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Fair Housing Napa Valley
Narrative Report- City of Calistoga
Year End 2011- 2012

This has been a challenging year for the agency working out of the City of Calistoga. Our first knowledge of any real pressing issues happened during our first City Council meeting last year. Our office was not aware of the issues that were going on within one of the parks and immediately the staff went into action by providing brochures to those residents that were speaking during the council meeting. FHNV has been a presence within the City of Calistoga ever since, ensuring that the residents are heard and that any major issues are brought to the attention of the appropriate agencies for resolution.

FHNV continues to partner with the Calistoga Family Center, Calistoga Affordable Housing and has a respectful relationship with the Weekly Calistogan. FHNV has commitments to the community within the entire County and provides the same level of services within every community that we serve. FHNV has served as a resource to City staff and would like to continue to foster a relationship with the City Council members, its staff and the other enforcement entities within the City of Calistoga. The agency works mainly in the field to meet residents where they are. FHNV has captured living conditions on film and will be making an upcoming presentation at a City Council meeting to show the City what the types of issues that have been found.

Following is a snapshot of some of the client stories that have come to the office during this contract period:

2012-231 Working with Community Resources (Calistoga)

A Fair Housing Specialist along with the Executive Director went out to a tenant's rental property about 2 months ago. The tenant, who had requested the visit, had indicated that his refrigerator was not working properly and \$200 worth of food had gone to waste. He mentioned that some of his neighbors had received a refrigerator but that he did not understand why he didn't receive one.

The property manager was called by the specialist to find out the circumstances surrounding this tenant's refrigerator. The manager explained that the tenant had never mentioned that the refrigerator was an issue. The property manager immediately contacted the PG&E program like he did for the tenant's neighbors. Within a week, the tenant called to say that PG&E had gone out to his property and replaced the refrigerator for free through the energy conservation program.

The tenant was glad to have his refrigerator although was upset that he lost a large quantity of food due to the faulty fridge. The specialist took the opportunity to educate the tenant on the importance of communicating with his landlord or property manager when repairs are needed immediately. The Executive Director further explained that all requests should be in writing and that without written documentation, there would be no way for him to support that he made a request, especially in light of the fact that the manager stated he did not receive a request. The tenant was provided a resource for food in the event he did not have the money to replace what was lost and no further actions were needed.

2012-9 Homeless Prevention (Calistoga)

A tenant called concerned that he had received a 3 Day Notice to Pay or Quit from his landlord because he was behind on rent by more than two months, after losing his employment. The specialist made an appointment for the tenant to come into the office to complete a referral to an assistance program.

The tenant and the specialist worked together to complete the necessary forms needed to receive assistance through the Homeless Prevention Rapid Rehousing (HPRP) program. With the assistance through the program, the tenant was able to bring all his payments current. The tenant was soon employed again and was able to resume making his payments on time. The tenant was unaware of this resource and FHNV was able to connect him, which in turn prevented this resident from becoming homeless due to a short term need.

2012-232 Sexual harassment (Calistoga)

A female client called in frantically with complaints that her landlord was looking in her windows and sitting in his golf cart looking over at her unit. The tenant felt that that landlord was stalking her and therefore felt sexually harassed.

The Fair Housing Specialist immediately instructed the tenant to contact the police department to submit a complaint to protect her. She chose not to make the call and instead requested that the specialist contact the landlord and discussed her concerns.

The Landlord was contacted and he denied that he had been looking in windows or sitting on a golf cart looking at the tenant or her unit. He actually felt as though he was being harassed instead. He stated that the tenant, when writing the rent check, indicated that it was *"paid to the order of: 'lord of the land'"*. The Fair Housing Specialist brought both the tenant and landlord together to discuss and mediate their concerns. The tenant determined that she wanted to be let

out of the lease and would like to move after her scheduled surgery. The landlord requested that the tenant refer to him as the landlord or manager only. The tenant agreed that she would no longer put "lord of the land" on the rental checks. The landlord agreed that he would allow the tenant to break the lease without liability if the proper 30 day request was put in writing. The tenant provided the proper 30 day notice and both entities went their separate ways.

