



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: CEO
Department No.: 012
For Agenda Of: 10/17/2006
Placement: Departmental
Estimate Time: 45
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) Michael F. Brown, County Executive Officer
Contact Info: Terri Maus-Nisich, Assistant CEO
Stephen Shane Stark, County Counsel
SUBJECT: 6626 Picasso Evictions

County Counsel Concurrence:

As to form: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Other Concurrence: N/A

As to form: Yes No N/A

Recommended Action(s):

The Board of Supervisors:

1. Receive a report from County Executive Office and County Counsel and provide direction to staff as appropriate.

Summary:

This item is on the agenda to provide the current status of events regarding the tenant evictions at Cedarwood Apartments located at 6626 Picasso Road. On August 15, 2006, the County of Santa Barbara was notified that a fifty-five (55) unit apartment complex located in the community of Isla Vista was recently purchased and over fifty five (55) families would be displaced. A County task force was formed to assess the situation and determine what could be done within the County's authority, and in conjunction with other agencies, provide assistance to the residents of the complex.

Background:

On August 15, 2006 all tenants located at 6626 Picasso Road were provided with a Thirty Day Notice to Quit the Premises by the Law Firm of Dennis P. Block and Associates acting on behalf of 6626 Picasso LLC. However, Thirteen (13) Section 8, low income families were found to be housed in the apartment complex. Per federal housing guidelines, a 90-day eviction notice is required for those with Section 8 housing. A new notification was provided to these residents on August 26, 2006. The last day for tenancy for those in Section 8 housing is November 14, 2006. For the remaining families, a 30 day notice provided for on the August 15, 2006 date was issued.

This time line has since expired and a formal process to now evict tenants from the premises, an unlawful detainer action, has been initiated by the new owner. As of the preparation of this report it is believe that half of the tenants occupying the fifty five (55) units have chosen to relocate.

While this property is within the Isla Vista Redevelopment Agency of the County, there is no Redevelopment Agency or County of Santa Barbara involvement in the project. If the Redevelopment Agency was directly involved in an acquisition, and relocation was necessitated per California State Redevelopment (CRA) law, The Agency would be required to provide for relocation assistance. In this instance, the acquisition of 6626 Picasso is conducted via a private entity without any redevelopment agency assistance or involvement. Given this is strictly an acquisition by a private entity, no relocation assistance is legally required by the new owner. The County has no *legal* obligation to assist in the relocation of the tenants.

While the County has no legal responsibly to assist the tenants, there is a desire on the part of the County to outreach to those impacted and provide for a smooth transition to new housing if so desired. A task force led by Supervisor Brooks Firestone was immediately formed to work with tenants and their representatives to hear concerns and further attempt to provide them with resources within the County of Santa Barbara's authority. Those assembled on the task force include:

Kris Miller-Fisher	Third Supervisory District Representative
Ron Cortez	County Executive Office
Pat Gable	Housing and Community Development
Kathy Gallagher	Social Services
Terri Maus-Nisich	County Executive Office
Ken Shemwell	Sheriff's Department

The task force is continuing to work with representatives of the housing community and social service agencies to assist the tenants. In addition, members of the Board of Supervisors as well as members of county staff have been in direct communication with the law firm representing the new owner of 6626 Picasso in an attempt to secure a longer time frame for transition for the tenants and explore other opportunities potentially available. All requests were rejected. The attorney acting on behalf of the owner indicated that extensions to leases would not be considered in bulk but would only be considered on a case by case basis. County staff is not aware of any tenant who chose to pursue an extension. Members of the Board of Supervisors also immediately wrote to Governor Schwarzenegger urging his signature on AB 1169 (Torrico), regarding reinstatement of state wide legislation providing for a sixty (60) day notice to tenants to vacate premises rather than the thirty (30) day notice in effect at the time of filings on this particular matter. This assembly bill was signed and will again be in effect on January 1, 2007. In addition, to provide housing and social service information to all impacted, packets prepared in English and Spanish, were hand delivered to the residents of the property by County Social Services on September 25, 2006. Finally, in order to accurately determine the number of residents remaining, as well as further assess service needs, County Counsel filed with the Courts on October 2, 2006 a motion to provide access to the unlawful detainer court records on behalf of the County Social Services Department. This motion was denied by the Court on October 5, 2006. At this point in time, it is believed that approximately thirty (30) units have been vacated and those within the remaining twenty-five (25) units have retained legal

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counsel to oppose the potential evictions and remain at the property. The County Executive Office in conjunction with County Counsel will provide additional up to date information at the Board of Supervisors meeting of October 17, 2006.

Performance Measures:

Fiscal and Facilities Impacts:

Budgeted: Yes No

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

Staffing Impact(s):

Legal Positions:

FTEs:

Special Instructions:

Attachments:

Authored by:

Terri Maus-Nisich, Assistant CEO

cc:

County Counsel