



## City of South Pasadena Planning and Community Development Department

# Memo

**Date:** October 13, 2020

**To:** Chair and Members of the Planning Commission

**From:** Joanna Hankamer, Director of Planning and Community Development  
Margaret Lin, Manager of Long Range Planning and Economic Development

**Re:** October 13, 2020, Planning Commission Meeting Item No. 3 Tenant Protection -  
Public Comments Received

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Six (6) written public comments have been received for this item, from the following individuals:

- William Kelly
- Alan Ehrlich
- Rachel Orfila
- Linda McDermott
- John Srebalus
- Michelle Hammond

In addition to the written public comments received thirteen (13) verbal comments were received via voicemail messages. These verbal comments will be played during the meeting for the Commission and audience to hear.

Written comments received are attached to this document and verbal comments can be listened to at the link provided in the attachment list below.

Attachments:

1. Written Public Comments
2. Verbal Comments ([click here](#))

**ATTACHMENT 1**  
Written Comments

From: William Kelly [REDACTED]

Sent: Tuesday, October 13, 2020 10:17 AM

To: PlanningComments <PlanningComments@southpasadenaca.gov>

Subject: Oct. 13, 2020 Planning Committee Meeting, Item 3

I urge you to include in this item an ordinance to prevent landlords from evicting tenants on grounds that they plan to do substantial renovations before they are actually granted needed city construction permits. South Pasadena over the past couple years has amended its process for handling tree removals for construction/renovation projects to require that permits are obtained before trees can be removed. At a minimum, we owe the same protection to our tenants, despite potential legal liability. Be bold and stand up to protect tenants, including families with students in local schools, from the disruption caused by evictions. We are in the midst of both a housing and economic crisis. Changing carpet, painting, and replacing fixtures and appliances is not grounds for evicting tenants, only substantial renovations that require permits and then only after permits have been granted by the city to building owners.

Thanks,

Bill Kelly

[REDACTED]

South Pasadena, CA 91030

[REDACTED] (phone)

[REDACTED]

From: Alan Ehrlich [REDACTED]  
Sent: Tuesday, October 13, 2020 9:01 AM  
To: Planning Commission <PlanningCommission@southpasadenaca.gov>; City Clerk's Division <CityClerk@southpasadenaca.gov>; Janet Braun [REDACTED] John D. Lesak [REDACTED]  
Subject: Public Comment, Agenda Item #3

PUBLIC COMMENT, PLANNING COMMISSION MEETING, OCTOBER 12, 2020  
AGENDA ITEM #3, TENANT PROTECTIONS

Honorable Commissioners,

Staff and the City Attorney have misrepresented the tenant protection issue before the commission. This is not a rent control issue nor are the Ellis Act or Costa Hawkins relevant to the issue at hand, staff and the city attorney have only included them in the report to misdirect your attention and confuse the real issue. The commission is being asked to provide a recommendation to the city council clarifying the Substantial Renovation clause of AB 1482 (Chui) and signed by Governor Newsome in 2019.

The specific issue is property owners' abuse of this provision. The property owner of 2028 and 2038 Meridian has been making cosmetic improvements to these properties and has been threatening tenants with eviction. The property owner is claiming substantial improvements, which are generally defined as structure and safety related, yet the property owner has not obtained any building permits for the work that began in May 2020. Painting and new carpeting rental units ARE NOT substantial improvements.

The contract with the Housing Rights Center should be canceled as they have been unresponsive to request from tenants seeking assistance and was chosen by fired city manager Dewolfe. Opinions from the city attorney should be disregarded as city attorney Highsmith effectively announced the resignation of her firm from representing the city during last week's city council meeting.

Commissioner Padilla, an employee of Placeworks, should recuse herself from this discussion as she has a conflict of interest in between the pro-development recklessness of her firm and protecting affordable housing.

Commissioner Dahl should state for the record that her architecture firm will not accept any work from owners of rental properties in South Pasadena for the next 3 years.

Council Liaison Mahmud, as a rental property owner, also must recuse herself from this discussion as she has an undeniable conflict of interest. Resident Mahmud may submit public comment on this issue under the same rules as apply to anyone else submitting public comments. I stand with and support the South Pasadena Tenants Union on this issue and agenda item.

