

Stop the 28-Day Shuffle!

The stories are harrowing and heartbreaking: the disabled, older couple on a fixed income who have nowhere else to go; the young man, fresh out of drug rehabilitation and trying to get his life back together with a new job; the mother with young children forced to vacate her apartment for being unable to handle the rent increase and provide for her family; the parolee needing a place to stay to begin his long, hard climb back into mainstream society.

What all these people have in common is that circumstances have rendered them subject to the cruelties of the 28-Day Shuffle—the unjust and illegal practice of denying the poorest of the poor the basic rights most of us have as tenants in the State of California. Under California law, once a person has established 30 days of continuous residency in a residential establishment—e.g. non-commercial hotel, motel, or apartment building—he or she becomes a legal tenant. In order to avoid legal tenancy, management of several residential hotels in Downtown Los Angeles allow people to pay rent for only 28 consecutive days, usually requiring residents to vacate for a day or two before returning for another 28 days. In doing so, these property owners can force residents to vacate without due cause, lock them out of their rooms, and take possession of their property. Adding insult to injury, hotel management oftentimes forces residents to pay to have their property returned to them. The mere fact that hotel owners have been able to skirt the law and continue this illegal practice for years is unacceptable and must cease immediately.

Los Angeles Community Action Network (L.A. CAN) has launched the 28-Day Renter's Rights Campaign with community residents, Legal Aid Foundation of Los Angeles, Pepperdine University, Hollywood CAN, Los Angeles Coalition To End Hunger and Homelessness, United Coalition East Prevention Project, and the Downtown Women's Action Coalition to bring to an end, once and for all, the pernicious practice of the 28-Day Shuffle. The psychological stress these residents labor under cannot be imagined. The uncertainty that residents are subjected to - not knowing whether they will be living in the same place from month to month or sometimes week to week although they have the ability to pay the rent - is unconscionable.

Please join with the L.A. CAN and the aforementioned organizations to give your support to legislation, regulation, regulatory enforcement, and legal action to STOP THE 28-DAY SHUFFLE. The following are the tenets of our position on this issue:

- 1. DO NOT ALLOW OWNERS AND MANAGERS OF DOWNTOWN RESIDENTIAL HOTELS TO REQUIRE THOSE ABLE TO PAY CONTINUOUS RENT TO MOVE OR VACATE EVERY 28 DAYS.**

Section 1940 of the California Civil Code states that owners and management of residential hotels violate the law if their implied or stated purpose is to deny their tenants legal rights by requiring them to move out and reregister before the end of 30 days. For years residential downtown hotel owners have violated the law by requiring renters to move out every 28 days. We demand that this practice of forcing people into homelessness end immediately. People who are able to pay rent continuously for 30 days or more can establish legal tenancy under California law and must be allowed to do so.

2. RECOGNIZE AND ENFORCE THE RENTER'S RIGHTS OF ALL RESIDENTS WHO PAY RENT IN DOWNTOWN HOTELS.

Legal tenants in the State of California are granted certain rights, including the following: a habitable rental unit, meaning that the rental unit is fit for occupation by human beings and that it substantially complies with state and local building and health codes that materially affect tenants' health and safety (California Civil Code Sections 1941 and 1941.1); due process in eviction proceedings; the ability to withhold rent, under certain circumstances, if the landlord refuses to make needed repairs; reasonable modifications to the rental unit for people with disabilities; and other important rights. Renter's rights also empower residents to take action to ensure their rental units and buildings are safe, habitable, and stable living environments.

In the City of Los Angeles, further rights of tenants are established by the Rent Stabilization Ordinance (RSO), including a cap on annual rent increases in certain buildings and financial relocation assistance in the case of involuntary displacement from the rental unit. However, housing accommodations in hotels do not qualify as rental units under the RSO until one or more of the same tenants have occupied the unit for 60 days.

It is imperative that residents of downtown residential hotels are able to establish their rights as tenants under both state and city code. In addition, we call on local regulatory agencies to assist tenants, particularly low-income tenants, in exercising their rights and holding property owners and managers accountable for their actions.

3. DO NOT ALLOW THE CITY OF LOS ANGELES OR NEW PROPERTY OWNERS IN THE DOWNTOWN AREA TO DISPLACE CURRENT COMMUNITY MEMBERS, ESPECIALLY THOSE LIVING IN RESIDENTIAL HOTELS.

Downtown Los Angeles is in the process of undergoing monumental change and redevelopment due to increased private investment and the establishment of two redevelopment areas by the Community Redevelopment Agency of the City of Los Angeles (CRA). Thousands of low-income residents living in *the last area of concentrated, unsubsidized, affordable* housing in the City of Los Angeles are at risk of displacement. Unless the residents of downtown residential hotels are established as tenants under both California Civil Code and the City of Los Angeles Rent Stabilization Ordinance, they may not be eligible for relocation assistance if displaced by redevelopment activities, and the CRA may not be required to replace the affordable housing units on a one-for-one basis. Given the extreme shortage of affordable housing in the City of Los Angeles, we cannot allow redevelopment activities to exacerbate the housing and homelessness crises.

We oppose involuntary displacement of current residents of downtown residential hotels due to redevelopment activities. While many of the residential hotels are blighted and in need of rehabilitation, we believe that they should be rehabilitated as affordable housing, with levels of affordability appropriate for the very low-income, current residents of this community.

It is imperative that members of this community come together to bring to an end, once and for all, the pernicious practice of the 28-day shuffle. The 28-day shuffle contributes to the revolving door of homelessness that prevails on Skid Row. The 28-day shuffle undermines the ability of residents, struggling to overcome almost insurmountable odds, to establish a much needed foundation. Finally, the 28-day shuffle is not only morally wrong and discriminatory but it is AGAINST THE LAW. **We call on community residents, elected officials, community based organizations, business leaders and others to support the L.A. CAN's 28-Day Renter's Rights Campaign.**

For more information or to get involved with the 28-Day Renter's Rights Campaign, contact Pete White at (213) 439-1070, extension 113.