

## Communication from Public

**Name:** Jamie T. Hall

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**Council File No:** 18-0916-S1

**Comments for Public Posting:** Dear Chair Yaroslavsky and Committee Members: I represent Petitioner Friends of Westwanda Drive. I feel compelled to let you know a few things in advance of today's hearing. First, this entire case is the result of the Los Angeles Department of Building and Safety's refusal to acknowledge an objectively measurable fact - that Westwanda Drive is less than 20 feet wide. The City ignored a mountain of evidence that the building permits in question were therefore issued in error and this started years worth of litigation - all the way up to the Second District Court of Appeal. Petitioner prevailed both in the trial court and the Court of Appeal, of course, because the City had no legitimate defense. The bottom line is that all of this was completely avoidable. Instead, as is typical, LADBS and the Board of Building and Safety Commissioners denied Petitioner's appeal and followed the baseless recommendation of LADBS staff without any real inquiry. The BBSC utterly failed to exercise its independent judgment in this case. Second, Petitioner made multiple attempts to settle the attorneys fees issue after the Court of Appeal decision came out, but was completely ignored. The City is now having to pay a much larger fee award as a result of the City's refusal to consider settlement. Third, even after the award of attorneys fees in January of this year, the City did not timely pay, and as of today has accrued \$9,311.68 in statutory interest as a result. Finally, this is not the only instance in which this is occurring. Even today, LADBS continues to issue building permits that are in clear violation of the State Minimum Fire Safe Regulations applicable to Very High Fire Hazard Severity Zones because of substandard roadways. The City's steadfast refusal to comply with state law - especially after the devastating fires that have occurred in Los Angeles - is both wholly irresponsible and unlawful. The City will face additional liability if it does not conform its practice to state law. Regards, Jamie T. Hall Channel Law Group, LLP