

Stevenson, Garrett

Subject: FW: Approve the Pintosca project but ensure the rights of tenants being displaced

From:

Sent: Monday, November 6, 2023 9:21 AM

To: Gordo, Victor <vgordo@cityofpasadena.net>; Williams, Felicia <fwilliams@cityofpasadena.net>; Madison, Steve <smadison@cityofpasadena.net>; Rivas, Jessica <jerivas@cityofpasadena.net>; Hampton, Tyron <THampton@cityofpasadena.net>; Masuda, Gene <gmasuda@cityofpasadena.net>; Lyon, Jason <jlyon@cityofpasadena.net>; PublicComment-AutoResponse <publiccomment@cityofpasadena.net>; Huang, William <whuang@cityofpasadena.net>

Subject: Approve the Pintosca project but ensure the rights of tenants being displaced

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Dear Mayor Gordo and City Council members,

I support the proposed new affordable housing at 1259 La Pintosca Drive, but I have concerns about what happens to the tenants currently living in the 13 units that will be demolished.

It came to our attention that one of the residents of these units is an 84-year-old African American woman living on a very low fixed income who has resided at her apartment for 18 years. She is fearful of what will happen to her when her home is demolished. Some of the others facing eviction from these units are in a similar situation.

I strongly urge the Council to make sure that those displaced have 1) sufficient resettlement compensation so that they can afford an apartment during the period of their displacement and 2) the right of return to an apartment of similar size and rent, as required by SB-330 and SB 8.

We are concerned that tenants facing possible eviction were apparently not informed so they could be present at tonight's Council meeting.

We did some research into state laws protecting tenants in this circumstance and learned that tenants displaced under these circumstances have limited rights. Since the developer is requesting concessions from the city, I urge you to require the develop to interpret the law generously to ensure that these displaced tenants are fully protected.

In 2019, the California legislature passed significant tenant protections that help ensure development does not displace existing tenants, or reduce the availability of housing, as part of the Housing Crisis Act of 2019 (aka SB-330, or HCA, codified in Government Code Section 66300(d)). Those protections were changed a little bit in 2021 with SB-8. The two major themes of the requirements of the HCA are replacement of housing units, and limited rights of first refusal of the new units to existing tenants.

Rights of Existing Tenants

11/06/2023

Item: 8

Existing tenants have some limited rights when their home is set to be demolished by a developer.

- All tenants have a right to stay in their unit until six months prior to construction, with proper notice.
- If a tenant is required to leave, but then the project does not move forward and the old units are rented out again, the tenants who were asked to leave are required to be offered a chance to return and to be allowed to resume paying rent at their previous rent level.
- **If an existing tenant is low income, prior to a city's approval of the housing project, the developer is required to offer the tenant BOTH relocation assistance as well as a right of first refusal to move back into a new unit of "equivalent size."**

Equivalent size means a unit containing the same number of bedrooms as the tenant's existing apartment, or if the unit being demolished is a single family home that has at least four bedrooms, equivalent size means at least a three-bedroom unit. There is no square footage minimum requirement for the replacement unit.

Notably, if an existing tenant is NOT low income, they are NOT required to be offered relocation assistance or a right of first refusal for a new unit, even if they live in a "protected" rent controlled or deed-restricted low-income housing unit that must be replaced. In those cases, if the unit itself is "protected," it is required to be replaced, and offered to future tenants at an affordable rate, but the existing tenants are not guaranteed a right of first refusal or relocation assistance. See <https://www.yimbylaw.org/unit-replacement>

I have one further concern. I have heard that the tenants selected for Pinteroasca Apartments do not reflect the racial and ethnic diversity of our city. Please urge the developer to make sure that tenants chosen for the new units reflect the demographics of our city and do not favor one particular group.

Respectfully,

Anthony Manousos
Co-founder of Making Housing and Community Happen