

SANTA MONICA NEWS

3-Unit Problem Property to Be Demolished After 20-Year Battle

In a 35-page decision, the California State Supreme Court ruled that a rundown Sunset Park apartment building that had been seized by the city and turned over to a court-appointed receiver could be torn down.

The court upheld a lower court decision authorizing the court-appointed receiver to demolish the building.

In its decision, the Supreme Court determined that the property owner did not have the "economic means and moral resolve to function as a responsible property owner."

The 3-unit property on Ocean Park Blvd. was described by city

officials as having a long history of serious problems that the owner refused to correct.

At one point, inspectors found out that one bedroom in one unit contained seven bunk beds that were rented by the week. Police also were repeatedly called to the property on reports of alleged criminal activity.

In 1989, the city filed a civil lawsuit against the owner alleging numerous code violations, which resulted in a portion of the structure that had been built without a permit being demolished.

Then, in 1997 the city filed an 85-count misdemeanor criminal complaint against the owner for con-

tinued code and other violations, to which the owner pled guilty to 15 of the counts and spent 280 days in jail. The owner also spent several weeks in jail in 2004 for repeated code violations.

After failing repeated inspections between 2001 and 2004, the

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Meeting Announcement

Lainy Parry / Bill Dawson - Meeting Moderator
Lainy Parry - Legal Questions Answered
State Legislative Report
Rent Control/Owner Education

- **Roofing Technology That Saves Money & Energy**
- **City Councilmember Gleam Davis Invited**

Mon., July 27, 2009 • 7:00 P.M.
No Meeting in August

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Under the Dome First House Deadline Passes, Budget Fight Gets Nasty

By Steve Carlson,
Sacramento Lobbyist

At this writing, we are two weeks past the house-of-origin legislative deadline – meaning that all Assembly and Senate Bills needed to pass off the floor of their respective houses. It was a busy week with the Assembly moving nearly 300 bills on to the Senate in three days.

Given the \$24-billion budget deficit that is looming over the state, bills that had significant costs were held in the Appropriations Committee.

Because this is the first year of a two-year session, held bills will become two-year bills, providing authors with time to reduce costs.

Although there are still a few measures we need to continue to work on, I am pleased to report that we were able to stop most of the bills we considered problems for our industry. We are now in the midst of policy committee hearings for bills in their second houses.

On another note, since my last article the special election that saw the demise of all the budget-related ballot measures also saw the election of Curren Price to the State Senate. AAGLA has been a supporter of Curren since he ran for the Assembly several years ago. We are very pleased he will be in the Senate.

Key Bills That Failed

SB 518 (Lowenthal) – Problematic comprehensive parking policies. Although the bill was amended late in the process to “authorize,” not mandate, cities to implement parking policies, we continued to oppose the measure and killed it on the Senate floor.

AB 1171 (Ammiano) – Ellis Act Legislation. Our strong opposition, and that of our allies, caused the author to pull the bill.

AB 1170 (Calderon) – Megan’s Law. Megan’s Law Disclosure Booklet to be written by the Department of Justice. Held in the Assembly Appropriations Committee.

AB 603 (Skinner) – Foreclosed single-family properties. Provisions for statewide just-cause evictions. Strongly opposed by us and our allies as well as banks and realtor organizations. Put on inactive file by new author.

Bills of Concern

SB 782 (Yee) – Domestic violence. We met with the author to point out the dilemma if an owner cannot evict when a domestic violence situation endangers other tenants. Oppose unless amended. Passed Senate narrowly.

AB 331 (Hall) – Foreclosure notices to applicants to rent single-family homes. Much foreclosure legislation has attempted to include multi-family, but it is really an issue for single-family residences. Amended to apply to 1-4 units. Working with author to iron out concerns.

AB 1186 (Blumenfield) – Non-residential parking mandates. Prescriptive parking mandates on commercial properties. Oppose due to dangerous multi-family precedent.

