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### ***ROSENDAHL STATEMENT ON LINCOLN PLACE VICTORY***

**Councilmember Bill Rosendahl issued this statement following City Council approval of his motion directing the City Attorney to take no action to appeal a pro-tenant decision in the case of the Lincoln Place Tenants Association, et al v. City of Los Angeles, AIMCO Venezia LLC, et al:**

*"I am extremely grateful that my council colleagues voted to stand up for tenants rights and stand up for justice. In deciding not to appeal the court decision in favor of the Lincoln Place Tenants Association, the City Council firmly said that it accepts the court ruling that the tenants should not have been evicted, and that the City of Los Angeles has not just the ability, but the duty and obligation, to protect and defend renters.*

*"This is a momentous decision. I am proud of the tenants for waging their David versus Goliath fight. And I am proud of my City Council colleagues for joining with me in accepting our responsibility to be agents of and champions for social justice."*

The council voted 11-1, against the advice of the City Attorney's Office, to not seek appellate review of last month's court decision saying that evictions of tenants from the Lincoln Place Garden Apartments in Venice were an illegal violation of the conditions of a tentative tract approval granted by the City of Los Angeles to AIMCO, owners of the property.

The court ruling said AIMCO should not have evicted the tenants, and the City of Los

Angeles should have acted to stop the evictions.

At the opening of council debate on the matter, Rosendahl read the following statement to his council colleagues:

*“In December 2005, AIMCO conducted a brutal and heartless eviction of nearly 100 tenants. It was a day of shame and infamy for Venice, and for the City of Los Angeles.*

*“It was a shame because the act was cruel. People lost their homes, their friends and their lifestyles. Many of them grew ill. One of them died.*

*“It was infamous because the evictions clearly violated the conditions this council imposed in 2002 as part of the tract approval for the Lincoln Place redevelopment AIMCO had sought.*

*“When those evictions happened, I stood here in this chamber, asking for justice and demanding action. I said we had a duty and obligation as a City to stand with the tenants and to stand up for the City by demanding we enforce the conditions of the tract map.*

*“I am not a lawyer or a scholar of law. The city attorneys said I was wrong. They said the Ellis Act trumped CEQA. They told you we were powerless to act. They warned that if we took action, it would be illegal and we would be sued. You followed their advice.*

*“Months later, the courts said that I was not wrong. The Ellis Act does not trump CEQA. The court said in a decision clear, direct and unequivocal that that we have not only the power to act, but that we have the obligation to act. The court said we have the power to enforce our conditions. The court said we have the moral and the legal obligation to defend our tenants.*

*“This is a major moment – a moment we must rise to. The court has given us power. We should embrace it and use it. But the City Attorney’s office is going to advise us this morning to shy from that moment, and to shirk our power.*

*“The city attorneys are going to warn us this morning that if we keep and use this power, the sky will fall. Let me be very clear: we should not appeal this decision. And we should not say we seek to revise, reduce or diminish this decision by scurrying back to the court, asking for permission not to use that power.*

*“The question before us this morning is not that complicated. We either stand with the tenants, embrace our new power, and let this decision stand. Or we stand with AIMCO, we shirk this power, and we seek to revise or overturn the decision.*

*“It is a simple question before us this morning: Which side are we on?”*

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