

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



The Landlord Behind Massive Los Angeles Eviction Has Spent More Than \$1 Million on City Elections

Douglas Emmett Inc.'s surge in donations began after a city councilman opposed evictions

By Jessica Goodheart
February 20, 2024

The landlord behind the largest mass eviction from rent control housing in Los Angeles in 40 years poured more than \$1.1 million into city elections in 2022 and has spent \$400,000 in the current election cycle. The company's only prior donation occurred in 2010: \$500 to then-Los Angeles City Councilman Paul Koretz. Tenants at Barrington Plaza, a rent-controlled 712-unit Westside apartment complex, and their advocates say that the company backed the election of decision makers who would allow the eviction of tenants from 577 units.

The donations came after the landlord met with a city councilmember and raised the possibility of evicting some of its tenants, renovating the property to make it fire safe and later re-renting the apartments,



according to two participants in the meeting. Then-Councilmember Mike Bonin said he opposed the idea. One of the complex's three towers had been badly damaged in a deadly 2020 fire that left eight floors unfit for occupancy.

Douglas Emmett Inc., which purchased Barrington Plaza in 1998, said in a statement that its "advocacy activities are directed toward creating value for our stockholders and other stakeholders, without regard to the personal political affiliations or views of any individual Douglas Emmett officer, employee, or board member." The company statement said it complied with all laws governing campaign contributions. "While we are committed to transparency, we do not discuss the specific reasons for our contributions," the statement said.

Barrington Plaza tenants have sued the Santa Monica-based real estate investment trust, contending the evictions are unlawful.



Douglas Emmett invested hundreds of thousands of dollars in races involving two elected officials who tenants and advocates say have failed to prevent their displacement: L.A. City Attorney Hydee Feldstein Soto and L.A. City Councilmember Traci Park, who represents the district where Barrington Plaza is located.

In 2022, the company also spent \$250,000 on an independent expenditure committee opposing the candidacy of then-mayoral candidate Karen Bass; \$50,000 against Proposition ULA, a real estate transaction tax for affordable housing; \$50,000 to defeat 15th District City Council candidate Danielle Sandoval; and \$50,000 on a Hollywood Chamber of Commerce political action committee.

In January, the company gave \$400,000 to an independent expenditure committee against City Councilmember Nithya Raman, a vocal advocate for renters.

Campaign donors face contribution limits in city elections but can make unlimited donations through independent expenditure committees. These committees are prohibited from coordinating with the candidates they endorse. The anti-Raman campaign to which Douglas Emmett contributed is run by the city's police union.

Last January, Raman spearheaded the passage of a set of renter protections, including one that limits a landlord's ability to evict tenants.

The massive amount of money spent against Raman by Douglas Emmett shows why "the city hasn't historically



done a lot of tenant protection work," she said. "Money does influence elections, and I can see that happening here," Raman said of her own campaign.

The councilmember's campaign committee had raised a total of \$367,641 as of Jan. 20. An independent committee supporting Raman's reelection has also donated \$370,587, with most of those funds coming from labor unions.

The L.A. City Attorney's Office can exercise decisive power over landlords through its authority to enforce city ordinances, including those safeguarding renters. The office offers legal counsel to all city departments, including the housing department. In 2022, Douglas Emmett donated \$200,000 to an independent expenditure committee that targeted Feldstein Soto's opponent Faisal Gill. Feldstein Soto's office has taken a hands-off approach to the Barrington Plaza evictions, even though some legal experts, including the general counsel of the Santa Monica Rent Control Board, says Los Angeles has tools to challenge the evictions and ought to use them.



Los Angeles' 15-member City Council has the power to craft laws affecting renters and can provide direction to city departments. There is also, however, a strong tradition of council deference over decisions that affect an individual council member's district. An independent expenditure committee supporting Traci Park received \$566,000 in donations in 2022. Douglas Emmett employees also contributed \$10,849 directly to her campaign. (The company's employees have contributed just \$95,000 to candidates in the city since 1998, a small

fraction of the \$1.5 million the company funneled into Los Angeles elections through independent expenditure committees in the last two years.)

Feldstein Soto and Park declined to be interviewed by Capital & Main.

Park's office said in a statement that she took immediate action in defense of Barrington Plaza tenants as soon as they were informed that they had to leave their apartments, including asking Feldstein Soto's office to explore options for intervening in the eviction. "It is imperative to Councilwoman Park that every Barrington Plaza tenant be protected, period," her office wrote in the statement.

In June, Park introduced a motion in the City Council requiring the housing department to report back on whether the city could intervene to prevent the tenants from being evicted. "We need to understand what we as a city can do, if anything, to intervene in the process and to ensure that tenants' rights are being protected," Park said at a June City Council meeting.