AB 530 (Krekorian) – UD’s. Removes sunset date, geographical limits, allowing City Attorneys to intervene where controlled substances and firearms are present. Passed Assembly. Support.

AB 568 (Lieu) – UD’s. Counterfeit goods. Allows City Attorneys to initiate UDs if counterfeit goods are present. Got amendment so applies only to non-residential. Passed Assembly.

AB 49 (Feuer) – Mandate to reduce urban per capita water use. May result in costly and unworkable mandates on property owners. Passed Assembly. Working on amendments with author.

SB 407 (Padilla) – Low-flow plumbing devices. Working on

amendments. Watch. Passed Senate.

SB 290 (Leno) – Permanent 60-day notices to vacate when tenants are in place over a year. We are opposing the bill unless amended with a sunset date of three years or less. Passed Senate.

SB 120 (Lowenthal) – Obligations to tenants placed on successors of interest as a result of foreclosure. Watch. Passed Senate.

AB 1263 (Strickland) – UD. Modifies service of process procedures. Two-year bill.

AB 590 (Feuer) – Increased filing fees to go to a legal aid pilot program. Oppose. Passed Assembly, little opposition.

AB 761 (Calderon) – Vacancy decontrol/Costa-Hawkins. Affects mobile home rent control. Narrowly failed on the Assembly floor but will be taken up again. Support.

SB 183 (Lowenthal) – Carbon monoxide devices. Similar to measure vetoed last year. Passed Senate. Watch.

AB 473 (Blumenfield) – Multi-family recycling mandate. Passed Assembly. Watch.

SB 1020 (Emmerson) – State compliance dates for pool anti-entrapment devices. Passed Assembly. Working on amendments. Watch.

AB 1160 (Fong) – Translation of contracts. Assembly Banking Committee. Watch.

SB 242 (Yee) – Prohibition of language prohibitions in the workplace. Passed Senate. Watch.

Stay tuned.

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Mona's Musings

Saving Energy & Lowering Heating & Cooling Costs

By Mona Begum,
Westside Office Manager

We hope you were able to attend our June meeting, and look forward to seeing you at our July meeting before we take a summer break in August. We then return for our next meeting on September 28.

While we are still in the planning stages, we have invited Santa Monica City Councilmember Gleam Davis to the meeting. Davis is the newest councilmember, replacing the late Herb Katz.

On the money-saving side, come and find out about a great new product that makes your roof last years longer and lowers heating and cooling costs and energy use.

We will also have attorney Craig Mordoh on hand to discuss

legal issues, plus Walt Zambas will be on hand with more money-saving tips for you.

Don't forget that when you attend AAGLA's Santa Monica meetings, you have a chance to win a \$300 gift certificate, generously donated by Carlson's Appliances, located at 1342 5th Street in Santa Monica. So, in addition to all the information you can gather at the meeting, you have a chance to win something nice.

The Santa Monica Meeting is held in the Colorado Center Community Room, located at 2500 Broadway Avenue in Santa Monica. The meeting room is just across the street from Helen's Cycle Shop. Street and validated parking in the building are available.

And don't forget that we are here to help. Give us a call at 310-820-7651, or just drop by the Westside office. We can provide all the AAGLA forms and low-cost tenant screening that you need.

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city filed a lawsuit to have a receiver appointed to oversee the property.

The Superior Court determined the property would be too costly to repair and bring up to code, and agreed with the receiver that the property should be demolished, determining that a vacant lot would be more valuable and easier to sell than a dangerous building.

The owner of the property, who purchased it in 1973, told the court he was not being treated fairly or given his due process, and that he was opposed to the demolition of the property. He said that it was his "fervent wish" to be allowed to continue living at the property with his family. He also informed the court he was unemployed, and had no other property or income other than the rent he collected from the property.

"Despite a previous civil lawsuit that culminated in the city's demolition of a structure on the property, and despite two criminal prosecutions that resulted in various contempt orders and jailing for over nine months, the owner was persistent in his refusal to rehabilitate the property," wrote the Supreme Court in its decision.

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