



TENANTS TOGETHER

California's Statewide Organization for Renters' Rights

Winter Newsletter 2009

New federal law protects tenants at foreclosure *Tenants Together empowers renters to stand up for their rights*

The U.S. Congress has passed, and President Obama has signed into law, the first federal tenant rights legislation in nearly 20 years. The Protecting Tenants at Foreclosure Act (PTFA) establishes new protections for tenants in foreclosure situations and is an important first step in addressing a growing national crisis.

Tenants Together estimates that at least one-third of all foreclosed properties in California are occupied by tenants. Increasingly, the news media and lawmakers are recognizing that tenants are innocent victims of the nation's mortgage meltdown.

Under the PTFA, effective on May 20, 2009, tenants who live in foreclosed properties are entitled to a 90-day notice to vacate. If the tenants have a fixed-term lease, they are entitled to remain in their home until the lease expires, unless a third party purchases the property to move into the residence.

The PTFA protections are limited to "bona fide" tenancies. Certain leases may



President Obama signs the first federal tenant rights bill in nearly 20 years.

not be covered, such as leases between certain relatives and rentals at substantially below-market rent.

For more details about the law, visit our website: TenantsTogether.org.

In addition to providing more time for tenants to remain in their homes, this law has considerable implications for the banks that

repossess rental properties in California.

Prior to the enactment of PTFA, rental agreements were generally extinguished at foreclosure and banks claimed they were not "successors" for purposes of California laws requiring return of security deposit and repairs. By specifying that tenancies survive foreclosure, the PTFA removes any doubt that repossessing banks are responsible for keeping utilities on, the maintenance of properties, and returning security deposits.

Unfortunately, despite the new protections afforded tenants under the PTFA, tenants are routinely harassed, misled and lied to by banks and their real estate agents and lawyers. We hear stories like these from tenants every day.

Tenants Together encourages tenants to stand up to violators. Tenants victimized by these practices should call our hotline at **888-495-8020** or consult our online action guide to learn more about asserting their rights against unscrupulous banks.

Resilient tenants push to strengthen rights

Can tenants, tenant organizations and allies across the state unite around common issues and build a strong force for fairness and justice for renters? Our answer is YES! But we need your help to make it happen.

Tenants have made some significant gains in the face of this nightmare economy. At the federal level, 2009 brought the first tenant protection law in nearly twenty years, as well as a new leader at HUD with a track record of leadership on affordable housing.

At the state level, and despite the looming veto threat of the Governor, our allies at Western Center on Law & Poverty pressed ahead with successful legislation to preserve



Photo by Steve Rhodes

the 60-day notice requirement (authored by Senator Leno) and protect tenants from utility shutoffs (authored by Senator Lowenthal). Meanwhile, Assemblymember Mike Feuer's bill takes the first major step toward guaranteeing a right to counsel for low income tenants in eviction cases.

At the local level, tenants across the state are taking action in their communities, as explained in more detail in this newsletter. Tenants in Ridgecrest, Kern County, accomplished what seemed like the impossible: passing a just cause for eviction law, and becoming a model for other cities seeking a cost-free way to stop bank evictions of tenants after foreclosure. Tenants Together is proud to have been a driving force in helping tenants successfully fight for this measure.

While we celebrate some meaningful victories this year, we are well aware that for most, these are very tough times. Millions

of tenants are struggling in this economy.

Many are facing the one-two punch of layoffs and eviction. And despite huge sums for bank bailouts and Wall Street bonuses, the residents of Main Street, especially those who are renters on Main Street, have been largely ignored.

We look forward to expanding our work to make sure tenants everywhere in California have a unified voice. If you are not yet a member of Tenants Together, we urge you to become one today to help build a strong statewide movement for renters' rights.

Inside this Issue

Cities adopt just cause laws	p. 4
CalPERS and predatory equity	p. 4
Local highlights	p. 4
Legislative updates.	p. 6
Court watch	p. 7
Membership form	p. 8

www.TenantsTogether.org

Growing number of cities adopt just cause for eviction laws

Add Maywood, Richmond and Ridgecrest to the list of California cities with just cause for eviction laws. With the number of “just cause” cities in California growing, it is worth taking a moment to ask: what are these laws, where do they apply and why are more and more jurisdictions passing them?

What is a just cause law?

