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April 8, 2014

The Honorable Sebastian Ridley-Thomas
California State Assembly
State Capitol, Room 3149
Sacramento, CA 95814

**Re: City of Oakland's Request for Amendments to Assembly Bill 2310
(Ridley-Thomas)**

Dear Assembly Member Ridley-Thomas:

On behalf of the City of Oakland, I respectfully request the City of Oakland's inclusion in AB 2310 regarding the eviction of tenants for illegal weapons and ammunition violations.

In Oakland, crimes committed with illegal weapons and ammunition are a significant cause of deaths and injuries, and undermine the quality of life and the health and safety of our residents and our communities. We have had some success in using our local nuisance eviction ordinance to address this problem. However, authorization to file nuisance actions under AB 2310 will increase our ability to use nuisance evictions to remove tenants who pose an immediate danger to their neighbors and others by possessing illegal weapons and ammunition.

Oakland adopted its own version of a Nuisance Eviction law ten years ago. At the time, the City Council sought to make the City Administrator's Office the primary enforcer for nuisance abatement, with the City Attorney primarily advising on actions such as nuisance evictions.

Relying on our local ordinance, the City has sent notices to landlords to evict tenants for drug-related and weapons-related offenses, and the City has used the local law to negotiate evictions of tenants engaging in these activities. Because these actions were taken under Oakland's law, they were not reported to the state's Judicial Council as part of the state's nuisance eviction law.

Currently, if a landlord does not evict a tenant after receiving notice from the City regarding weapons-related activity, I do not have authority as City Attorney to file an eviction action. Including Oakland in AB 2310 will allow the City Attorney's Office to

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bring an eviction action if the landlord does not. AB 2310 also covers illegal ammunition violations, while Oakland's law does not specifically cover ammunition. In some cases, a notice issued by the City Attorney may be more effective in getting the attention of landlords or problem tenants.

The Oakland City Council recently expanded my Office's successful Neighborhood Law Corps ("NLC") program. The NLC often is described as a hybrid of the Peace Corps and Legal Aid. Our NLC attorneys use civil law and other remedies to address public nuisances and criminal activity in Oakland neighborhoods. The expansion of this program has enabled us to augment the City Administrator's work on nuisance evictions related to illegal weapons and ammunition.

I understand that some have expressed concern that nuisance eviction laws can be used to displace vulnerable tenants. However, Oakland has strong protections in place to prevent unwarranted use of nuisance evictions, including our Just Cause for Eviction Ordinance.

Oakland also has a long and unbroken track record of championing and protecting low income tenants' rights. For example, I have sued major banks and local property managers to prevent unlawful evictions from foreclosed properties. In partnership with the Mayor and City Council we are continuing to provide additional housing for low and moderate income residents; in the last three years we have added 1,700 new units for those residents. And Oakland's Just Cause law is one of the strongest and broadest in the state.

Illegal firearms and ammunition have destroyed and snuffed out many lives in Oakland and shattered so many families. We have demonstrated that Oakland will use all available tools to stop this carnage. Inclusion in AB 2310 will help us in our effort to discourage possession of illegal weapons and ammunition, and to save lives in the process.

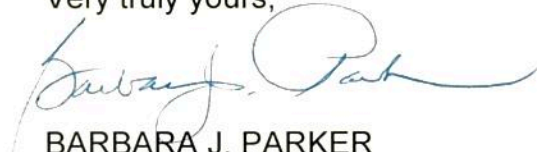
For the reasons we have discussed in this letter, we request amendment of AB 2310 so that Oakland will continue to have the right to file nuisance eviction actions to address gun violence.

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Please do not hesitate to contact me with any questions.

Very truly yours,



BARBARA J. PARKER
City Attorney

cc: Senator Loni Hancock
Assembly Member Rob Bonta
Assembly Member Nancy Skinner