



LAWSUIT FILED AFTER LOS ANGELES CITY COUNCIL GIVES NOD TO THE ELIMINATION OF AFFORDABLE, RENT-CONTROLLED HOUSING UNITS IN HOLLYWOOD

A newly formed nonprofit association, Hollywoodians Encouraging Rental Opportunities (HERO), Sylvie Shain, a displaced tenant of the Villa Carlotta apartment building, and Max Blonde, a displaced tenant of the 1850 North Cherokee Avenue apartment building, have filed suit in the Los Angeles County Superior Court, seeking a court order to set aside a decision of the Los Angeles city council, made on June 29, which eliminates critically needed, affordable rental housing for low- and moderate-income residents in the heart of Hollywood.

The lawsuit charges that the city council violated the California Environmental Quality Act (CEQA) when it approved the conversion of 18 rent-stabilized apartment units at 1850 North Cherokee Avenue into a 24-room boutique hotel, without first informing itself and the concerned public stakeholders of the direct and cumulative detrimental impacts of this project and similar projects, and of the attendant, substantial adverse effects on human beings. Thirteenth District Councilmember Mitch O'Farrell favored the boutique hotel conversion, turning a deaf ear to public demands that the city evaluate and mitigate the loss of the rent-stabilized units.

Under CEQA, local governments must evaluate and mitigate a project's potentially significant impacts on the environment, accounting for "the whole action involved," including offsite and cumulative effects associated with the displacement of people when the project results in loss of housing. CEQA *requires* an environmental impact report (EIR) when housing loss and displacement of tenants or other environmental effects of a project "will cause substantial adverse effects on human beings, either directly or indirectly."

The plaintiffs ask the court to order the city to prepare an EIR to assess all adverse effects of the city council's action, require it to adopt measures to mitigate those effects, and to consider alternatives to the boutique hotel. Despite the public outcry over its neglect of its CEQA information disclosure duties, the city council avoided EIR review. An abbreviated checkbox environmental document (a "mitigated negative declaration") prepared by a city planner a year ago sweeps under the rug all cumulative and indirect effects of the council's action.

"The city council's decision in the Cherokee Avenue case is but the latest of an egregious pattern of wrongheaded decisions by city officials who welcome project after project destroying housing that serves low-income city residents" said Frank P. Angel of Angel Law, the CEQA plaintiffs' attorney. "These case-after-case approvals of conversions of affordable, rent-stabilized housing into luxury apartments, 'boutique' hotels available for high-cost, short- or long-term room rentals, or condominium units, uproot and displace thriving, socio-economically, culturally and ethnically diverse communities of working people who can no longer afford to live where they work," Angel added.

Studies have revealed that “the forced displacement results in the reduction of long-term residents who are most likely to invest in their communities.” (San Francisco Department of Public Health, “*The Case for Housing Impacts Assessment: the Human Health and Social Impacts of Inadequate Housing and their Consideration in CEQA Policy and Practice*,” at 9.) They show substantial adverse human health effects caused by the loss of affordable housing. (*Id.*) These include physical and mental health impacts due to the stress of housing insecurity; health impacts due to malnutrition, hunger, or sacrificing other material needs (e.g., clothing, health care) as displaced residents are forced to offset higher rental costs of alternate housing; or health impacts due to overcrowding, poor indoor air quality, lack of access to safe drinking water or hot water for washing, inadequate access to sanitary restrooms, or ineffective waste disposal when the displaced residents can only find substandard alternate housing or face homelessness. These effects erode social cohesion, reduce youth development opportunities, and contribute to the spread of infectious diseases (*id.*), thus affecting the public at large.

The buildings in question were withdrawn from the rental market and the tenants kicked out 33 months before the city council gave its nod to the boutique hotel. “For the city to allow rent-stabilized housing units to just sit there empty for years on end while thousands of residents live on the surrounding streets, is such a waste of available housing space” said Max Blonde, one of the plaintiffs. To add insult to injury, the city council in this case required strict mitigation measures purporting to protect migratory bird nesting habitat, yet declined to impose any measure to protect the human habitat. (There are no migratory bird nests on this developed property, which is located in a highly urbanized neighborhood.) Two displaced tenants have since joined the growing ranks of the city’s homeless population. Others have been forced out of the city. They include a Vietnam War veteran, separated from his adult children following his displacement.

HERO’s mission is to advocate for the preservation of rent-controlled housing in the Hollywood area, for low- and moderate-income residents to be able to continue to have housing and earn a living in this area, and to thus reduce vehicle-miles traveled, prevent community disintegration and the human health and other adverse effects caused by the displacement of low- and moderate-income residents from the Hollywood area, and maintain socio-economically, culturally and ethnically diverse and cohesive human communities in Hollywood; and to hold the elected and appointed officials of the City of Los Angeles accountable both in City administrative forums and in the courts for their actions permitting or facilitating the loss of affordable, rent-stabilized housing through CEQA avoidance or through violations of other state and local laws.

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