant and landlord were informed of the City of Los Angeles Ordinance No. 187109.</p>
Resolved	<p><b>Example 2</b> – On February 26, 2023, the tenant filed a complaint alleging Harassment occurred that impacted their tenancy. On March 6, 2023, the Housing Investigator reviewed the timeline of incidents the tenant provided to support their Harassment allegation. Specifically, the tenant alleged that the Property Manager threatened to charge them for the broken shower glass although the restroom door impedes the shower from opening safely. The Tenant provided a photo of flood lights, installed on the property, that were pointed in the direction of the tenant’s window that interfered with privacy and quiet enjoyment. Moreover, tenant provided dates to support their claim that the Property Management repeatedly deposited their rent payments in an unreasonable manner/slow depositing of tenant rent payments: December 21, 2021 deposited in December 2021 along with November 2021, March 11, 2022 deposited with January 2022, February 2022, June 2022 deposited with May 2023, and August 2022 deposited with July 2022. On March 6, 2023, the Housing Investigator spoke with the tenant. The Tenant reiterated the summary of events that have occurred to support Harassment allegation. The Tenant stated that their Harassment allegation was the result of actions/inaction taken by the Property Manager to not address their concerns as they have with other tenants. The Tenant revealed that he has a disability but the Property Management was not aware but he would feel even less safe if they had knowledge of his disability. The Housing Investigator determined that the Property Management’s actions substantiate harassment which violates the City Ordinance No. 178109- Taking away services provided in the lease (housing services) – Refusing to do required repairs, – Interfering with a tenant’s right to privacy. – Intentionally disturbing a tenant’s peace and quiet. The Housing Investigator explained to the tenant that the TAHO Informative Letter would be sent to Property Management. <b>As a matter of record, the tenant asked “how much weight does the TAHO Informative Letter have and did the Rent Stabilization Ordinance (RSO) always send the TAHO Informative Letter. The Housing Investigator informed the tenant that he had submitted substantial documentation with relevant facts that demonstrated he memorialized the events. The Housing Investigator informed the tenant that the weight of information he provided presented a fact pattern that may constitute Harassment. The Housing Investigator informed the tenant they may seek civil action if he deemed warranted and the TAHO Informative Letter informed the Property Management of his right to seek civil</b></p>



Closure Disposition	Case Closure Summary
(cont.)	<p><b>action as well as penalties that may be assessed in a civil case.</b> The Tenant expressed concerns that the Property Manager may retaliate after they receive the TAHO Informative Letter. The Housing Investigator informed the tenant they may include retaliation in their civil case as a form of Harassment. <b>The Housing Investigator sent the TAHO Informative letter to the Property Management via email. The Housing Investigator also sent the LAHD Tenant Confirming letter to the tenant as well as a copy of the TAHO Informative Letter. The case was submitted for closure because the Property Management/tenant were informed of the TAHO protections.</b></p>
Resolved	<p><b>Example 3</b> – On June 14, 2022, the tenant filed a complaint alleging harassment. <b>The Housing Investigator determined that, based on tenant’s documents submitted as well as worklog by the Code Enforcement Unit Inspector, the weight of information gathered supported the tenant’s claim that harassment had occurred.</b> Specifically, the Housing Investigator established the following elements of the Tenant Anti-Harassment Ordinance (TAHO) No. 187109 were present based on verifiable actions by landlord 1). Excessive 24-Hr Notices to Enter Unit. 2) Entering the Unit Without Proper Authorization/Consent. As a result, on October 28, 2022, the Housing Investigator sent the Tenant Anti-Harassment Ordinance (TAHO) No. 187109 Informative Letter to the Landlord. The Housing Investigator also sent the tenant the following documents: 1. Copy of TAHO Informative Letter sent to [CONFIDENTIAL]. 2. Tenant Confirming Letter that informed TAHO Letter was sent. <b>As such, the case was submitted for closure because the Housing Investigator addressed the allegation of Harassment by sending the TAHO Informative Letter that informed of tenant rights under the TAHO Ordinance No. 187109.</b></p>
Resolved	<p><b>Example 4</b> – Complaint filed on June 2, 2023 by [tenant] alleging harassment. The tenant moved into the unit in 2018 and alleged that the landlord harassment by threatening her on regular occasions trying to get her and her family to vacate the property. <b>Tenant claimed that the landlord has put cameras in the front yard, and has made many threatening comments such as threatening the tenant to move out or the landlord would move them out in a casket. Please see the police report filed on May 28, 2023.</b> The Housing investigator informed the tenant of her rights under the TAHO protections and sent the TAHO Informative Letter to the landlord and provided a copy of the TAHO Informative Letter to the tenant for her record. <b>The tenant was highly encouraged to seek legal counsel if she wants to pursue this matter further. The landlord/tenant were informed of the TAHO protections.</b></p>
Resolved	<p><b>Example 5</b> – On December 12, 2022, the tenant Audrey Barnes, filed a complaint alleging harassment. Per BIMS, 3-units subject to RSO/SCEP. Tenant indicated the LL just recently bought the property back in June 2021. <b>Since the property changed ownership, the LL has been verbally telling The T to vacate because her rent is too low and he no longer wants to rent to Section 8. T stated that the property is not in good habitable conditions, which a code complaint has been filed [case number removed].</b> T stated the LL has made false accusations against her and her children about threatening him with a gun. T also indicated the LL installed cameras directly pointing to her bedroom and her entry door. <b>The T was informed about TAHO and informed that a letter may be mailed to the LL and copy to her. T agreed.</b></p>