Alan Ehrlich  
20 year resident  
[REDACTED]  
South Pasadena

From: Rachel Orfila [REDACTED]  
Sent: Monday, October 12, 2020 6:30 PM  
To: PlanningComments <PlanningComments@southpasadenaca.gov>  
Subject: Agenda Item 3

Dear Planning Commission,

My name is Rachel Orfila, and I have been a resident of South Pasadena for the past six years. I am writing regarding Agenda Item 3. I am asking South Pasadena to provide stronger eviction protections for renters. More than half of South Pasadena residents are renters. Due to the housing crisis, many are at risk of displacement. This is destabilizing for our community. When a family loses their housing, children are forced to change schools in the middle of the year, resulting in trauma and learning loss. Neighborhood ties are weaker, and people are less invested in the community. For some, an eviction can result in homelessness.

The current services the city offers to tenants are inadequate. Please adopt an ordinance to help local tenants remain in their homes.

Sincerely,  
Rachel Orfila

To the South Pasadena Planning Commission:

My name is Linda McDermott and I am a resident of South Pasadena as well as a renter in South Pasadena. I want to voice my support of the ordinance to strengthen protections for South Pasadena tenants. I disagree with the city attorney regarding her opposition to this matter. Please postpone any voting until you hold stakeholder community meetings with both tenants and housing advocates from our community. That will help strengthen AB 1482 in South Pasadena and help protect those who live in our community.

Thank you.

From: John Srebalus [REDACTED]  
Sent: Tuesday, October 13, 2020 11:52 AM  
To: PlanningComments <PlanningComments@southpasadenaca.gov>  
Subject: Public Comment for Planning Commission, Oct. 13, 2020, Agenda Item 3

Hello,

Attached please find a public comment from myself and 54 additional signees. It pertains to agenda item 3 at tonight's PC meeting.

Thanks Much,  
John Srebalus  
[REDACTED]  
South Pasadena, CA 91030

October 13, 2020

Re: Agenda Item 3, Tenant Protections - Impacts of State Law Relating to Tenant Protection Act of 2019 (Assembly Bill 1482) on Local Tenant Protection Opportunities

Dear Planning Commissioners,

Please postpone a vote on Agenda Item 3, and ask Planning Department staff to engage tenants and stakeholders in developing a new set of proposals for local tenant protections.

On September 8, 2020, the property owner at 2028 and 2038 Meridian Avenue in South Pasadena served 10 tenants with 60-day notices to vacate their apartment units, ostensibly because the landlord wants to undertake renovations. These tenants are beside themselves with stress about the prospect of being forced to move out in the midst of a global pandemic. State law permits evictions if the landlord wishes to perform “substantial remodeling.” Unfortunately, the state law (AB 1482) leaves very open-ended about what is meant by “substantial remodeling.”

In the case of the Meridian tenants, the property owner has obtained no permits from the City of South Pasadena to remodel the units. Anecdotal evidence suggests that he is improving units by adding attractive flooring, cabinets and stainless steel appliances—so that he can raise rents by \$300 per month.

The tenants contacted the South Pasadena Tenants Union to ask for help. The Tenants Union and other advocates in South Pasadena approached the City Council with a draft ordinance to clarify the meaning of “substantial remodeling” in our City. A number of cities, such as Long Beach and San Francisco, have adopted ordinances to flesh out state law and prevent opportunistic evictions for surface rehabilitation and flipping units to higher paying tenants. Agenda item 3, however, does not provide a fair and complete picture of what South Pasadena is empowered to do to prevent gamesmanship by landlords. The Planning Commission failed to include housing advocates and affected tenants in the development of the City’s proposals, or even alert us that City staff were making recommendations to the Planning Commission today. The Commission should ask the staff to bring back a more robust proposal with different alternatives, including at least one proposal exploring the opportunities for South Pasadena to

build on state law and strengthen its tenant protections. The City's proposal to the Planning Commission should be borne of a process that includes housing advocates and tenants.