Generally, a landlord in California can evict a tenant for any reason or for no reason at all, as long as the eviction is not retaliatory or discriminatory. In most parts of California, that is the law. But a growing number of cities have decided to limit the grounds for eviction to prevent arbitrary evictions. These cities have passed “just cause for eviction” laws.

Just cause for eviction laws spell out the reasons that a tenant may be evicted, including such things as nonpayment of rent or the landlord’s desire to remove the unit from rental use. These laws generally recognize 10-15 reasons as legitimate, and any other eviction is barred.

Unlike many other tenant protections, just cause laws have survived decades of judicial decisions undercutting the rights of tenants. Courts have confirmed the legality of local eviction laws, most recently early this year when a California Court of Appeal upheld Oakland’s just cause law.

There are different types of just cause laws in California. They vary in several respects: (1) the allowable grounds for eviction; (2) which units are covered; (3) whether the ordinance requires the landlord to make relocation payments if the tenant is evicted through no fault of the tenant; and (4) whether the law also contains rent control.

What cities have just cause laws?

Tenants in the following cities may be protected by a local just cause for eviction law:

Berkeley	Palm Springs
Beverly Hills	Richmond
East Palo Alto	Ridgecrest
Glendale	San Diego
Hayward	San Francisco
Los Angeles	Santa Monica
Maywood	Thousand Oaks
Oakland	West Hollywood

Not all units in these cities are covered. Check out our website for more information.

Why are more and more cities adopting these laws?

Just cause laws help protect tenants from arbitrary eviction. Particularly when coupled with a rent control law, they provide greater housing security for tenants.

In addition, some just cause laws also help mitigate the impact of eviction by

requiring landlords to make relocation payments to tenants in “no fault” evictions.

Just cause laws also prevent banks after foreclosure from evicting innocent tenants, since banks rarely have grounds for eviction and foreclosure is not a basis for eviction under any local just cause law in the state.



After foreclosure, tenants protected by just cause laws can stay in their homes indefinitely until, say, a third party purchases the home to move into the property.

As California continues to be hit hard by the foreclosure crisis, communities are recognizing that just cause laws are a cost-free option that can prevent needless eviction of good tenants and the resulting vacancies and blight that have been devastating lives and communities across the state.

How can you get a just cause law in your city?

Organize.

In our last newsletter, we covered the organizing victory in Maywood that resulted in a just cause law passing in 2008, and the victory in Los Angeles which expanded the city’s just cause law to all properties after foreclosure. See our local highlights section in this issue for the stories of Ridgecrest and Richmond, the latest cities to pass just cause laws.

Contact Tenants Together if you are interested in passing a just cause law in your area.

OUR MEMBER ORGANIZATIONS

Thanks to each of our current member organizations for their work to strengthen tenant rights in California!

Affordable Housing Advocates
California Affordable Housing Law Project
Coalition for Economic Survival
Coalition of Mobilehome Owners - California
Eviction Defense Collaborative
Eviction Defense Network
Fair Housing Council of Riverside County
Inner City Law Center
Just Cause Oakland
Housing Rights Committee of San Francisco
Marin Tenant Voices Council
Parkmerced Residents Organization
San Francisco Tenants Union
Santa Monicans for Renters’ Rights
St. Peter’s Housing Committee
Sunny Acres Residents Association
Tenderloin Housing Clinic
Tenants Legal Center of San Diego

If your organization also supports tenant rights, we urge you to become a member of Tenants Together.

VISIT US ONLINE

www.TenantsTogether.org

- Alerts and resources in your region
- California tenant news and updates
- Sign up for email alerts
- Share your tenant story



CalPERS to lose \$600 million in predatory equity schemes designed to evict tenants for quick profits

Courts on both coasts strike down massive rent hikes instrumental to the schemes

CalPERS, the nation's largest public pension fund, will likely lose \$600 million in real estate investment schemes in East Palo Alto and New York City. These schemes are classic examples of **predatory equity**, over-leveraged investments that rely on the displacement of tenants from rent-regulated housing in order to turn quick profits.

Both investments – one in East Palo Alto with partner Page Mill Properties and another in NYC with partners Tishman Speyer Properties and BlackRock Realty – have been the subject of considerable controversy. The schemes have involved the mass displacement of low and moderate income tenants, they have spawned multiple lawsuits and they have raised the ire of tenants, community organizations, public officials, and labor groups.

