

Daily Journal

Alleging Discrimination, Hotel Residents Sue Developer and City

By Anat Rubin
Daily Journal Staff Writer

Dec. 21, 2007

LOS ANGELES - Leonard Woods is tired of fighting for his home.

Woods has lived at the Alexandria, a Skid Row residency hotel, for a decade. But the 53-year-old, who depends on a motorized wheelchair to get around, doesn't know how much longer he'll be able to stay.

"They've worn me down," Woods said, crying. "It's one thing after another, and I'm falling apart."

Everything was fine, he said, until the city of Los Angeles gave a for-profit affordable housing developer substantial funding last year to purchase and renovate the Alexandria, which has long been home to some of the city's poorest residents.

Since then, more than 80 of the hotel's tenants, many of them disabled, have been evicted, according to court records. Some now live on the street. Others are in emergency housing. Many remaining tenants, like Woods, say they are barely hanging on.

Woods, a carpenter who suffered a spinal injury eight years ago, said the hotel's managers have made every effort to get him to leave. They refused to accept his medications and disabled bus pass when they arrived in the mail, he said. They told him he had to give up two-thirds of his living space, refusing to accept his rent payment for two of the three small adjoining units he has been living in for years, he said.

"They say, 'If we can make their lives miserable, maybe they'll leave,'" Woods said. "I'm tired of being stepped on."

Over the last six months, Woods and many other residents have made numerous complaints to the Community Redevelopment Agency, which helped San Diego-based Amerland Group secure \$35 million in state bonds to renovate the building, and committed \$11.9 million in city funds to keep the units affordable and prevent displacement.

Residents complained of harassment, discrimination and poor living conditions. Disabled tenants said they have been stranded on their hotel floor for days because the elevators break down. They said they have had to go without water for days and without hot water for weeks. They said management was refusing to take their rent checks and then trying to evict them for not paying rent. They said they were being relocated to smaller, inadequate rooms without notice. And they made it clear it was the elderly and disabled who were being pushed out of the building.

"I spoke in all of those [community redevelopment] hearings and guess what? Nothing happened," Woods said. "Nothing changed."

Attorneys for Amerland were unavailable Thursday, but the company has repeatedly denied allegations of discrimination and said tenants who were being evicted were not paying rent.

Now Woods and other Alexandria residents are suing the developer, the Community Redevelopment Agency and the city, alleging widespread race and disability discrimination and rampant violations of state relocation and redevelopment laws.

"The city is responsible for approving the expenditure of public funds for this project and not ensuring those funds were put to the use the people of the city intended: to provide low-income housing," said Legal Aid Foundation of Los Angeles attorney Louis Rafti, whose organization filed the lawsuit in federal court Thursday, along with the Western Center on Law and Poverty, the Disability Rights Legal Center and McDermott Will & Emery. "This project was intended for people who cannot afford to live anywhere else. There's no more affordable housing. There's no place for these folks to go. They're losing housing at \$300 to \$400 a month and there's absolutely nothing available for that right now."

A recent boom in development has turned downtown residency hotels into prime real estate. The gentrification that has swept the area caused city officials to declare a moratorium on residency hotel conversions to stop landlords from evicting tenants and turning their affordable units into high-end lofts. But affordable housing is exempt from the moratorium and other tenant protections.

"This was an intentional strategy to let this developer do whatever he wanted to," Rafti said. "The agency just turned their heads. If the developer told them these are bad people, they assumed they must be. Even if a third of the building has been evicted, they thought, 'These people must not be important enough for us to deal with.'"

In a press release, the Community Redevelopment Agency said Thursday it "shares the concerns expressed by tenants at the Alexandria Hotel regarding health and safety, habitability and tenant rights issues."

The agency said it has no regulatory or legal jurisdiction over many of the claims.

But, according to the press release, the agency expects "the developer to comply with all laws related to health and safety, discrimination, and tenant rights and will continue to work with the parties to resolve these issues."

Some board members had raised concerns about the project before it was approved, and after tenants and community groups began to complain. They were especially troubled by the broken elevators and lack of running water. One member voiced numerous concerns about the rate of evictions. But those members were outnumbered on the board and their concerns, residents said, did not translate into action.

Attorneys for the residents point to the Alexandria's Web site as evidence of the developer's plans to get rid of older, disabled people of color. The site looks like an advertisement for a college dormitory. Photos feature shaggy-haired boys lounging on modern couches and hip girls in bright rooms gazing into laptop screens.

"Their planned new tenants don't look like the tenants who live there now," said McDermott attorney Matt Oster, whose firm is handling the case on a pro bono basis. "They're cleaning house."

There are no photos on the Web site of anyone who looks like Hilda Quintana, a 71-year-old American Indian woman who has lived at the Alexandria for more than 25 years. Quintana, a plaintiff in the case, is disabled and walks with a cane. She said she came home one day to find she was shut out of one of her two adjoining rooms. The entrance to the second room, she said, was boarded up, and her belongings and furniture were haphazardly thrown into the remaining room.