But tenants said Park has not fought the eviction and has failed to keep them abreast of the eviction

process. "If any efforts were made by Councilwoman Park, they were made to support a smooth transition for tenants to leave," said Monique Gomez, a Barrington Plaza tenant leader. "Nothing was done to help them stay." Most tenants vacated the towers last September, but those who are 62 or over or have a disability have until May 8 to move out.



Elaine Zhong, a deputy city attorney, told city councilmembers in a September committee hearing that state law permits the evictions. Feldstein Soto's office has told Capital & Main that it could not comment on legal strategy to "anyone except our clients."

Barrington Plaza tenants filed a lawsuit in Los Angeles Superior Court in June charging that Douglas Emmett is evicting tenants with the intent to re-rent their homes in violation of the Ellis Act. The Ellis Act is a 1985 state law that allows landlords covered by rent control to take their units off the rental market. In legal filings, the company maintains that the law does not require a landlord to permanently remove a property from the rental market. The company has stated that it is undecided about the future use of the property. The tenants' lawsuit against Douglas Emmett is expected to be resolved as early as mid-April.



Douglas Emmett's accelerated spending in city elections came after a Douglas Emmett executive met with Mike Bonin, who then represented Barrington Plaza's city council district, in 2021 to request his support for what he described as "an exemption" from the city's rent control ordinance. The company sought to permanently evict all but some long-term tenants to allow for the installation of fire sprinklers. The meeting was first reported in the Los Angeles

Times. Bonin did not support the request because he feared it would result in a mass eviction. Bonin announced his retirement from the City Council the following year, and endorsed Park's opponent, Erin Darling, a tenant attorney, as his successor.

Bonin said he thinks Douglas Emmett abandoned the idea of the exemption because the company did not believe the City Council elected in 2022 would support it. Bonin said the company made "a calculated gamble" that invoking the Ellis Act would be "an easier route for them politically" than persuading pro-renter members of the City Council.

Eric Rose, a spokesperson for Douglas Emmett, faults Bonin for the company's decision to invoke the Ellis Act. "Mike Bonin should be embarrassed that over a two-year period, he was unwilling to do the work to create a path under [the city's rent stabilization ordinance] to get the

sprinkler work done and that the owner had to "resort to state law," Rose said. While Rose said that Bonin had committed to "creating a path" to upgrade the property under the rent stabilization ordinance, he declined to specify the details of that path or say whether Douglas Emmett attempted to work with Park on upgrading the property under the rent stabilization ordinance.

Asked about Rose's claims, Bonin wrote in a text: "Their argument boils down to this: 'we would not be trying to use a state law to evict hundreds of people if only Mike Bonin had changed a city law to allow us to evict hundreds of people.'"

Relations between tenants and Park's office are now frosty. On a recent Barrington Plaza Tenant Association Zoom call, attended by 35 current and former Barrington Plaza residents, tenants told a reporter they had little communication with Park's office. Jacqui Fournier, who lives in a 10th-floor studio that now rents for \$1,595, offered this opinion: "The false narrative that has been displayed out there to the media is that she has helped us, and she has not."



"The false narrative that has been displayed out there to the media is that [Traci Park] has helped us, and she has not."

~ Jacqui Fournier, Barrington Plaza tenant

Park has met with a group of tenants only once at her Westside offices, in the spring of 2023, and spoke with some tenants after a fall City Council meeting, according to Robert Lawrence, a Barrington Plaza tenant leader, who shared his last communication with Park's office, an email from last fall that he said went unreturned. Gomez said tenants stopped trying to reach out to Park's office last after the first round of evictions from Barrington Plaza on Sept. 5. "When that deadline passed, then we all just said, 'OK, well, this lady is not going to do anything.'"



Park's office said that she worked "in close coordination" with Mayor Bass to safeguard the rights of tenants. In statements to Capital & Main, Park's office listed her actions in support of Barrington Plaza's tenants as "meeting and working closely" with them "to secure protections above and beyond what was required by state law," which included extra relocation assistance for "vulnerable" tenants and the postponement of move-out dates for some tenants, which allowed some tenants to remain in the complex for a full year. The landlord has provided cash and relocation assistance for tenants.

The extensions available to disabled and older tenants were already legally mandated, according to Frances Campbell, the lawyer representing the tenants. (Tenants say Douglas Emmett initially demanded a doctor's note from tenants as proof of disability, a requirement that was dropped after they protested.)

Park said she demanded regular reports on the "status of the eviction protections," according to her office. When asked to provide the reports, her staff directed inquiries to the city attorney and the housing department.

Larry Gross, executive director of the Coalition for Economic Survival, which has been supporting the Barrington Plaza tenants, said of Park, "The tenants are now represented by someone (Traci Park) who is not going to go to the wall and trying to save their homes and protect them against these, we believe, unjust evictions."