2012-297 Peaceful Enjoyment/Excessive Rules (Calistoga)

A new renter of a property called the fair housing office wanting to know if the landlord had the right to come to the property unannounced. The tenant stated that the landlord had shown up the night before and proceeded to yell at her children. The landlord wanted the children to remove all the toys from the front yard. She then told the tenant to remove all tools and items from the back of the property and put them into a storage unit.

The specialist spoke to the landlord and discussed the proper procedure to take when wanting to visit the property. It was explained to the landlord that making unannounced visits to the home is considered a violation of the tenant's rights to peaceful enjoyment. The specialist also took the opportunity to send the landlord educational material regarding landlord rights and responsibilities. The specialist was able to point out that the rules the landlord decides to set in place should be in writing and uniform without being excessive. The landlord explained that she was concerned that the children would fall and be injured with the toys scattered. The specialist pointed out that the tenant and landlord should be covered against liability if there is an insurance policy in place. The landlord appeared to understand and would continue to work with the specialist to establish rules that were within reason.

The specialist made a follow up call to the tenant further explaining her responsibility to ensure that the property is kept in a well maintained condition, and that the landlord needed to give proper notice 24 hour notice before any inspections, unless in an emergency situation. The tenant was also informed that if the landlord continued to make unannounced visits to the property without giving proper notice she should reconnect with fair housing or she could exercise her right to contact the police.

2012-205 Proper Notice to Vacate (Calistoga)

A past client called again with concerns that she had received a 30 day Notice to Vacate. There was no cause but the time seemed too short. It was explained that the landlord had the right to give a notice without cause but due to the tenancy being longer than a year, the tenant should have been given a 60 day Notice.

The Executive Director contacted the landlord for the tenant. She made it clear about the proper procedures and time lines to follow when giving a tenant notice to vacate. The landlord appreciated the information and even negotiated more time for the family to relocate.

22577 Community Resources Homeless Prevention (Calistoga)

A tenant called with concerns that she had lost her job temporarily causing her to fall behind on her rent payments. The tenant had lived in the property over a period of 3 years. She was just called back to work although was having difficulty catching up with the 2 1/2 months past due rent.

The Landlord was willing to work with the Tenant as she had always paid on time in the past and maintained the property in good condition. A referral to Season of Sharing was made by FHNV for the Tenant who was able to then receive the one time assistance to bring her rent current. Seasons of Sharing were also able to assist with an additional month of rent to the Landlord. This allowed the Tenant to self-sustain thereafter with her continued employment. Tenant remained house and is currently back on track.

22748 Inappropriate Use of Deposit (Calistoga)

A tenant called to explain that it had been two months from his date of move out. He wanted to know how long the Landlord had to return his deposit. The Specialist explained that the Landlord should return the deposit within 21 days from the move out date. After the 21 days passed, the tenant contacted FHNV again for information on next steps to be taken. A Demand for Deposit letter was sent to the landlord with the assistance of the specialist.

The Landlord contacted the Tenant upon receiving the request, explaining that she had lost her job and could not pay it. The Landlord promised to send it within the next 2-3 weeks by money wire transfer. The third week passed and the Tenant called the Landlord again to find out the status. The Landlord said she mailed her a money order but it was never received. The Landlord had never set aside the deposit given by the tenant. The Tenant was forced to pursue his claim in small claims court to recover his deposit. FHNV encouraged the tenant to continue working with the landlord, but communications broke down when the landlord failed to return any subsequent calls.

2012-247 Lease Agreements Rules and Regulations (Calistoga)

The Client came in to the office with allegations of harassment by the owner. T alleged the owner did not allow her to have her daughter in the unit and that the owner was very particular about the condition of the unit.

In contacting the owner she complained that the tenant was always making changes to the unit without permission. She indicated that there were problems with the tenant and that she was willing to allow the tenant to break her lease in lieu of eviction proceedings. The Landlord did indicate the she and the tenant were having communication issues, and that she simply did not want to deal with the matter any longer.

