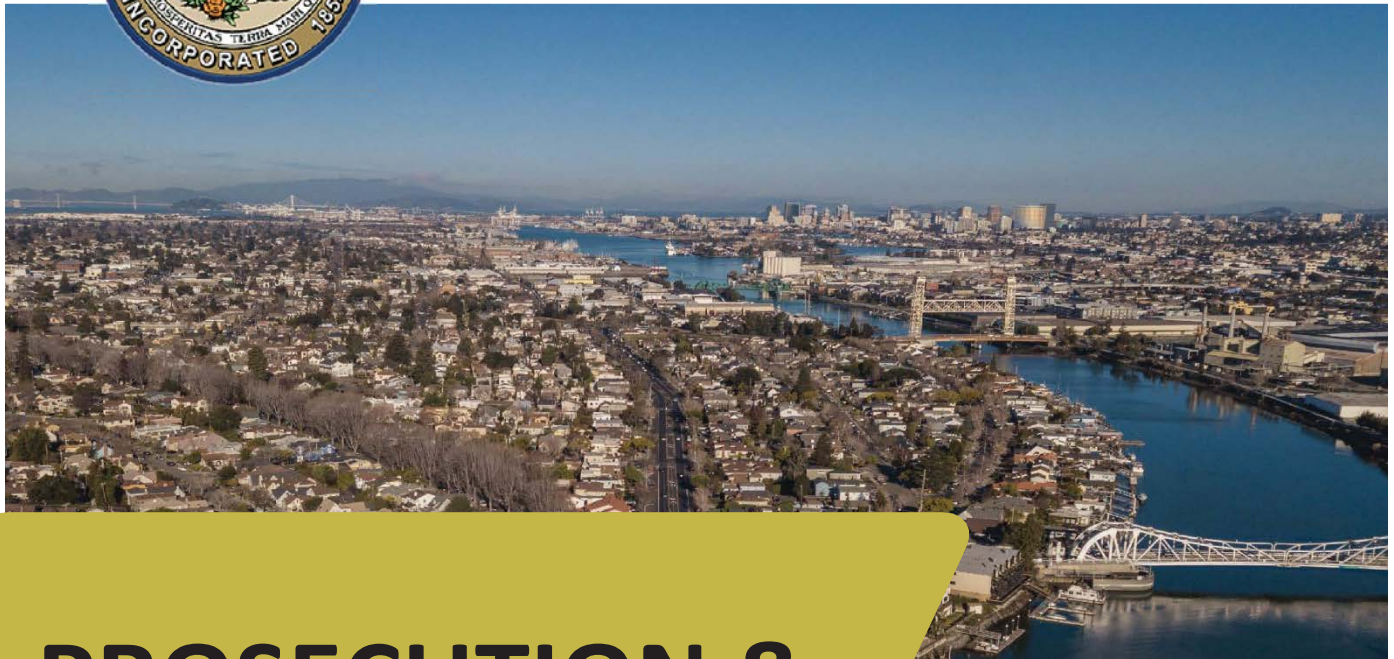




Presented by the City Attorney's Office

Yibin Shen - City Attorney

Julia Gonzales - Chief Assistant Prosecutor



PROSECUTION & PUBLIC RIGHTS UNIT

Monthly Report

JULY 2023

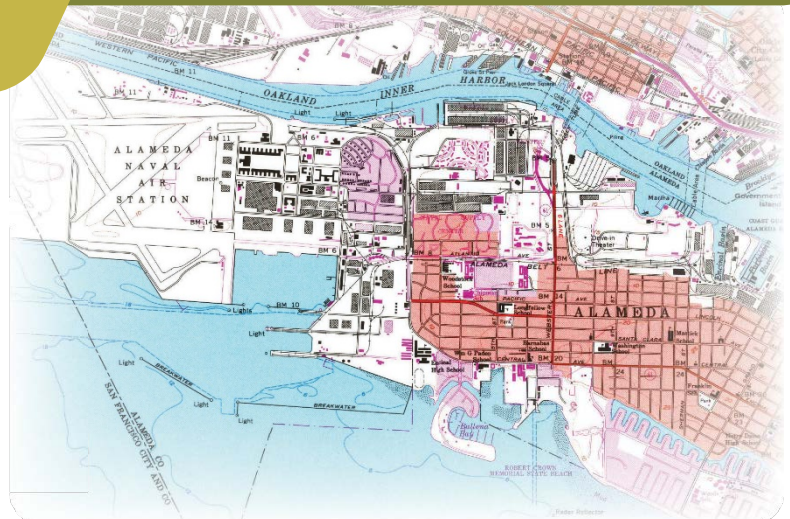
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SUMMARY