Tenants demand reform

Through these predatory equity schemes, CalPERS, a coauthor and signatory to the United Nations Principals of Responsible Investing, has effectively invested the retirement funds of *working people* in projects that were designed to displace *working people* from their homes.

Tenants and advocates believe this is an unacceptable use of public pension dollars. Tenants Together is demanding a full investigation into the circumstances of CalPERS

investments in predatory equity schemes to determine what CalPERS knew about these investments at the outset.

Tenants Together is also calling on CalPERS to adopt predator-free real estate investment policies that will prevent it from ever again committing funds to these greedy and reckless schemes.

Tenants resist displacement & rent hikes

Tenants caught in both the NYC and EPA schemes recently won major victories in the courts against their predatory landlords. New York State's highest court ruled on October 21 that the owners of Stuyvesant Town and Peter Cooper Village apartment complexes improperly raised rents on tenants in thousands of rent-regulated apartments.

This followed a decision by a San Mateo County court which granted an injunction in September against Page Mill Properties, barring it from raising rents on a number of its 1,800 rent-controlled apartments.

Much of the news coverage of the collapse of these schemes characterizes investors as mere victims of a rough real estate market. In reality, tenant resistance – not only in the courts, but also through the media and public demonstrations – has been essential to bringing down these predatory investments. Put simply, many determined tenants are outlasting their foes.

For more than a year, Tenants Together has been working with tenants, advocates, labor unions, and city officials in East Palo Alto, where Page Mill Properties has been engaged in near constant conflict with the city and its residents.

Last year, Tenants Together, along with tenants from East Palo Alto, met with CalPERS staff and testified before the CalPERS Board of Administration bringing the crisis to the board's attention and calling on CalPERS to intervene to bring relief for tenants.

Despite calls for CalPERS to act, the situation continued to deteriorate as evictions and litigation persisted. Then in September, it was reported that Page Mill missed a \$50 million mortgage payment. Soon after, its properties were put into receivership in an initial step towards foreclosure.

At the same time as its troubles in East Palo Alto reached a critical stage, CalPERS' half-billion-dollar investment in NYC began to go bust as well.

CalPERS has remained mostly silent about the nature of its partnership with Page Mill, but in NYC, SEC filings show that investors were relying on a rapidly accelerated turnover of tenants in order to turn quick profits, making it a text book example of the insidious practice of predatory equity.

Tenants Together expands foreclosure hotline

Due to overwhelming need, Tenants Together has expanded its hotline for tenants in foreclosure situations. Since launching our hotline in March, Tenants Together has served thousands of callers, mitigating the impact of the foreclosure crisis on tenants by helping them learn and assert their rights. As part of the expansion, the hotline has:

- Added a full time, bilingual Program Coordinator
- Doubled the number of trained volunteer counselors
- Rolled out a new toll-free number
- Added an online intake form and other web-based resources



California tenants can reach the Tenant Foreclosure Hotline toll free at **888-495-8020** or tenants can complete an online intake form at **www.tenants-together.org/hotlineintake** to get a call back from a hotline counselor.

Know your Rights in Foreclosure *

- Right not to be evicted due to foreclosure if your home is covered by a local just cause eviction protection (list of cities on p.2).
- Right not to be locked out of your home.
- Right to a minimum 90 days written notice to vacate.
- Right to remain in your home for the term of your lease unless someone purchases the property to move-in.
- Right to return of security deposit.
- Right to habitable premises and continued utility service.

* *Some exceptions apply. Call our hotline or visit our website for more information.*

LOCAL HIGHLIGHTS

EAST PALO ALTO

Tenants fight back, outlast predatory landlord

The devastating attacks from notorious predatory landlord, Page Mill Properties (PMP), on the East Palo Alto community, may soon be coming to an end.

After missing a \$50 million loan payment to Wells Fargo, the bank moved to have PMP's properties put into receivership, an initial step towards foreclosure.

On September 28, tenants won a major preliminary victory in the class action suit *Oberle vs. Page Mill* when Judge Steven Dylina issued an order that binds both PMP and the current receiver of the properties from increasing rent on a number of Page Mill's units.

Tenants Together has been pleased to continue working with the Fair Rent Coalition, a group of tenants, advocates, and community organizations that has fought Page Mill every step of the way, through the courts, in the media, at the City Council, and in the streets.