As a result the landlord informed the specialist that she sent the tenant a letter outlining the terms of breaking the lease. The specialist then discussed with the tenant the landlord's comments regarding her tenancy. The tenant came forward to say that she was behind on her rent payments

and that she was also keeping a dog in the unit which was also causing problems. The specialist advised the tenant of her obligations of the rental agreement and informed her that she needed to honor the move-out date. Although the agency attempted mediation for an extension of time, the owner was not willing to negotiate, due to the issues she was having with the tenant.

The specialist reached out to other community resources to pay the past due rent owed by the tenant along with relocation costs. A referral was made to NEWS due to the sensitive nature of another issue that was identified. The resource at NEWS indicated that they were unable to financially assist for at least another month. The specialist informed the case worker of the landlord's issues with the tenant and her unwillingness to extend the tenancy. The case worker at NEWS stated they would work with the client, and would place her in the shelter until they could provide financial assistance. No further details can be discussed about this particular case.

22565 ES Tenants Peaceful Enjoyment (Calistoga)

When the phone rang into the office not nearly one minute after opening, a frantic voice on the other line wanted information on their rights to peaceful enjoyment of their property. The tenants had been interrupted from their dinner or late into the evening nearly every day over several days by a realtor and prospective buyers. It appeared that without warning, a For Sale sign was posted on the tenants' lawn, and visits usually un-announced became a regular happening.

The tenants stated that they had contacted the owner of the property, but were told that they would need to speak to the realtor. After speaking to the realtor and trying to create a time line of availability between the tenant and the real estate agent, it proved to be difficult for the over eager agent to stick to the plan.

The tenant requested that we contact the realtor directly to discuss their rights to peaceful enjoyment of the property for as long as their term was in place. The realtor seemed to take note and indicated that they would respect the tenants' rights. Subsequently, the owner compensated the tenant with a reduction in rent, in exchange for allowing an open house twice a month until the property was sold. This became a win-win for both parties and no further complaints were received from either side on this case.

22731 ES/SB Harassment and Retaliation (Calistoga)

A female client called the office to request general information. In doing so, she indicated that she needed to make a request for a form for repairs by her landlord. Several days later she came into the office very shaken. The tenant had submitted a request in writing to her landlord with concerns about several rodents she had trapped in her home recently. The landlords' sister in law immediately contacted the tenant with threats to no longer request repairs, or things would go bad for her.

The tenant explained her concerns that the property was divided into several units when it was originally a single family dwelling. She stated that the landlords' tenants lived in a hidden room behind the garage and another young couple in another room that appeared from the outside as

an attached garage. The landlord was contacted by the specialist and explained that they could not threaten the tenant for asking the landlord for repairs to be completed. The tenant took note of the conversation and when the tenant arrived home, the landlord approached her infuriated and blasted several more threats her way.

The tenant informed the specialist of the incident immediately. A site visit was scheduled and it was noted that indeed the home was divided into three units and that the home had several code violations. A call was placed to Napa County Code Enforcement, who immediately arrived on site and spoke to the owner, while the tenant was at the office with the specialist.

When the Specialist and the tenant arrived back at the home, the owner came to the house, bursting in the door way and demanded to know who we were. The two specialists introduced themselves, and as he became belligerent, stood firm in their explanation that his behavior would not be tolerated and that he was violating the rights of the tenant. He immediately retreated and the tenant was seen to her car safely. The tenant was later contacted by the brother in law of the owner, who offered her the deposit she had left, as she chose to leave the home immediately. Code enforcement followed up with a notice to the owner with a laundry list of violations and a time line to correct the deficiencies, prior to attempting to re-rent the home. FHNV will follow up on this unit to ensure that the unit does not get rented until cleared through County Code Enforcement.

MOBILE HOME PARKS

FHNV has consistently been a presence within the parks in Calistoga. Upon resident requests, FHNV has come up to participate in community meetings and has intervened when things went awry between park management and the residents. The park owners have continued to work with FHNV as each issue has been brought forward.

FHNV will continue to assist the City of Calistoga with ensuring the residents affected by the upcoming lawsuit stay as informed and healthy as possible. The Executive Director is always making positive presentations to this group as the agency has a genuine concern about how the impact of the pending lawsuit is having on the physical and mental health of this senior community. Any calls from these parks are treated as an urgent matter and FHNV will continue to monitor and work with the City and CFC to determine how things are going on a day by day basis.

