

Response to Request for Information  
Tenant Advocacy and Legal Representation  
Legal Aid of Sonoma County

## **QUALIFICATIONS**

Legal Aid of Sonoma County (LASC) has been providing legal services to tenants, and select landlords, for over 15 years. Legal Aid assists over 800 adults and over 450 children with housing related legal services annually, in addition to answering over 1,000 housing related calls on our hotlines.

LASC has existing contracts with the County of Sonoma to provide tenant advocacy services outside of Santa Rosa, and as such is responsible for producing both quarterly and annual outcome data. The State Bar of California audits Legal Aid regarding its program quality standards and the delivery of legal services to clients. Staff providing housing advocacy services are licensed and experienced attorneys, paralegals, caseworkers and support staff. We also utilize trained volunteer attorneys who have worked in our housing program for 8 years, law students, and SSU interns.

## **CORE SERVICES**

OVERVIEW: Legal Aid of Sonoma County proposes to provide tenants with housing stabilization assistance that includes, but is not limited to, tenant education, assistance with eviction defense, habitability issues, and Section 8 advocacy. LASC addresses these legal issues through a variety of strategies including education, negotiations with landlords, drafting pleadings, and when needed, in court representation.

While litigation is employed when necessary, such as when a tenant has already received an eviction complaint, LASC ***negotiates*** and ***settles*** over 80% of all its cases. Note: The RFI references mediation. Mediation is done by third party neutrals, not by advocates, and is therefore, in our opinion, not suitable for this scope of services.

LASC also collaborates heavily with the City's code enforcement office in alerting them to substandard conditions and working to ensure landlords comply with habitability laws and code enforcement actions.

## **SPECIFIC SERVICES**

### Tenant Education

- Provide legal outreach and education to tenants. Education is designed to encourage tenants to report habitability issues and other housing violations, as well as to assist tenants in complying with lease requirements and Section 8 mandates.

- Presentations would be given on site at apartment complexes as well as through participation in health fairs and other community events.
- Advise both landlords and tenants regarding their rights and responsibilities under City housing codes and State and Federal law. Note: We realize that this component is solicited in the RFI for mediation services but believe this requires licensed legal staff, and is not the function of a mediation program. Non-attorneys are not permitted to give legal advice, and advising people about their legal rights and responsibilities requires interpreting the law.

### Habitability

- Assert habitability, retaliation, and discrimination claims on behalf of tenants who seek to enforce these rental-housing rights. Services would include:
  - On-site inspection of properties in response to complaints of substandard conditions.
  - Demand letters to landlords and negotiations with landlords.
  - Designing and drafting settlement agreements between landlords and tenants.
  - Drafting complaints to encourage landlords to comply with housing codes and other existing tenant protections.
  - In court representation as needed to enforce habitability laws and other rights.

### Section 8 Assistance

- Assist tenants facing the potential loss of their Section 8 certificates
  - In eviction cases, negotiate settlements with landlords such as to have least impact on Section 8 status.
  - Advise tenants how to best comply with Section 8 requirements.
  - Representation at housing authority hearings.

### Eviction Defense

- Legal advice regarding how to avoid obtaining an eviction record
- Drafting pleadings; asserting lawful defenses to evictions (ADA, retaliation, discrimination, failure to comply with eviction due process).
- Negotiations with landlords.
- Designing and drafting settlement agreements between landlords and tenants.
- In court representation to tenants when necessary.

### Eviction Assistance for Qualified Landlords

LASC recommends assisting low-income landlords with eviction services where the eviction is needed to protect the landlord's own housing stability. This might occur, for example, where a landlord has rented a room in her house or an outbuilding, to a

tenant. In these cases, a tenant's unlawful possession of the unit can jeopardize the housing safety of the landlord or their ability to pay their mortgage. Legal Aid currently provides these services to low-income landlords. This legal assistance includes drafting of complaints and in court representation.

### Mobile Home Park Advocacy

Mobile homes are one of the City's last affordable housing resources. Residents often need assistance with Park quality issues as well as advice regarding potential rent stabilization violations by park owners. In some parks, residents may benefit from assistance in forming resident associations. The depth of this service would depend upon the amount of funding available.

### **TARGET POPULATION**

Tenants: The Housing Stabilization Project would target low-income tenants, Spanish speaking tenants and neighborhoods with known housing quality issues. Services would be ***provided to all Santa Rosa residents, regardless of immigration status.*** Should the City so desire, income criteria could be established, but Legal Aid of Sonoma County is able to assist residents of any income level if so desired. Landlords: Legal Aid recommends providing education and outreach services to all landlords regardless of income level.

### **STAFFING**

LASC would recommend staffing this project with a full-time experienced housing attorney. (Funding permitting, we would strongly recommend the addition of a bilingual caseworker. The addition of the caseworker greatly improves the efficiency of the attorney, enabling the attorney to help many more individuals.)

In addition, LASC would leverage **800** hours of donated volunteer legal services to this project, increasing our capacity by an additional 40% and **providing the City with a 1.40 return on investment.** LASC would also contribute in kind hours from our volunteer coordinator to work with law students and interns, our supervising attorney to provide litigation support, and our executive director, to provide program oversight. The total value of our **in-kind contribution** to this project (our staff hours and volunteer hours) would be **\$65,500.**

**ANNUAL COST:** To staff this project with a full-time housing attorney, would cost \$87,000 annually. This could be scaled according to funding, but given the volume of tenants (over 500) who need assistance, this would not be our recommendation. This figure includes salary, benefits, office space, and mileage costs incurred when inspecting tenant units, or meeting with disabled tenants who cannot come to our office. As mentioned above, LASC would be matching this with a \$65,000 contribution of its staff and volunteers. Thank you for your consideration.