## APPENDIX E: TENANT SURVEY RESULTS

<b>Q1. What type of harassment do you believe you experienced? (Select all that apply)</b>	<b>Responses</b>	<b>Percentage</b>
Threatening to disclose immigration/citizenship status information about a tenant	11	4%
Inquiring about the immigration or citizenship status of a tenant	15	5%
Threatening to disclose tenant information to a government agency to influence them to move	22	7%
Threatening/interfering with tenant organizing activities (tenant associations and unions)	40	13%
Threatening a tenant with physical harm	66	22%
Other (please specify)	92	30%
Attempting to coerce the tenant to move-out with offer(s) of payments	97	32%
Engaging in activity prohibited by federal, state, or local housing anti-discrimination laws	98	32%
Refusing to accept rent payment	104	34%
Entering the apartment without proper notice	140	46%
Taking away services provided in the lease (housing services)	158	52%
Interfering with a tenant's right to privacy	166	54%
Threatening or serving an eviction notice based on false reasons	189	62%
Refusing to do required repairs	190	62%
Intentionally disturbing a tenant's peace and quiet	195	64%
Using lies or intimidation intended to make a tenant move out	222	73%
<b>Q2. Do you have a clear understanding of how the LA Housing Department defines harassment?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	216	71%
No	34	11%
Unsure	56	18%
<b>Q3. How did you submit your harassment complaint?</b>	<b>Responses</b>	<b>Percentage</b>
Online	196	64%
Phone	64	21%
In person	23	8%
Other	8	3%

Unsure	15	5%
<b>Q4. Did you communicate with an LA Housing Department investigator regarding your harassment complaint?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	248	81%
No	34	11%
Unsure	24	8%
<b>Q5. Did you provide evidence of harassment (e.g., documents, text messages, photos, videos) to the LA Housing Department?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	259	85%
No	22	7%
Unsure	25	8%
<b>Q6. Do you believe the LA Housing Department clearly communicated to you the evidence that was needed to substantiate an allegation of harassment?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	131	43%
No	124	41%
Unsure	51	17%
<b>Q7. Do you believe the LA Housing Department required you to submit evidence more than once?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	124	41%
No	127	42%
Unsure	55	18%
<b>Q8. Did you receive a letter from the LA Housing Department explaining the outcome of your case?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	152	50%
No	118	39%
Unsure	36	12%
<b>Q9. What was the outcome of the investigation?</b>	<b>Responses</b>	<b>Percentage</b>
I chose to withdraw my case	18	6%
The LA Housing Department referred me to a difference City department or non-City government agency	18	6%
The LA Housing Department found that harassment could not be substantiated	40	13%
The LA Housing Department found that the landlord violated the City's harassment law	76	25%
Unsure	154	50%

<b>Q10. Did the LA Housing Department send a letter to your landlord describing the City's law prohibiting tenant harassment?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	113	37%
No	48	16%
Unsure	145	47%
<b>Q11. Do you believe harassment by your landlord has continued after the closure of your harassment complaint?</b>	<b>Responses</b>	<b>Percentage</b>
Yes	219	72%
No	41	13%
Unsure	46	15%
<b>Q12. How many harassment complaints have you filed with the LA Housing Department?</b>	<b>Responses</b>	<b>Percentage</b>
1	119	39%
2	67	22%
3	44	14%
4	16	5%
More than 4	60	20%

