

## SANTA MONICA NEWS

### Inclusionary Law Upheld

A California appeals court dismissed a challenge to a city ordinance that mandates that developers of condominiums must build affordable housing on site or at an alternative place.

The lawsuit argued the ordinance passed by the Santa Monica City Council in 2006 "constitutes an unlawful uncompensated taking by the city because there is no link between the construction of condominiums and the necessity of financing affordable housing." The lawsuit also claimed that the state must review and approve

the ordinance before it could be applied.

The Second Appellate District Court of Appeal disagreed with the appeal filed by the plaintiffs, and ordered them to pay the city's court costs for the appeal.

The plaintiffs contended that the requirement to build either 20% of new units on site as moderate-income units for sale, or as low-income rental units, was a taking. And, that by not allowing the option for payment of an in-lieu fee to the city for the city to build its own afford-

able housing, the ordinance prohibited both the construction of market housing and new affordable housing.

The plaintiffs were seeking a trial to demonstrate that the ordinance constituted an uncompensated taking. Both the trial

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### Meeting Announcement

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

### Mini Trade Show - Annual Holiday Party

Mon., Nov. 24, 2008 • 7:00 P.M.  
NO Meeting in December

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## Under the Dome Governor Deals with Apartment Industry Bills

By Steve Carlson,  
Sacramento Lobbyist

Just weeks after agreeing on the budget (80 days late), the Governor called the Legislature back for a special session to deal with a deficit of possibly \$15 billion in the next fiscal year, due mainly to the impact of the swooning economy. Conflicts between the Governor and legislators that arose during the budget impasse continued through and after the bill-signing period that ended September 30. The Governor set a record by vetoing 35% of the bills that came to his desk, the highest percentage since Ronald Reagan was governor, infuriating many legislators. One thing that really got them is that he vetoed many with the following simple message.

*“The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.”*

Below is a summary of how the Governor dealt with the key bills we were following.

### AB 2052 (Lieu) – Relieving Victims of Domestic Violence from Lease Obligations, Presuming the Perpetrator has Committed a Nuisance

We are pleased the Governor signed this measure that allows a victim of domestic violence out of a lease without penalty. It includes our amendments, giving an owner some additional help in evicting the perp if the circumstances warrant it.

**Reminder!** Because of procedural maneuvering, the bill passed as an urgency measure. It became law as soon as the Governor signed it! Therefore, while owners will have to comply with the provisions of the bill allowing victims to be released from leases or rental agreements, you also can evict abusers.

### AB 2586 (Torrico) – Tenants in Foreclosed Properties

Even though amendments narrowed the scope of the bill such that AAGLA and most allied groups moved to a neutral/watch position, the measure was vetoed.

### SB 1386 (Lowenthal) – Carbon Monoxide Detectors

The bill required carbon monoxide detectors in all single- and multi-family properties with fossil-fuel-burning appliances. For existing multifamily properties, it required installation at least two years after the publication of the 2010 state building standards. It also required tenants notify owners if

the devices are inoperable. Although most opposition was removed, the Governor vetoed the measure. His veto message was well reasoned, pointing out that most of these types of actions are done by standards entities, not the Legislature, and that there is not yet consensus by such entities.

### SB 1608 (Corbett, et. al.) – Disability

Supported by AAGLA and a broad range of business entities, this is a bill that strikes a positive balance between disability access and provides owners the opportunity to cure problems before law suits are brought. It also includes a certification process to ward off many of the frivolous actions that have been growing in this area. Signed by the Governor.

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## **Mona's Musings** **Mini Trade Show –** **Annual Holiday Party**

*By Mona Begum,  
Westside Office Manager*

We hope you were able to join us for the City Council Candidate's Forum at our October meeting. It was interesting.

In November, and because it was such a success last year, this month we are having a mini trade show, where vendors will display and discuss their products and services for you.

The November meeting will also feature our annual holiday party, and we plan to introduce the new Director of the Santa Monica City Housing Authority.

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 5<sup>th</sup> 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.

There will not be a meeting in December because of the

holidays. Our next Santa Monica Meeting thereafter will be held on Monday, January 26, 2009, at 7:00 p.m.

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.

### **Mini Trade Show Vendor List**

Sliding Door Company  
Carlson's Appliance  
SMC Fisher Lumber  
Edison/Gas Co.  
Horizon Home Improvements  
Habitat For Humanity  
Sun Aire

Form LA  
Handyman On Demand  
Ecola Termite  
Naylor's Paint  
Solar Santa Monica  
Sustainable Works/  
Global Green

## **Inclusionary Law Upheld**

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and appellate courts declined their request.

### **OPCC Registers Homeless Voters**

The Ocean Park Community Center (OPCC), which operates various homeless programs and shelters throughout Santa Monica, recently held a voter registration drive to commemorate National Homeless and Low-Income Voter Registration Week.

The goal, according to OPCC, is to empower the homeless, and roughly 24 clients of

OPCC's new access and counseling center at the southwest corner of the city's bus yard, by registering them to vote, listing the address of the counseling center site as their primary residence.

Apparently, those regis-

tered also live at the Samoshel shelter adjacent to the new counseling center.

OPCC hopes that it can get more homeless registered to vote in the upcoming election, and that the county will allow a polling station at the site.

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