



Shirley Beal, who was not evicted, pickets with other demonstrators outside the Google I/O Developers Conference in San Francisco, Calif., June 25. Activists claim evictions are up 115 percent from last year, due in part to the economic disparity between tech company workers and the rest of the community.

PHOTO BY REUTERS/NOAH BERGER

Priced out

San Francisco landlords are evicting entire buildings of low-income families in order to turn big profits by redeveloping and re-letting the rooms for much higher prices

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Ly Tran* is washing dishes when I arrive at her house. She wears a gray sweatshirt and sweatpants with neon green lines running up the leg, her short black hair bobbing up and down as she wipes dry a plate.

Her quiet demeanor contrasts with the slew of broken English and Chinese I am greeted with at the door by her energetic sister-in-law, Cindy Tran. She wears a no-nonsense black blazer and brown slacks, her grayish white hair immaculately swept to the side as she speaks quickly and urgently. Both their faces are taut with worry.

The household is being evicted.

I am at an apartment on Ellis Street, a nine-unit apartment complex in Little Saigon. It is a two bedroom, two bathroom apartment where Ly, her husband and two daughters live. Although Cindy does not live in the apartment, she has played a huge role in helping her sister-in-law, who speaks no English.

"Look," Cindy tells me. "My brother does not make much money. He does the cleaning at a hotel on Powell Street. He cannot afford to pay that much when the landlord raises the rent!"

Originally, all of the building's tenants were low-income, Section 8 families of Chinese or Vietnamese descent. However, in December of last year, Henry Smith bought the building for \$3.8 million.

In February, every unit received a 90-day eviction notice and, one by one, tenants were forced to leave. Now, there are only three occupied units left in the building, one of them being Ly's family.

Jennifer Phung, a community organizer at the Chinatown Community Development Center who has been working with the family, tells me that this was allegedly the first building Smith bought in San Francisco; he is using it to test the waters and determine whether or not to continue buying, evicting and re-renting properties at higher costs to rake in the profits. It is a tactic becoming more and more common among landlords in San Francisco, especially with the huge wave of tech workers moving

into the city in the past couple of years.

In particular, the Mission and Tenderloin districts have been targeted, the former coveted for its vibrant culture, especially by tech workers, and the latter for its proximity to downtown. Already, Smith is advertising the vacant units in the building at \$4,350 per month, more than tripling the \$1,200 rent that tenants pay now.

Phung is working with Jason Truong, the family's attorney from the Asian Pacific Islander Legal Outreach, and Sarah Sherburn-Zimmer from the Housing Rights Committee of San Francisco to buy them some more time and try to fight the eviction. Sherburn-Zimmer organized a rally in the courtyard of the building which 40 to 50 community members attended in late April and has posted a petition online. But the fight is a tough one because, legally, Smith is doing nothing wrong, despite the fact that the whole situation is steeped with injustice.

Unlike most other evictions, this apartment's case is unique because it does not involve the Ellis Act — the building was built after 1979. Buildings built post-1979 exclude tenants from protections against "no fault" evictions. This means the families will receive no compensation for relocation services.

Because the building is newer, the landlord is legally allowed to evict tenants with a 90-day notice — and without any compensation whatsoever.

Truong also warns me that Smith is "being represented by Daniel Bornstein, one of the biggest lawyers in San Francisco who specialize in evictions." Last November, Bornstein held an eviction "boot camp" for landlords in San Francisco and more than 400 of the city's landlords joined him to

learn how to evict tenants.

Bornstein was also reprimanded by a judge when trying to evict two Outer Richmond tenants in San Francisco for unfair accusations. According to court records, Superior Court Judge James J. McBride fined Bornstein \$12,069 and stated, "He (Bornstein) is rude, condescending and asserts completely unwarranted objections." But more often

than not, Bornstein evicts — and he's good at it.

The odds seem so unfairly stacked against Ly and her family, who have a long history with the building. "I have been living here since 2002," Ly says, handing me a cup of hot tea, constantly asking if I need a refill. According to a statement given by Smith's real estate management team to the family, they have "always kept their apartment neat and clean, were

considerate of their neighbors and paid their rent on time." The family has lived here for 12 long years as good tenants and, still, they are being unfairly evicted. "They've actually been very active in seeking out help," Jennifer says to me. "And this whole process has been more difficult because they are Asian immigrants who do not speak English. They get mail, eviction notices, and don't know how to read them. Sometimes, they understand just enough to know to sign something — and will probably sign it, not knowing what they are signing for. Things are lost in translation and there is a lack of understanding."

Without the support of CCDC and the API Legal Outreach, it would be nearly impossible for them to understand an eviction process.

Ly and Cindy are concerned because they have been struggling to find affordable

housing in San Francisco, especially housing that will accept a Section 8 voucher. Their neighbors are having trouble as well. Cindy shows me a long list of addresses and places she has called in the months leading up to the eviction, all of them unable to provide housing.

Ly is most worried about the impact the move will have on her family and the uncertainty of not knowing they will have a home in the coming months. "Ly has two daughters," Cindy says proudly. "One goes to UC Davis. Very smart. She wants to be an engineer!" Ly says nothing but smiles brilliantly in the back, nodding. There is a framed academic award on the wall with the title of "Cadet".

Ly is more concerned about her other daughter, who currently attends Edgewood, a school for students with mental disabilities. A move would be extremely difficult for her, and looking for housing outside of the city, where she would have to change schools, is almost unthinkable. Though Ly sent a letter requesting the termination of the eviction due to the mental illness, which her case manager described as "debilitating and chronic," Smith's team rejected the request in a curt response.

"I haven't been able to sleep. I can't eat," Ly confesses quietly. "When my neighbor heard about the eviction, she told us she was going to jump out of the building she was so distressed, but we calmed her down and told her we would help her look for housing."

Still, there has been little luck in finding housing for the both of them. Cindy shows me several letters written to the landlord, asking only for more time to look for housing before being evicted, but Smith has done nothing despite the difficult circumstances that the family faces except to dial several confusing phone calls. Smith has alternatively called to offer the family an agent to help them look for housing as well as to threaten that all of their things would be thrown out if they do not leave by the time of their eviction date — July 11.

As I leave the apartment, Cindy takes three pairs of shoes off the their shoe rack and stuffs them into a bag, giving them to me. I refuse, but she is insistent. She tries again, this time handing me a black notebook, quickly thrusting it into my bag, all the while thanking me for speaking to them, asking me to just take it. It is a token of appreciation, a sign of gratitude for stopping to listen and tell their story, a story of a family being forced out with nowhere to go. There is a fierce determination in the glint in Cindy's eye, the mark of a fighter in her, and so I take the notebook, knowing that she will not give up on me, or her sister-in-law.

Ly wants to stay. Her family wants to stay. Her neighbors want to stay. She'll go through the eviction process with three different organizations by her side. She'll show up to court and ask if she can stay in the house that she's been in for 12 years. She'll fight for her daughters, her family, her home. The judge will look at her, a low-income woman wanting somewhere for her family to stay; he'll look at Smith, a CEO with three houses in Los Altos; he'll look at the broken housing system that determines Ly and her family's fate. And hopefully, somehow, the right decision will be made.

**Names have been changed. Reprinted from the Street News Service; International Network of Street Papers.*