CalPERS, California's public employee pension fund, committed \$100 million of public employee pension funds to this greedy and reckless scheme and has not been forthcoming about how much it knew about PMP's intentions. See CalPERS article on page 3.



EAST PALO ALTO is located in San Mateo County with a population of approx. 33,000. 56% of its residents are renters. EPA has rent control with just cause protections.

TT member takes his story to the media



Immediately after the home that Anthony Moore, his wife, and four children rent in Bakersfield went into foreclosure, Anthony began to get harassed by his new landlord who wanted him out within three days.

Anthony called Tenants Together's Tenant Foreclosure Hotline and learned that, under the Protecting Tenants at Foreclosure Act, he is entitled to stay in his home until his lease expires next year.

Empowered by this information, Anthony decided to make an example of his new landlord whom he suspects is in the business of buying homes at foreclosure and prematurely evicting the tenants. Within a couple of days of calling our hotline, Anthony contacted his local ABC-TV news station and was able to share his story on the evening news. You can watch video of the news story on our blog RentsAndRants.org.

Tenants Together encourages all tenants who are being treated unjustly by banks, realtors, and third party investors to contact the media with their stories to expose their practices and hold the perpetrators accountable.

LOS ANGELES

Section 8 tenants win big victory

Section 8 tenants from the Morton Gardens apartment complex in Echo Park, Los Angeles scored a major victory when the 9th Circuit Court of Appeals ruled in *Barrientos v. 1801-1825 Morton LLC*, that Los Angeles' eviction controls are not preempted by federal laws or regulations.

Under the decision, Section 8 tenants living at Morton Gardens are protected against their landlord's attempt to evict them. Morton Gardens was developed in 1971 as a low-income rental housing project through a HUD subsidized mortgage-secured low interest loan program.

Not only does the court's decision protect Morton Gardens tenants, but it has broad implications for Section 8 tenants throughout LA and in other cities with local eviction laws.



CES helps lead a big win for HUD tenants in Los Angeles.

LOS ANGELES is California's largest city with an estimated population of 3.8 million. 52% of Los Angeles County residents are renters. LA has rent control with just cause eviction protections.

RICHMOND

City passes just cause eviction ordinance

On June 16th, before a packed chamber, the Richmond City Council voted to enact a just cause ordinance protecting tenants from unfair evictions from foreclosed homes.

Passed unanimously, the ordinance spells out 12 specific circumstances where eviction

is allowed, none of which is foreclosure. The ordinance provides an affirmative defense for a tenant in an unlawful detainer action, contains retaliatory eviction protection and requires relocation payments in the amount of two times the monthly rent plus \$1000.

"It's unfair for a tenant in good standing to be thrown out of their home because of a foreclosure that they could not prevent," said Richmond City Council member, Dr. Jeff Ritterman.

"We see tenants losing thousands in security deposits. It goes without saying, this legislation will provide tremendous relief to many of these individuals," said Adam Poe of Bay Area Legal Aid.



Tenants pack Richmond City Hall

RICHMOND is a city of approximately 100,000 residents in Contra Costa County. About 58% of its residents are renters.

RIDGECREST

Innocent victims in statewide mortgage fraud scheme push city to protect tenant rights

In the span of just three months, determined Ridgcrest tenants, working with Tenants Together, successfully pushed city officials to pass a just cause for eviction law for tenants in bank-owned properties after foreclosure, the first tenant protection law ever passed in Kern County.

“This is a great day for Ridgcrest tenants and for the entire community,” said Bob Nostrand, a Ridgcrest renter who helped lead the effort.

Back in May, after receiving calls from dozens of tenants living in the La Mirage complex, we investigated and discovered that many Ridgcrest renters had become victims of a statewide mortgage fraud scam.

Virtually all of the 300 rental units in La Mirage were in foreclosure or facing foreclosure. Residents were facing eviction due to no fault of their own in a city with a less-than-1% vacancy rate and had, essentially, nowhere else to go.

With the assistance of Tenants Together, tenants began organizing and showed up in force at a City Council meeting to voice their concerns and demands.

Tenants Together representatives traveled to Ridgcrest to meet with tenants and community leaders and to participate in a town hall meeting for La Mirage tenants along with Greater Bakersfield Legal Assistance and the Kern County Housing Authority. At the town hall meeting, the city council chambers were packed with Ridgcrest renters who came to learn about their rights, to tell their stories and to voice their concerns to the City Council members present at the meeting.