## APPENDIX F: LAW LANGUAGE ANALYSIS FOR CIVIL PENALTIES

City/County	Law Language for Civil Penalties	Law Guarantees Civil Penalties?
<b>City of Los Angeles</b>	A tenant prevailing in court <u>may be awarded</u> compensatory damages and imposition of civil penalties	✗
<b>Santa Monica</b>	Any person who violates the provisions of this Chapter <u>is liable</u> for the actual damages suffered or for statutory damages	✓
<b>West Hollywood</b>	Any person violating any of the provisions of this section <u>is liable</u> for actual damages or for statutory damages	✓
<b>San Francisco</b>	Any person who violates the provisions of this Section <u>is liable</u> for money damages or for statutory damages	✓
<b>Los Angeles County</b>	An aggrieved Tenant may institute a civil action for injunctive relief, direct money damages, and any other relief that the court deems appropriate. Such relief <u>shall include</u> a civil penalty.	✓
<b>Oakland</b>	Any person who violates subsection 8.22.640 <u>is liable</u> for money damages or for minimum damages	✓
<b>Culver City</b>	A landlord found to be in violation of this subchapter <u>shall be liable</u> to the aggrieved tenant for damages	✓
<b>Long Beach</b>	An aggrieved tenant may institute a civil action for injunctive relief, direct money damages, and any other relief that the court deems appropriate, which such relief <u>shall include</u> a civil penalty	✓
<b>Berkeley</b>	The relief available to a plaintiff in such an action <u>may include</u> an injunction; all actual damages suffered by any aggrieved party; and an award of civil penalties	✗
<b>City of Alameda</b>	As part of any civil action brought by the people of the State of California or the City to enforce this article, a court <u>shall assess</u> a civil penalty	✓

## APPENDIX G: LAW LANGUAGE ANALYSIS OF PENALTIES FOR VIOLATIONS AGAINST PROTECTED CLASSES

City/County	Law Language for Violations Against Protected Classes	Law Guarantees Penalty?
<b>City of Los Angeles</b>	If a tenant prevailing under this article is older than 65 years or disabled when any of the harassing conduct occurred, the court <u>may impose</u> additional civil penalties up to \$5,000 per violation...	✗
<b>Santa Monica</b>	Any violator <u>shall be liable</u> for an additional civil penalty of up to five thousand dollars for each offense committed against a person who is disabled or aged sixty-five or over.	✓
<b>West Hollywood</b>	Any person or entity violating any of the provisions of this section <u>is liable</u> for additional statutory damages in the sum of \$5,000 for each and every such offense if the aggrieved party is a senior citizen or disabled tenant when any of the harassing conduct occurred.	✓
<b>San Francisco</b>	No provision for protected classes	-
<b>Los Angeles County</b>	If the aggrieved Tenant is older than 62 or disabled, the court <u>may award</u> an additional civil penalty of up to \$5,000 per violation, at the discretion of the court.	✗
<b>Oakland</b>	Any person who violates, aids, or incites another person to violate subsection 8.22.640 with respect to Elderly or Disabled Tenants <u>is liable</u> in a court action for each and every such offense for money damages of no less than 3 times the actual damages suffered by the aggrieved Tenant (including damages for mental or emotional distress), or for minimum damages of \$2,000, whichever is greater.	✓
<b>Culver City</b>	No provision for protected classes	-
<b>Long Beach</b>	If the aggrieved tenant is older than 65 or disabled, the court <u>may award</u> an additional civil penalty of up to \$5,000 per violation, at the discretion of the court.	✗

City/County	Law Language for Violations Against Protected Classes	Law Guarantees Penalty?
<b>Berkeley</b>	A defendant <u>shall be liable</u> for an additional civil penalty of up to \$5,000 dollars for each violation of this Section committed against a person who is disabled within the meaning of California Government Code section 12926, et seq., or aged 65 or over.	✓
<b>City of Alameda</b>	Any violator <u>shall be liable</u> for an additional civil penalty of up to \$5,000 dollars for each offense committed against a person who is disabled or is a senior adult, payable to the victims.	✓



## AUDIT SERVICES DIVISION

The Office of the Controller was created by the Los Angeles City Charter as an independent office, and is headed by the Controller: the elected auditor, paymaster, and chief accounting officer for the City of Los Angeles. Under the Controller's leadership, the Office's Audit Services Division performs audits, investigations, and other oversight functions to help provide transparency, accountability, and improve City services for all Angelenos.

## AUDIT TEAM

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