- The Prosecution and Public Rights Unit of the Alameda City Attorney's Office represents the People of the State of California in misdemeanor criminal matters. The Unit is further charged with bringing affirmative litigation in response to violations of consumer protection and fair housing laws, and protecting consumers against fraud and unfair business practices. This report is to summarize the Prosecution and Public Rights Unit's activity for the month of July 2023.



CRIMINAL MATTERS

For the month of July 2023, the Alameda City Attorney's Prosecution and Public Rights Unit reviewed **62** requests for charges, **39** of which resulted in the filing of a criminal case:

CRIMES AGAINST PERSON/WEAPONS

	Weapons Brandishing	Embezzlement	Elder Abuse	Hate Crime	Domestic Violence	TOTALS
July 2023	1	1	1	1	1	5
YTD	3	1	3	1	6	14

CRIMES AGAINST PROPERTY

	Petty Theft	Criminal Trespass	Vandalism	Receiving Stolen Prop	False Personation	TOTALS
July 2023	4	6	4	3	1	18
YTD	47	25	14	8	1	95

CRIMES AGAINST STATE

	Disobeying Court Order	Driving Under the Influence/ Reckless Drive	Disturbing the Peace	Resisting Arrest	Poss of Drug Paraphernalia	TOTALS
July 2023	4	8	2	1	1	16
YTD	18	45	4	3	1	71

CRIMINAL MATTERS

19 of the **62** requests for charges in the month of July 2023 did not result in a filing of a new criminal case, and **4** require further investigation.

CHARGES DECLINED

	July 2023	YTD
Rejected in the Interest of Justice	11	78
Rejected for Statute of Limitations	1	4
Rejected for Insufficient Evidence	2	26
Rejected, Victim requests no Prosecution	3	19
Rejected, proceed other cts	2	5
Rejected, Jurisdiction Considerations	0	3
TOTALS	19	135

RESOLUTIONS

In the month of July 2023, **7** cases were resolved.

CONVICTIONS

	July 2023	YTD
Driving Under the Influence /Wet Reckless/ Reckless Driving	4	30
Disturbing the Peace	1	1
Engaging in Lewd Conduct	1	1
Domestic Violence	1	1
TOTALS	7	33

PROBATION VIOLATIONS

In July 2023 there was **1** admission to probation violations, bringing the year-to-date total to **33**.

DISMISSALS

	July 2023	YTD
Global Resolution	3	23
Civil Compromise	0	2
Deferred Entry of Judgment	11	43
Court Dismissal	1	5
Max Custody Served	0	2
Insufficient Evidence	3	12
Interest of Justice	9	36
TOTALS	27	123



CIVIL MATTERS

CITIZEN INQUIRIES

	Electronic	Telephone	Walk-In	TOTALS
July 2023	24	34	0	58
Year-to-Date	147	270	8	424

CURRENT CASE LOAD

	NEW CASES		EXISTING CASES			RESOLVED	
	Housing	Consumer	Housing	Labor	Consumer	Housing	Consumer
July 2023	4	3	19	2	3	3	3
Year-to-Date	38	33				15	5

EXAMPLES OF NEW CASES OPENED

One case involving a tenant who alleges she does not have an operable heating unit in her home. She further alleges that she and her child have been forced to sleep in their living room due to heavy construction occurring in her bedroom, which she claims is making her and her child sick.

One case involving a tenant who claims she and her daughter were locked out of their home of 35 years, and then constructively evicted by their landlord. The tenant claims there is inconsistencies between the inspection of her unit and her score, and the reasons for her eviction. She claims she was locked out and evicted despite actually passing her inspection and believes her eviction was a mistake.