Quintana said she was told not to congregate in the lobby, where she had been sitting on the old Alexandria benches and talking to neighbors for decades.

"It's just to get out of the room. You don't want to watch TV all day," she said. "But they want you to stay in your room. They don't want you down there. It doesn't look good [for the newer tenants]. They look at you funny, like you might drop bugs on them or something."

Management eventually tore out the old benches, saying ongoing construction made the lobby a hazard for the tenants.

In protest, Quintana now takes her own chair downstairs to sit for an hour or two each day.

Also missing from the Web site is anyone who looks like Joseph Bell, a 72-year-old black man who suffers from seizures and has lived at the hotel for 11 years.

Bell, also a plaintiff, suffered a seizure Sunday, three weeks after his county-funded home health care worker was refused access to the building. When she tried to get in to see him, she said, she was escorted out in handcuffs.

"She does the grocery shopping for me. She cooks for me. She soaks my feet. She cleans," Bell said after returning from the hospital Monday. "I just can't do things like cook. My legs give out on me sometimes. I forget to take my medication or I forget that I took it and take it twice."

Bell suffered another seizure Tuesday, after management again refused to let his caretaker in, his attorneys said.

"They identify their weakness, usually related to a disabling condition, and exploit that weakness as a means to evict them," Rafti said.

That makes people with mental disabilities, he said, especially vulnerable.

Before Amerland took over the building, LAMP Community, a housing and health care organization for homeless people with severe mental disabilities, had 60 clients in the Alexandria.

"It was considered to be one of the best, if not the best, privately owned single-room occupancy hotels to work with," said LAMP executive director Casey Horan. "The average length of time our clients would stay at the hotel was five years. The staff had an understanding of mental illness and we were able to work closely with them. It was a great relationship."

LAMP Community now has only five clients in the building.

"The majority left and chose homelessness over the Alexandria," Horan said. "They were in a state of fear. One of our clients wouldn't leave her room for three months for fear of being locked out. People were being detained

and interrogated by security in the building. Anyone who exhibited unusual or bizarre behavior was accused of being a drug dealer or a drug addict."

These were formerly homeless, mentally disabled people who found stability at the hotel and were receiving mental health treatment, Horan said.

"We got to point that we could not say to them in good faith that everything was going to be alright because everything was not going to be alright," she said.

"We saw our clients deteriorating. Instead of working to engage them in treatment, we had to go into crisis mode. We said 'These people are going to end up on the street again.' And some of them did."

Oster said management took mentally disabled people who could not defend themselves to unlawful detainer court, seeking eviction.

"They didn't know they have a right to replacement housing, to relocation benefits," he said.

When Amerland secured state bonds to buy and redevelop the building, the company said it could keep the units affordable for people who earn up to 60 percent of the area's median income. But most of the Alexandria's tenants are at 35 percent of the median income.

In response to community outrage, the Redevelopment Agency brought down the affordability levels of close to half of the units. But the agency did not demand a relocation plan for residents of the units that would remain less affordable.

Oster said the city is required, by state and federal law, to adopt relocation and replacement housing plans, give proper tenant notices and provide relocation assistance.

None of the tenants displaced from the Alexandria has received relocation benefits.

Tenants and community activists say they are especially angry with their council members, who have supported Amerland since the developer first announced plans to take over the building.

"We have rattled the trees and city government turned their backs," said Pete White of the Los Angeles Community Action Network, a downtown tenant advocacy group that's also a plaintiff in the case. "The only thing left for us is to attempt to get some justice."

Council members Jan Perry and Jose Huizar, whose districts include parts of Skid Row, came out to support Amerland when the company, already mired in controversy over its handling of the Alexandria, asked for city money to take over another downtown building.

"After they knew what was going on at the Alexandria, they gave them an additional \$8 million to take over another downtown hotel," said Legal Aid Foundation attorney Barbara Schultz. "It's time for the city to reconsider how it uses public funds."

Perry and Huizar were not available for comment.

Attorneys for the plaintiffs are demanding that the city fulfill its obligations to provide replacement housing and relocation benefits, and to closely monitor the developer and ensure the well-being of tenants.

They want the developer to restore basic amenities at the Alexandria and provide plaintiffs with units comparable to the ones they lived in prior to the ownership change.

"Those people who have been evicted are not easily located," Oster said. "But we're hopeful we'll get remedies for everyone in the end."

For now, Woods would like some hot water.

"I've been boiling water to take a bath," he said. "But my inconvenience doesn't mean anything. And it should mean something."

Becky Dennison of the Community Action Network said the emotional toll on tenants like Woods and the community organizations who care for them has been unbearable.

"These are folks that have been through a lot in life. And they can't take this anymore," she said. "They're breaking down."