Signed,

- |                                  |                                 |                       |
|----------------------------------|---------------------------------|-----------------------|
| 1. Katrina Bleckley              | 19. Mariana Jones Huerta        | 38. Zahir Robb        |
| 2. Anne Bagasao                  | 20. Ella Hushagen               | 39. Courtney Rojas    |
| 3. Sierra Betinis                | 21. Afshin Ketabi               | 40. Aliza Rood        |
| 4. Anny Celsi                    | 22. Mieke Kramer                | 41. Sheila Rossi      |
| 5. Janna Conner-Niclaes          | 23. Kristen Kuhlman             | 42. Andrea Seigel     |
| 6. Ed Donnelly                   | 24. Allan Lai                   | 43. Sean Singleton    |
| 7. Todd W. Edwards               | 25. Maia Lai                    | 44. Alexandra Shannon |
| 8. Alan Ehrlich (cont. pg.<br>2) | 26. Andre Lai                   | 45. Alison Smith      |
| Page 2 of 2                      | 27. Caitlin Lainoff             | 46. Christian Spicer  |
| 9. Stephanie Ehrlich             | 28. Sofia Lopez                 | 47. John Srebalus     |
| 10. Justin Ehrlich               | 29. Tiana Lopez                 | 48. Levi Srebalus     |
| 11. Owen Ellickson               | 30. Casey MacGregor-<br>Toshima | 49. Marshall St. John |
| 12. Betty Emirhanian             | 31. Jan Marshall                | 50. Cassandra Terhune |
| 13. Sarah Erlich                 | 32. Linda McDermott             | 51. Andrew Terhune    |
| 14. Carl Ezold                   | 33. Banjong Muninnopmas         | 52. Helen Tran        |
| 15. Luis Flores                  | 34. Raf Niclaes                 | 53. Amy Turk          |
| 16. Will Hoadley-Brill           | 35. Joanne Nuckols              | 54. Jean Yu           |
| 17. Anthony Jeong                | 36. Juana Perez                 | 55. Evelyn Zneimer    |
| 18. Rachel Hamilton              | 37. Myron Quon                  |                       |

From: Michelle Hammond [REDACTED]  
Sent: Tuesday, October 13, 2020 11:58 AM  
To: PlanningComments <PlanningComments@southpasadenaca.gov>  
Subject: Agenda Item 3, Tenant Protections - Impacts of State Law

Dear Planning Commissioners,

We are in the midst of an extraordinary rental housing crisis. As a renter myself, I urge the Commission to consider a more extensive look into what local measures are available to take, in addition to, what the city staff is recommending as next steps. We could be doing more than what is currently proposed, and improve upon services like HRC that are already available. In addition to monitoring current legal challenges involving jurisdictions that have exceeded the Tenant Protection Act of 2019 before proceeding with imposing additional local protections in South Pasadena, I urge the commission to recommend staff to also proactively engage with housing advocates to develop more local measures that are within the current restrictions. We need to engage in an all hands on deck approach, including more housing advocates as part of the development of proposals, in order to ensure that we have explored all possible options. It seems clear that the economic effects of COVID will still be here long after the temporary eviction moratorium has expired. We need to look into more local, long term aid and solutions to get ahead of the game so we are not constantly faced with crisis based reactionary decision making.

Thank you,

Michelle Hammond  
Pronouns: She | Hers  
Mobility Transportation Infrastructure Commissioner  
[REDACTED]

**ATTACHMENT 2**  
Verbal Comments

**October 13, 2020, Planning Commission Meeting Agenda Item #3:  
Tenant Protection - Verbal Comments Received**  
(as of October 13, 2020, at 12:00PM)

1. Lisa Alexander
2. Elisabeth Bagasao
3. Laura Ternan
4. Diana Sussman
5. James Lucero
6. Robyn Edelcu
7. Jan Marshall
8. Brandon Yung
9. Alice
10. Alan Ehrlich
11. Evelyn Zneimer
12. Todd Edwards
13. Katrina Bleckly

\* verbal comments will be played for the Commission during the meeting, recordings are available here: <https://www.dropbox.com/sh/7i2jvxi75148qtb/AAA4jNHH2fn-4Z76NtMMYnLXa?dl=0>