At this meeting and at a full city council meeting the following evening, La Mirage tenants and TT organizer, Andy Blue, called on the City Council to quickly draft and pass an eviction protection ordinance – similar to one that had just passed in Richmond – to stem the epidemic of unnecessary evictions due to foreclosure.

Over the coming weeks these tenants repeatedly brought their stories and demands to City Hall, pushing the City Council to act. One councilmember in particular, Jerry Taylor, proved to be a forceful advocate for renters by championing the ordinance and pushing his colleagues to support it as well. Councilmember Ron Carter also took a strong stand for the ordinance and Mayor Steven Morgan provided the crucial third vote needed to pass the measure.

Despite push back from local realtors, within about three months, Ridgcrest had passed a just cause for eviction law and history had been made by determined tenants in Kern County. The new law is now in effect and many tenants remain in their homes who would otherwise have been evicted.

RIDGECREST is a city of about 30,000 in Kern County adjacent to the Naval Air Weapons Station China Lake. About a third of its residents are renters.



TT's Nela Hadzic meeting with La Mirage Ridgcrest tenants.

SANTA BARBARA COUNTY

Roundtable pushes for relocation assistance

On July 7th, the Rental Housing Roundtable, a coalition of Santa Barbara County tenant rights supporters, rallied outside the County Administration Building to demand that supervisors expand the law governing how much relocation assistance landlords have to provide to displaced tenants.

The county's eight-year-old ordinance requires that landlords provide relocation assistance only when tenants are forced out because their homes have been deemed uninhabitable. The Rental Housing Roundtable argues that the law should be expanded to include renters forced to seek new accommodations because of condo conversion, demolition, renovations, and rezoning.

Organizers with the Roundtable say four mass evictions since 2002 have displaced at least 300 families. In these instances, the tenants were evicted to allow for renovations and improvements that enabled the landlords to charge substantially higher rents. Almost always the affected households are low-income, Latino, and families with children. Belen Seara, executive director of PUEBLO and spokesperson for the group, said landlords should give relocation payments sufficient to cover first month's rent and security deposit.



Tenant Estela Jaimes calls for relocation assistance.

SANTA BARBARA COUNTY has a population of about 420,000. About 44% of its residents are renters.

SAN FRANCISCO

Mayor newsom vetoes pro-renter legislation



SFTU's Ted Gullickson

In July, San Francisco mayor, Gavin Newsom, vetoed the Renters Economic Relief Package, which had been backed by the **San Francisco Tenants Union** and passed by the Board of Supervisors. The Board had adopted some significant amendments to the package, in hopes of averting a mayoral veto.

The measures would have (1) allowed tenants to challenge rent increases that brought the rent to over 33% of household income; (2) allowed tenants to add roommates other than family members for the purpose of making rent payments; and (3) capped “banked” rent increases (i.e. accumulated rent increases not imposed in prior years) at 8% per year.

SAN FRANCISCO is the fourth most populous city in California with about 800,000 people. 65% of its residents are renters. SF has a rent control ordinance with just cause eviction protections.

STATE LEGISLATIVE UPDATES

Tenants Together monitors tenant-related legislation in Sacramento. Here's a summary of key issues in State Government that affect tenants. Be sure to check out our website and sign up for regular email updates.

NEW LAWS ENACTED

✓ SB290 Makes 60-day eviction notice permanent

SB 290, authored by Senator Mark Leno (D-San Francisco), was signed into law on October 11. The law makes permanent the 60-day notice requirement for "no fault" evictions. The 60-day notice requirement had been law for six years, but was scheduled to sunset at the end of 2009, after which tenants would have been entitled to only 30 days notice of eviction.

The law provides much needed time for tenants who are evicted through no fault of their own to locate new housing and marks an important victory for tenants.



Senator Leno

✓ SB120 Strengthens tenant rights against utility shut offs



Senator Lowenthal

SB120, authored by Senator Alan Lowenthal (D-Long Beach) was also signed by the Governor. The bill strengthens tenants' rights against utility shutoffs, especially for tenants in single family homes who, until now, were denied protections that apply to other renters.

The law is particularly important for tenants in homes going through foreclosure, as defaulting landlords and banks are notorious for failing to maintain basic utility services for their tenants.

