



**California Apartment Association**  
Los Angeles County

February 23, 2026

Board of Supervisors  
County of Los Angeles  
VIA EMAIL

**Item 2: Oppose Unless Amended– Continued Declaration of Penal Code 396**

Dear Supervisors,

On behalf of the California Apartment Association (CAA), we respectfully urge you to amend this motion to include a definitive timeline and clear termination date for the declaration of Penal Code 396. Absent the adoption of a clear and binding phase-out plan at this meeting, CAA must oppose the continued declaration.

While the emergency provisions of Penal Code 396 served as an important safeguard for residents during a challenging period, the circumstances that justified its extension no longer exist. For several months, CAA has respectfully requested that the County begin the process of phasing out the emergency provisions and establish a clear timeline for its conclusion. This emergency declaration was intended to be temporary. Instead, it has become routine for emergency housing regulations to become indefinite. The continuation lacks clear reasoning, guardrails, or objective benchmarks for termination.

Recovery has progressed and market conditions have materially improved. **Vacancy rates in the County are above 5 percent**, indicating increased housing availability. **A recent Los Angeles Times article titled “[Finally a Renter’s Market](#)” highlights a softening rental market.** These conditions are the opposite of those that originally supported extensions of Penal Code 396.

Continuing the emergency declaration under these circumstances is counterproductive. The ongoing application of Penal Code 396 has wide-ranging implications that deter housing availability and discourage the reintroduction of critically needed homes currently being withheld from the market. Allowing Penal Code 396 emergency provisions to end would help support a return to normal market operations, encourage the reintroduction of needed homes currently being withheld from the market, and provide necessary flexibility for housing providers while maintaining compliance with standard state and local housing laws.

Establishing a clear and definitive end date is the responsible course of action. If such a timeline is not adopted, we respectfully oppose the motion to continue the declaration.

Thank you for your consideration.

Sincerely,

Fred Sutton  
California Apartment Association