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A Douglas Emmett executive requested a meeting with Park last February, three months before the company invoked the Ellis Act on May 8, according to internal emails from her office obtained by Capital & Main. Her office would not confirm whether that meeting happened and whether Park took part in the meeting.

Park said in her statement that "as a newly elected city councilmember," understanding fire-prone Barrington Plaza's fraught history "was important" to her and her team. There have been two recent fires in the complex, one in 2013 and another in 2020. The second fire caused one death and eleven injuries. "Naturally, this included engagement with various stakeholders with knowledge of the issue, including Barrington Plaza's ownership," the statement said.

A few days after Douglas Emmett invoked the Ellis Act, a planner in Park's office asked the landlord for talking points to use with tenants who were facing evictions. "Can you provide me with your rationale for why the sprinklers can't be phased in incrementally? If you have suggestions on alternative ways to handle this question, please let me know," Jeff Khau, a planning and transportation deputy, wrote in an email to Michele Aronson, a Douglas Emmett executive, on May 12.

Last fall, a sprinkler installer toured the complex at the invitation of a tenant and determined that sprinklers could indeed be installed in

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Barrington Plaza without necessitating the mass displacement of the tenants.

Douglas Emmett spokesperson Eric Rose said in a statement that the fire safety work at Barrington Plaza goes beyond installing fire sprinklers. The work involves rebuilding ceilings and stairwells, demolishing and replacing walls, upgrading utilities, installing smoke barriers around elevators and replacing windows with fire-rated glass. It also requires installing backup generators and water tanks, according to the company. "These improvements are important for safety and security of any future use for the property, but they require the property to be vacant," he wrote in a statement.



The tenants filing the lawsuit say that Douglas Emmett is using the fire sprinkler upgrade as a pretext to empty the building, making space for higher-paying tenants in violation of the city's renter protection laws. In 2020, seven months after the deadly fire in Barrington Plaza, Douglas Emmett executives met with housing department staff. Records show Douglas Emmett was seeking to evict tenants.

Emma Garcia, a management analyst at the city's housing department who was in the meeting, memorialized the conversation in an email to her colleagues. Capital & Main obtained the email through a public records act request.

"The landlord basically wants to accomplish 3 things," she wrote. "Evict the tenants in order to do the work of installing fire sprinklers in the building," "[r]e-rent the units after the renovation work is completed at market rate" to new or returning tenants, and "[r]equire smoke free policy for all existing tenants."

A housing department spokesperson declined to comment on whether the company's objectives for Barrington Plaza at the time aligned with the city's rent stabilization ordinance.

However, Garcia noted in the internal email that such a renovation would trigger a "THP," or "tenant habitability plan," a requirement that landlords relocate tenants to comparable accommodations during a disruptive renovation. Upon completion of the work, tenants can return to their rent-controlled apartments at the same rate.

Douglas Emmett spokesperson Rose declined to comment on the email, saying that he did not want to "speculate [on] or interpret internal communications."

Gross said that Douglas Emmett is seeking to avoid that responsibility and that the email supported the tenants' case against the landlord. "They didn't want to follow the legal means to upgrade the complex and instead resorted to using illegal



means, which was trying to invoke the Ellis Act to evict the tenants, which is not what the Ellis Act is about," he said.

\$ You Can Help Support the \$ Barrington Plaza Tenants Mass Eviction Fight

More Help And Support is Needed for the Barrington Plaza Tenant Fight to Stop This Unjust Ellis Act Eviction

The Coalition for Economic Survival (CES) sees the important fight of the Barrington Plaza Tenant Association as a fight that is critical to all renters in the City of Los Angeles. If this landlord is successful in its illegal use of the state Ellis Act it could open the door for other tenants to face similar evictions. These evictions must be stopped! That is why these tenants have CES' full support and we urge they receive the support of every tenant and tenant organization in the city.

The law suit against this multi-million dollar corporation is likely to be expensive.

You can help by donating to the Barrington Plaza Tenants GoFundMe Account to help them maintain a legal effort to fight their eviction.

Support the Barrington Plaza Tenants Efforts to Stop Their Unjust Ellis Eviction

DONATE NOW!



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<https://www.gofundme.com/f/barrington-plaza-tenant-association>

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The Clinic serves the entire Southern California area.
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CES holds the Clinic **Every Saturday** via Zoom at 10 am.
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To request a link to register for any Clinic
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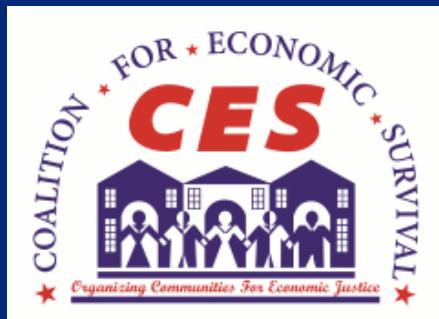
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