Honorable Chairman and Members of the Committee:

In July 1996 the Court of Appeal in *Venice Town Council v City of Los Angeles* decided that:

"City's interpretation of its responsibilities under the Mello act is erroneous. The plain language of the statute imposes a mandatory duty on the City in certain circumstances to require replacement housing for low or moderate-income persons or families where units occupied by qualifying persons are converted or destroyed. We further conclude the City has no discretion to allow a developer to escape the requirement of providing affordable replacement units whenever the City permits a non-coastal dependent commercial structure to replace existing affordable residential units." 47 Cal App 4th at 1552.

This Committee should ask why Planning and City Attorney have not complied with a Court Decision issued 20 years ago?

Respectfully submitted,

J. H. McQuiston

C: Interested parties