✓ AB590 Right to Counsel

Authored by Assembly member Mike Feuer (D-Los Angeles) and co-authored by Senator Mark Leno (D-San Francisco), AB 590 reflects an important step toward providing low income people a right to counsel in certain civil matters, such as eviction cases. Commencing July 1, 2011, the bill creates a civil representation pilot project (locations to be selected by the Judicial Council) to appoint counsel to represent low-income parties in civil matters involving critical issues affecting basic human needs.



Assemblymember Mike Feuer

GOVERNOR'S RECENT VETOES



AB566 Preservation of public housing units

Introduced by Assemblymember Pedro Nava (D-Santa Barbara) the bill would have required majority resident approval for mobilehome park conversions. Park conversions undermine rent control, making it particularly crucial that residents have a say in conversions. According to the Governor's veto message: "While the intent of this bill is to preserve low-income housing, the fact that a majority of mobilehome park residents do not support a conversion is not an appropriate means for determining the legitimacy of a conversion."

We strongly disagree with the Governor and look forward to working with mobilehome residents to oppose unfair conversions of mobilehome parks.

STATE BUDGET UPDATE

Low and moderate income renters hit hard

As the state's economy continues to deteriorate and unemployment continues to climb, many low and moderate income Californians are finding it increasingly difficult to make ends meet. As a result more Californians are turning to state programs for assistance. Unfortunately, at the time of greatest need, these programs are being cut drastically in the state budget.

As explained in detail by the California Budget Project, safety net programs for the state's most vulnerable residents have been targeted for dramatic cuts. There were three grant cuts in the 2009 budget agreements to the Supplemental Security Income and State Supplementary Payment programs. Maximum payments for individuals dropped nearly 7%. Maximum payments for couples dropped nearly 11%.

These cuts came as corporate tax cuts have been preserved that will cost the state up to \$2.5 billion per year in lost revenue.

For the second year in a row, low-income senior and disabled renters have seen the elimination of all funding for the Renters Rebate, which folks have relied on for decades to pay for essentials like rent, medicine, and food.

Meanwhile, Governor Schwarzenegger continues to advance policies such as the home buyers tax credit that prioritize homeowners' interests over the needs of low income renters.



Read the blog and join the discussion

RENTS & RANTS the blog

We invite tenants, organizers and advocates to submit posts with opinions and updates on tenant issues. Contact andy@tenants-together.org

www.RentsAndRants.org

COURT WATCH

Tenants Together monitors the development of landlord-tenant case law, with a particular concern towards maintaining tenants' rights and remedies in the court system. Details on these cases and others are available on our website.

PUBLISHED DECISIONS

Barrientos v. 1801-1825 Morton LLC **HUD Regs Do not Preempt Local Eviction Protections**

The Ninth Circuit Court of Appeals upheld an injunction against the eviction of Section 8 tenants from the Morton Gardens apartment complex in Los Angeles. The owner was evicting in violation of local eviction controls, claiming that HUD regulations preempted the City's eviction laws. The Ninth Circuit rejected the preemption argument. The case has far reaching implications for tenants in cities with eviction controls.

Guggenheim v. City of Goleta **Rent Control Law with Vacancy Control Ruled a Taking**

The 9th Circuit, in an opinion written by torture memo author Judge Jay Bybee, ruled in favor of a park owner who challenged a mobile-home rent control ordinance with vacancy control as a regulatory taking. The court concluded that a park owner was denied "investment backed expectations" because of the ordinance, notwithstanding the fact that the park owner bought the park with full knowledge of the rent control law. The City is seeking review of the decision.

Palmer/Sixth Street Properties v. City of Los Angeles **Costa Hawkins Interpreted to Preempt Inclusionary Law**

A California court ruled that a Los Angeles inclusionary housing law was preempted by the Costa-Hawkins Rental Housing Act insofar as it imposed affordability requirements on new rental housing. In the case, a low-income residential hotel previously existed at the site to be developed, but the court struck down the City's requirement that the developer either agree to provide the specified number of affordable rental units in the project or pay an "in-lieu" fee. The California Supreme Court has denied the city's petition for review.

