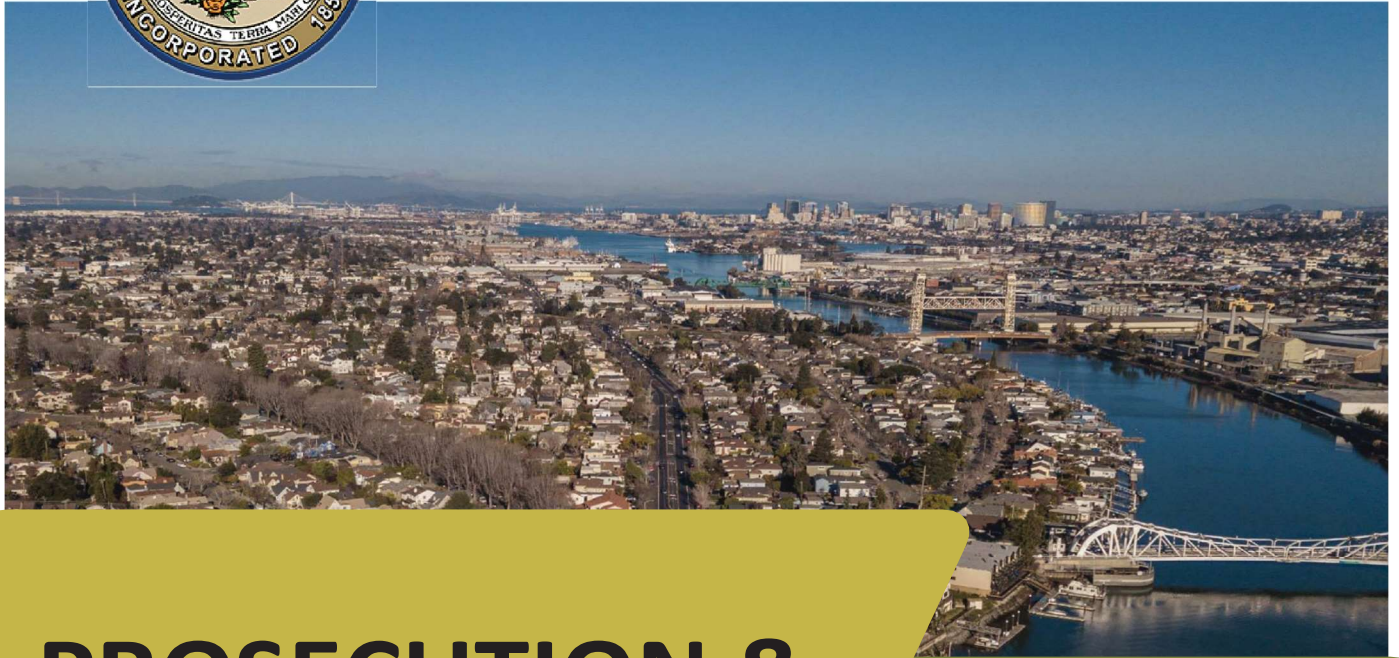




Presented by the City Attorney's Office
Yibin Shen - City Attorney
Julia Gonzales - Chief Assistant Prosecutor



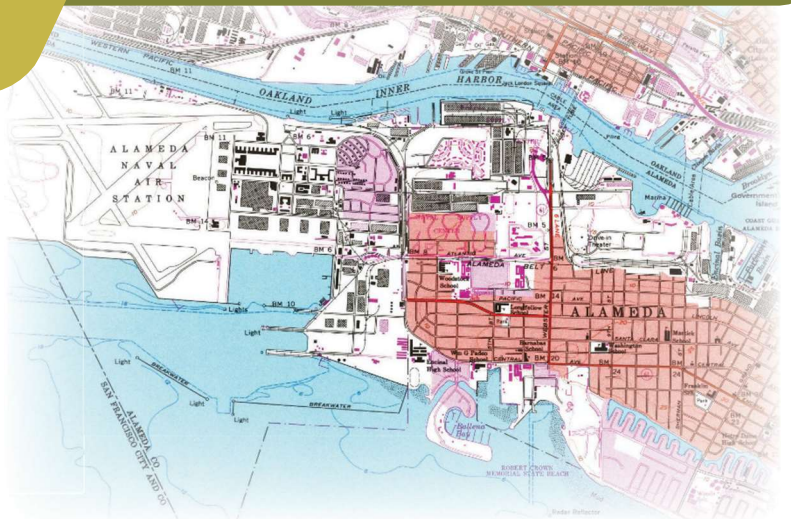
PROSECUTION & PUBLIC RIGHTS UNIT

Monthly Report

SEPTEMBER
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 September 2023.



