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FROM: MARC JANOWITZ, EAST BAY COMMUNITY LAW CENTER

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TENANTS ACCUSED OF FRAUD VINDICATED; OAKLAND HOUSING AUTHORITY DISMISSES LAWSUITS

Nineteen families, who faced eviction by the Oakland Housing Authority (OHA), have won lifetime leases following the settlement of their cases and dismissal of the lawsuits against them by OHA. For more than a year, OHA pursued evictions, alleging that the tenants used false identities and paid bribes to a Housing Authority employee to move ahead of others already on the housing lists. The tenants maintained from the beginning that OHA employees were responsible for the fraud, misinformation, and mistakes that resulted in their tenancies.

Through the defense of their cases they proved that none of the allegations OHA made against them was true. The tenants provided proof they submitted valid and truthful applications, they provided receipts showing they paid rent for months, and they had rental agreements signed by OHA managers. Even without any proof of tenant wrong doing, OHA pressed the lawsuits, even up to the Court of Appeal, where they lost. Following a denial of relief in the Court of Appeal, OHA agreed to mediate a settlement of the case.

“This case demonstrates that no matter how overwhelming the power of a large governmental entity may appear to be, if its targets organize to resist, they can be successful,” says one of the tenants’ lawyers, Marc S. Janowitz. He added that “if we truly believe in a just and equitable society, legal services must be available for all members of our community, regardless of economic status”

Upon learning of the settlement, Lakisha R. Hines, on of the OHA tenants, said that “even though we (the tenants) did nothing wrong, we appreciate that the Oakland Housing Authority finally did the right thing. We are very please with the outcome of this case.” Ms. Hines also expressed gratitude to the attorneys, stating that, “without them we might be on the street with no place to go.”

The settlement terms permit the tenants to remain in their homes and sign new rental agreements with the Oakland Housing Authority. They received 30 months worth of rent free, and OHA has paid the tenants’ attorneys \$110,000.00 in legal fees.

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