One case involving an unsheltered individual who claims a local non-profit has been mistreating their shelter visitors and other overnight guests, and refusing to give them a place to sleep.

CIVIL MATTERS



EXISTING CASE UPDATES

Two cases of alleged Labor Law violations; joint investigations with Labor Commissioner and counsel pending.

One case involving a group of tenants who claim their new owners have been refusing to accept the rental payments, raising their rents, refusing to honor existing leasing contracts, and coercing them into signing new lease agreements.

One case involving a dispute between a landlord and his tenants. The landlord claims the tenants have failed to abide by the terms of their lease. The tenants claim they were effected by the pandemic and were unable to make rental payments.

One case involving a tenant whose unit was red-tagged, leading to their temporary displacement. Upon displacement of their tenant, the landlady failed to make the required temporary relocation payments as obligated. The tenant further alleges their landlady turned off their water intentionally, which then led to the displacement.

CIVIL MATTERS

EXISTING CASE UPDATES cont...

One case involving a tenant who alleges various harassing behaviors by their landlord. They claim they have received various notices to vacate, harassing calls and texts, calls and texts to their family members, utility shut-offs, illegal entries and an illegal lockout.

One case involving a tenant who claims her property management company is harassing her for rent payments that have already been paid for by a rental assistance program.

One case involving a tenant whose unit was uninhabitable and was subsequently red-tagged by code enforcement. They allege their landlord began harassing them after the unit was red-tagged, entering their unit without notice, and failed to provide temporary relocation payments.

One case involving a tenant who claims he is being harassed by his property manager because of his doorbell camera. The management has threatened to forcefully remove it and issue him a lease violation if he doesn't remove it himself.



CIVIL MATTERS

EXISTING CASE UPDATES cont...

One case involving a group of tenants who lost power in their units. They claim their landlord failed to provide TRP (Tenant Relocation Payments) to cover the cost of their displacement, or when provided, failed to provide the amount they are obligated to pay.

One case involving a rental seeker who claims she was discriminated against by multiple property managers in the City due to her source of income. She states her application process goes smoothly until they discover she is a Housing Choice voucher holder, at which point they make excuses not to continue the rental process

One case involving a tenant who claims her former property management company is refusing to remove her from a past lease. She further claims the company is harassing her and threatening her, by asking her to pay additional rent for her final month even though she vacated the unit prior to the dates they claim she was still in possession of the unit

One case involving a tenant who complains her landlord has failed to provide her with pertinent information about asbestos found in her unit. She states the landlord had remediators enter her unit to remediate mold when the asbestos was discovered, and then mishandled by the remediators leading to what she believes is a safety issue.

One case involving a tenant who claims their landlord has been continuously sending him multiple, invalid notices as a means to harass him. The tenant claims the notices are being sent as a means to harass and threaten him.

One case involving a tenant who complains of on-going harassment and illegal entries by her landlord. She also claims there are numerous habitability defects in her unit which have been cited by Code Enforcement, but her landlord has failed to abate said defects despite citation.

CIVIL MATTERS

EXISTING CASE UPDATES cont...

One case involving a tenant who complains her landlord has been intentionally turning on a generator below her unit, which shakes her entire apartment, to harass her. She further claims her landlord has been entering her unit without prior notice and spraying chemicals around her unit.

One case involving a landlord seeking mediation with her tenant. She claims her tenant has stopped paying his full rent because he deemed the rental amount inappropriate due to his inability to use his washing machine after its malfunction.

One case involving a tenant who complains that their bathtub was refinished poorly and had begun flaking, prior to them moving into their unit. They are now leaving their unit and claim their landlord has kept their entire deposit, claiming it is due to damage to the bathtub, which the tenants have repeatedly stated was already damaged when they moved into the unit. Despite their protest, their landlord has refused to listen.

One case involving a homeowner who states she recently purchased a home on bay farm, and discovered her house was listed "for rent" on various sites online. Someone called her wanting to rent her newly purchased home, and told her that they even paid a \$55 application fee to one of these companies who claimed to be the managing agents

One case involving a customer who claims a recycling operator attempted to over-tare her after she asked a question about their taring policy.