VERDICTS AND SETTLEMENTS

Oberle, et al v. Page Mill Properties **Preliminary Injunction against Illegal Rent Increases**

San Mateo Superior Court Judge Steven Dylina granted plaintiffs' motion for a preliminary injunction in the closely watched Oberle v. Page Mill Properties class action lawsuit. The lawsuit addressed Page Mill's creation of numerous corporate entities, each of which held four or fewer units and then claimed to be exempt from the Rent Stabilization Ordinance under the so called "mom and pop" exemption of the ordinance. The injunction bars the landlord from collecting rent increases that do not comply with the limits of the East Palo Alto Rent Stabilization Ordinance. The tenants are represented by Ryan Marsh and Robert Hawk of Hogan & Hartson.

DFEH v. United Dominion Realty LP, et al.

On November 18th, The California Department of Fair Employment and Housing (DFEH) announced the \$298,833 out-of-court settlement of a lawsuit filed in Orange County Superior Court accusing the owners of Huntington Villas Apartments of wrongly initiating eviction proceedings against a disabled tenant because of her companion animal. Disabled tenant, Michele Warner, endures unmanageable pain resulting from multiple spine, muscular and nervous systems ailments. Her companion animal was part of her doctor prescribed treatment to lessen the problems related to her painful conditions.

City of Oakland v. JP Morgan/Chase, et al. **City Settles Wrongful Eviction Case Against Bank;** **Other cases pending**

Responding to pattern of banks and real estate agents violating Oakland's Just Cause for Eviction law, City Attorney John Russo sued JP Morgan Chase and other banks and real estate agents for illegally evicting Oakland tenants after foreclosure. The recent settlement with JP Morgan Chase was a disappointment to tenant advocates. The settlement calls for payment of a mere \$35,000 by JP Morgan Chase to the city and no injunctive relief.

U.S. v. Harvey Duro Sr. and Desert Mobilehome Park Inc.

U.S. District Judge Stephen G. Larson ruled in favor of the residents of Duroville and against the government to keep open a mobilehome park with thousands of tenants in Riverside County. The judge stated that closing the park would result in a "major humanitarian crisis" for thousands of poor farmworkers. "To close the park under current conditions would create one of the largest forced human migrations in the history of this state." California Rural Legal Assistance (CRLA) attorney Arturo Rodriguez was lead counsel for the tenants.

United States v. Donald Sterling, et al. **Largest rental housing settlement in DOJ history**

On November 3, the U.S. Department of Justice announced a record \$2.725 million settlement in its case against NBA basketball team owner and Los Angeles mega-landlord, Donald Sterling. The lawsuit filed by the DOJ alleged that the defendants engaged in discriminatory rental practices on the basis of race, national origin and familial status (having children under 18) at various apartment buildings in Los Angeles. The defendants, who manage their apartments under the name Beverly Hills Properties, own and manage approximately 119 apartment buildings comprising over 5,000 apartments in Los Angeles County.

SPECIAL THANKS

Tenants Together wishes to thank the following tenant law firms for their major donations in 2009.

Greenstein & McDonald
Peretz & Associates
Kletter Law Firm
Law Office of Richard Hurlburt

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Support the California movement for renters' rights.
Join Tenants Together today!

To join Tenants Together or to renew your membership, complete and mail this form or join online at TenantsTogether.org.

NAME

ORGANIZATION (if applicable)

STREET

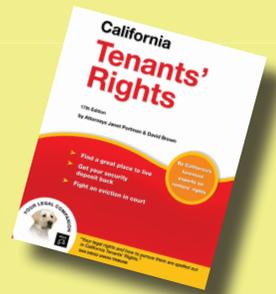
CITY/STATE/ZIP

PHONE

EMAIL

Get a t-shirt and book!

Members who contribute \$25 get a free book or t-shirt. Contribute \$50 or more and get both!



Individual Membership

Sliding scale \$0 - \$100

- \$25 \$50 \$75 \$100
 other _____

Organizational Membership

- Tenant association \$50 \$100 \$250
 Nonprofits \$100 \$250 \$500
 Other organizations \$250 \$500 \$750

Send form with check or money order to:
Tenants Together
 995 Market St., Ste 1202
 San Francisco, CA 94103

Members who contribute \$25 or more get their choice of a free t-shirt or book.

Please send me a:

- Tenants Together t-shirt Nolo Press California Tenants' Rights book Both (for a contribution of \$50 or more)

T-shirt size: small medium large extra large