

## **CITY OF LOS ANGELES GUIDELINES FOR ABANDONED PROPERTY & ENCAMPMENTS**

On October 15, 2007, the City entered into a **settlement agreement in Jones v. City of Los Angeles**, in which the City agreed that **between the hours of 9 p.m. and 6 a.m., it would not enforce the law prohibiting sleeping on the streets anywhere in the City of Los Angeles** until the City makes 1,250 units of permanent supportive housing available in the Skid Row area.

In a separate case, **Lavan v. City of Los Angeles**, a federal district court judge issued a preliminary injunction enjoining the City from **seizing or destroying personal property left unattended on the public sidewalks** of downtown's Skid Row. The City appealed this order to the Ninth Circuit Court of Appeals. The Ninth Circuit held that the removal and immediate destruction of a person's unattended property violates the United States Constitution. The Ninth Circuit's opinion applies citywide. In implementing the injunction and the Ninth Circuit ruling, the City has established a process to be used prior to removing or destroying personal property left on sidewalks. **This includes providing notice to the owner prior to removal and storing the property for a reasonable period prior to disposing of it.** These prerequisites do not apply to items which pose an immediate threat to public health and safety, or is evidence of a crime.

Although the injunction only pertains to Downtown Los Angeles, **the City has implemented these precautionary steps citywide to protect individuals' rights to their property and to also ensure compliance with the Ninth Circuit ruling, which is applicable citywide.** The City's **Bureau of Street Services (BSS)** and the **Bureau of Sanitation (BOS)** are working with the **Los Angeles Homeless Services Authority (LAHSA)** and other agencies to provide outreach to the homeless individuals as well as to maintain safety in the public right of way. The City has sought to strike a balanced approach: provide help to those who need and want it – and to enforce all applicable laws to protect quality of life.

**Being homeless is not illegal.** The city's department of Bureau of Street Services and Sanitation, along with LAHSA, have developed a process to ensure that public safety concerns are met.

**Here's the essential Abandoned Property/Encampment Cleaning Protocol (Lavan):**

- The encampment is reported to BSS by constituent or Council Office.
- BSS assigns investigator to the site who visually inspects the site.
- The Council Office/BSS alerts LAHSA.
- LAHSA conducts outreach and offers services to the individuals.
- The owner of property receives a 48-hour Notification of Cleanup to ensure he/she has enough time to collect their belongings.
- Abandoned personal property is to be "bagged and tagged" and kept in a secure location for at least 90 days to allow individuals time to collect this property.
- BSS works with Sanitation to schedule a cleanup of the bio hazard waste in the area. Cleaning an encampment requires specialized training, which may require a certified watershed protection worker.
- BOS cannot conduct a clean-up without an LAPD officer present. If no officer is present, the clean-up will be cancelled.

**If you wish to request an encampment clean-up, you can call 311 or use the MyLA311 phone app to make this request.**