Following is a summary of issues that were identified during the year:

Hoarding within the Parks – FHNV has assisted several tenants within the parks that have problems with hoarding. The agency was able to work with the Hoarding Intervention Team (HIT) and received a 20 yard dumpster to help empty out a bulging trailer. The use of this dumpster provided by Code Enforcement allowed FHNV to mediate a resolution between the landlord and the tenant. Through this collaboration, the tenant was able to avoid eviction from

the park, but further monitoring will be needed to ensure the resident does not end up with another hoarding situation in the near future.

Social Groups/Gang Activities – Several tenants are complaining about the little “social groups” that stir up problems within the parks. Within the senior parks, we have found evidence of social bullying by some select groups that feel they have the right to make decisions for everyone within the park. FHNV has been doing a lot of outreach within the senior parks to bring the communities back together in an effort to lessen the divide between the “in crowd” and the “outcasts.” It’s a very interesting dynamic, but a very real issue for some of the residents that fall victims to being on the outside of the long established circles. FHNV will continue to provide a presence in these particular parks as a means to protect all involved.

Home Owner Associations (HOA) - The agency has gone to several different parks to speak at their HOA meetings regarding a multitude of issues. There has been a large spike in complaints this past year within the mobile home parks. In the City of Calistoga case, the park owner is suing the residents and the City for allegations against its RSO process and the recent lawsuit that was decided before an Administrative Law Judge. An appeal has been filed and all parties have acquired legal advice and representation. The next steps will be determined based on any additional court filings that may result prior to a court date being secured. FHNV has had several meetings with the residents and their legal team to try to provide resources and guidance to help keep the residents informed and mentally healthy. This is a senior park and FHNV’s main concern is for the physical and mental health of the residents as they work through these times of uncertainty. In addition, the agency was able to connect residents with the HPRP program to cover a retroactive rent increase (\$540 in addition to their regular space rent) that they could not afford, which in turn prevented evictions of approximately 15 families. An additional 10 families were assisted with the funds provided by the City of Calistoga. The park management was cooperative in this regard by allowing the agency time to process the needed paperwork to secure the funds to prevent the evictions. Management did offer an alternative program for the residents, but it included placing a lien on the property to secure the back rent increase, which was not in the best interest of the resident.

In another park, there were community issues dividing the HOA Board, its members and management. FHNV had an initial mediation with the park community which was well attended. The next steps will be to work with the Park Owners and Management to communicate some of the concerns that came out of that mediation and to continue to work with the Board Members to tighten up their processes. This will be an on-going project.

Bad Streets, Driveways, Trees and Responsibility - Finally the last major complaint the agency has been consistently dealing with is in relation to the conditions of the streets and driveways. It’s the responsibility of the Park Owners to maintain the streets and keep them free of pot holes and trip hazards. Driveways are normally the responsibility of the park residents and the trees have become a grey area in relation to who handles what. The regulations are pretty clear, but it all comes down to interpretation. FHNV will continue to assist both sides in working through these issues.

Overall the parks have been time consuming but FHNV has been able to offer some viable solutions through the cooperation of Park Owners and the residents themselves.

FINAL NOTES

There were a total of 189 residents assisted during this contract period. Of those cases, most were repeat clients needing additional services in one way or another. Such as making connections to resources or providing mediation assistance when both parties were unable to agree on solutions. Most of these cases included site visits in order to better serve the senior clients by not having them travel far from their homes.

FHNV is still monitoring a park that lost a case presented by the agency. They are under a three year court ordered monitoring that does not end until 2014. A formal Fair Housing training is scheduled during the month of July for those landlords and their employees to prevent any further acts of discrimination. These parties will be presented with a Certificate of Completion and will be held to a higher standard as a result of being trained.

There are no other Fair Housing cases being pursued at this time within the City of Calistoga.

FHNV is looking forward to continuing the work that is needed within the City of Calistoga. The agency and its staff are always available to answer any questions and will continue to build on a solid relationship with the City of Calistoga's officials and staff members. Working together as a team, we will continue to provide solid, professional services within the community.

Respectfully submitted,



Nicole Collier
Executive Director