CRIMINAL MATTERS

For the month of September 2023, the Alameda City Attorney's Prosecution and Public Rights Unit reviewed **52** requests for charges, **27** of which resulted in the filing of a criminal case:

CRIMES AGAINST PERSON/WEAPONS

	Concealed Dirk/Dagger	Battery	Brandishing Weapon	Criminal Threats	Domestic Violence	TOTALS
SEPT. 2023	1	1	2	1	4	9
YTD	2	19	5	2	12	40

CRIMES AGAINST PROPERTY

	Petty Theft	Criminal Trespass	Vandalism	TOTALS
SEPT. 2023	11	2	2	15
YTD	59	31	16	106

CRIMES AGAINST STATE

	Driving Under the Influence/ Reckless Drive	Resisting Arrest	TOTALS
SEPT. 2023	2	1	3
YTD	51	3	54

CRIMINAL MATTERS

25 of the **52** requests for charges in the month of September 2023 did not result in a filing of a new criminal case.

CHARGES DECLINED

	SEPT. 2023	YTD
Rejected in the Interest of Justice	7	90
Rejected for Statute of Limitations	3	7
Rejected for Insufficient Evidence	11	39
Rejected, Victim requests no Prosecution	4	23
Rejected, proceed other cts	0	6
Rejected, Jurisdiction Considerations	0	4
TOTALS	25	169



RESOLUTIONS

In the month of September 2023, **4** cases were resolved.

CONVICTIONS

	SEPT. 2023	YTD
Driving Under the Influence /Wet Reckless/ Reckless Driving	4	37
TOTALS	4	37

PROBATION VIOLATIONS

In September 2023 there was **1** admission to probation violation, bringing the year-to-date total to **35**.

DISMISSALS

	SEPT. 2023	YTD
Global Resolution	15	43
Civil Compromise	0	2
Deferred Entry of Judgment	2	50
Court Dismissal	2	12
Max Custody Served	0	3
Insufficient Evidence	2	17
Interest of Justice	6	46
TOTALS	27	173

CIVIL MATTERS

CITIZEN INQUIRIES

	Electronic	Telephone	Walk-In	TOTALS
September 2023	32	48	3	83
Year-to-Date	198	355	12	565

CURRENT CASE LOAD

	NEW CASES		TOTAL CASE LOAD			RESOLVED	
	Housing	Consumer	Housing	Consumer	Labor	Housing	Consumer
September 2023	8	1	16	4	2	0	0
Year-to-Date	49	36				22	5

EXAMPLES OF NEW CASES OPENED

One case involving a tenant who alleges their landlord is attempting to evict them from their home without just cause. They further allege the landlord has come by unannounced on numerous occasions demanding that they leave so they can remodel their unit.

One case involving prospective tenants who claim they were discriminated against. While using a local property management company to find a home, the company refused to let them rent at multiple different units. They allege this was due to discrimination of their source of income, age, disability, and race.

One case involving a tenant who claims her property management company is harassing her and refusing to make necessary court-ordered repairs. She further alleges her property manager said she must pay them full rent, despite a court hearing which stated the tenant need only pay partial rent until all repairs at the property are completed.

CIVIL MATTERS



EXISTING CASE UPDATES

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

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

One case involving a homeowner who states she recently purchased a home on Bay arm, 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 a company that claimed to be the managing agent.

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

CIVIL MATTERS

EXISTING CASE UPDATES cont...

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

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

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 as a means to harass her, as the generator is very loud and shakes her entire apartment. She further alleges her landlord has been entering her unit without following proper noticing requirements, and then spraying chemicals in her unit and outside her front door.

One case involving a Landlord and Tenant disagreement over an OMI (owner move-in) eviction. The tenant refuses to leave the unit as she alleges the OMI was done illegally, and further claims the OMI was likely out of retaliation for past complaints. The landlord alleges the OMI was done correctly and claims they had always planned to remove the unit from the rental market so their family could move into it.

One case involving a tenant who claims she was the victim of a constructive eviction. The tenant alleges she was harassed by her landlord, denied access to parking in front of her home and told she could not adjust the thermostat in her home. She alleges these actions were intentional and done so as a means to make her want to leave.

One case involving a tenant who complains their landlord has been entering their unit without following the required noticing procedures. The tenant further claims their landlord has also allowed others, who are not owners or property managers, to enter the unit without proper notice, and continues to do so despite complaints to cease by the tenant.