

The Coalition for Economic Survival has been providing its full support and assistance to the Barrington Plaza Tenants effort to stop this unjust evictions

NEWS RELEASE

Barrington Plaza Tenants' Association Scores Major Tenants' Rights Victory

Tenant Lawsuit Prevails Ellis Act Mass Evictions Are Illegal

On June 12, 2023, the Barrington Plaza Tenants Association filed its complaint for declaratory and injunctive relief against Barrington Pacific and Douglas Emmett. The complaint sought a judicial declaration that Barrington Pacific did not have good cause to evict the tenants of Barrington Plaza under the Ellis Act.

Today, Los Angeles County Superior Court Judge H. Jay Ford, III issued a tentative ruling that states the following.

Based on the preponderance of the evidence. the Court finds on May 8. 2023, when Barrington Pacific filed its Notice of Intent to Withdraw Units from Rental Housing Use with the City and served its notice of

termination on its tenants, Barrington Pacific did not intend to permanently remove those apartments from the rental market under the RSO or otherwise intend "to go out of business" contemplated under the Ellis Act. But rather, Barrington Pacific had the intent to temporarily withdraw the apartments in Barrington Plaza from rental use with the specific intent to relet those apartments as soon as it completed its planned renovations to all the apartments including installing fire and safety improvements, fire sprinklers, and other modernization upgrades, all which Barrington Pacific planned for and expected would take three to five years to complete.

Therefore, on this stipulated issue the Court finds in favor of Plaintiff Barrington Plaza Tenant Association and against Defendants Douglas Emmett, Inc., and Barrington Pacific, LLC. in the action for declaratory relief and in favor of the Defendant tenants and against Barrington Pacific in the consolidated actions for unlawful detainer. Counsel for the Tenant Association and unlawful detainer Defendants is to submit the proposed judgments in the actions for unlawful detainer and the action for declaratory relief.

This means the evictions filed are invalid and tenants get to remain.

The tenant's lawsuit, which seeks to stop the mass eviction at the 712 rent controlled Barrington Plaza Apartments in West Los Angeles, is based on a state law that allows landlords to evict if they plan to remove the units from the rental market. The lawsuit accuses Douglas Emmett, Inc of operating in "bad faith" in that it has no intention of going out of the rent business, which is required by state law in order to evict. Tenants are claiming they are being evicted by the corporate landlord to renovate and gentrify the building so it can re-rent it at much higher luxury rents.

Barrington Plaza tenants and the [Coalition for Economic Survival](#) see the lawsuit as a tremendous victory in the effort to defend rent control in Los Angeles and throughout the state.

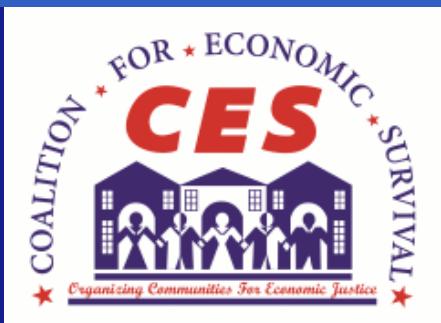
Larry Gross, executive director of the Coalition for Economic Survival, which has been providing crucial support for the tenants, said, "This is, no doubt, one of the most important tenants' rights legal victory in state history. This victory shows when tenants unite and organize they can win. They did it without support from their City Councilmember or the LA City Attorney who refused to take any legal action on behalf of the tenants. Both these officials were recipients of large amounts of donations to their election campaigns, which may be the reason," Gross concluded"

The state's Ellis Act gives landlords the right to get out of the rental business and the Los Angeles Rent Stabilization Ordinance controls rent increases, limits permissible evictions for tenants in rent stabilized units and addresses how the Ellis Act will be applied locally. Under L.A. city law, one legally allowed reason to evict is if an owner is going to remove a rental unit "permanently from rental housing use."

Attorney Fran Campbell with the [law firm of Campbell and Farahani](#) in representing the Barrington Plaza Tenants Association argued in court, "A landlord who is evicting its tenants under the Ellis Act to make repairs is not 'going out of business.' It is improving its property so it can increase its rents in the future, which is part of the business of landlordship." The judge agreed.

Barrington Plaza tenant leader Monique Gomez said. "We have been fighting these bogus evictions for over a year now. Tenants here have faced harassment, intimidation and uncertainty without little to no help from the City. It shows when we stick together we can win. I am overjoyed."

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Coalition for Economic Survival

Telephone: (213) 252-4411

Fax: (213) 252-4422

contactces@earthlink.net

www.cesinaction.org

Mailing Address:

Coalition for Economic Survival

14320 Ventura Bl #537, Sherman Oaks, CA
91423



Coalition for Economic Survival | Mailing Address: 14320 Ventura Bl - PMB 537 | Sherman Oaks, CA 91423 US

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