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14 Sonjia Sheffield and Stephanie Keys  
and Tenants Together

15  
16 IN THE SUPERIOR COURT OF CALIFORNIA  
17 FOR THE COUNTY OF LOS ANGELES,  
18 WEST DISTRICT-UNLIMITED

19 THE APARTMENT ASSOCIATION OF ) Case No.: SC124308  
20 LOS ANGELES COUNTY, INC. dba )  
21 APARTMENT ASSOCIATION OF )  
GREATER LOS ANGELES, A California ) COMPLAINT IN INTERVENTION BY  
22 Corporation; DAVID MCKELLAR, an ) SONJIA SHEFFIELD, STEPHANIE KEYS,  
individual; LEO and DAGMAR ) AND TENANTS TOGETHER.  
23 CASTIGLIONE, individuals; GUADALUPE )  
RODRIGUEZ, an individual ) Dep't: WE "O"  
24 ) Judge: Honorable Lisa Hart Cole  
Plaintiffs, ) (Assigned for all purposes)  
25 vs. )  
26 CITY OF SANTA MONICA, A Municipal )  
Corporation, )  
27 Defendants. )  
28 )

1 By leave of the Court, Interveners Sonjia Sheffield, Stephanie Keys and Tenants Together  
2 intervene in this action and join defendant City of Santa Monica in defending against Plaintiffs'  
3 lawsuit. Interveners allege the following facts in support of its complaint for intervention:

4 **BASIS FOR INTERVENTION**

5 1. On or about June 10, 2015, Plaintiffs The Apartment Association of Greater Los Angeles  
6 County, Inc., David Mckellar, Leo Castiglione, Dagmar Castiglione, and Guadalupe Rodriguez  
7 filed this lawsuit against Defendant City of Santa Monica. The lawsuit seeks declaratory and  
8 injunctive relief against provisions of Santa Monica Ordinance No. 2485CCS ("the Ordinance")  
9 prohibiting rental housing discrimination against any person based on their source of income, and  
10 defining 'source of income' to include benefits or subsidies from government or nonprofit  
11 programs, including the Federal Section 8 voucher program.

12 2. On April 27, 2016, the Court granted Interveners Sonjia Sheffield, Stephanie Keys and  
13 Tenants Together leave to intervene in this action and to file this Complaint in Intervention in this  
14 action.

15 3. Intervener Sonjia Sheffield is a 50-year-old African-American woman who lives with her  
16 son and a live-in medical aide in a 375-square-foot one-bedroom apartment in Santa Monica. She  
17 is a survivor of domestic violence and has a disability. She has paid rent with the aid of the  
18 Section 8 program for 28 years. In 2012, while a student at Santa Monica College, Ms. Sheffield  
19 was only able to find a landlord who would accept her voucher in Santa Monica after she searched  
20 for well over a year. Although the small size of her crowded unit makes Ms. Sheffield feel  
21 anxious, she anticipates another of her sons will move in with her soon. Ms. Sheffield wants to  
22 move to a two-bedroom apartment and has been looking for a larger unit since April of 2014,  
23 without success. She has contacted approximately fifty landlords, and was told by most, "We  
24 don't accept Section 8."

25 4. Intervener Stephanie Keys is a 48-year-old African-American woman with three children,  
26 one of whom has a disability. Ms. Keys rents a unit in Los Angeles with the help of payments  
27 under the Section 8 program. In May 2013, in anticipation of obtaining a Section 8 voucher, Ms.  
28 Keys began searching for an apartment in Santa Monica that would accept her voucher. She had

1 been working and attending school in Santa Monica since late 2012 and had noted the strong  
2 support for children experiencing disabilities in the City's schools. After months of unsuccessfully  
3 searching in Santa Monica, Ms. Keys gave up and moved to Long Beach with the aid of another  
4 housing support program. She moved to her current apartment in Los Angeles in late January of  
5 2015, where she is using her Section 8 voucher. As of January 2016, she is eligible to port her  
6 voucher to Santa Monica. Therefore, she can potentially use it in Santa Monica. She is now  
7 searching, again, for an apartment in Santa Monica where the landlord will let her use the voucher.

8 5. If the Ordinance is upheld, Ms. Sheffield and Ms. Keys will directly benefit from legal  
9 protection from the presently widespread problem of Santa Monica landlords denying housing to  
10 people with Section 8 Housing Choice Vouchers. Both are among the Ordinance's intended  
11 beneficiaries and both are presently looking for rental housing in Santa Monica where they will be  
12 accepted despite their use of a Section 8 voucher.

13 6. Before the Ordinance went into effect, Ms. Sheffield and Ms. Keys were both denied rental  
14 housing in Santa Monica based on their source of income as defined in the Ordinance. If the  
15 Ordinance is invalidated, Ms. Sheffield and Ms. Keys can reliably expect to suffer from the same  
16 discrimination in their current housing search. If they are again denied housing based on their use  
17 of Section 8 housing subsidies, they will have no legal recourse unless the ordinance is upheld. If  
18 the Ordinance is invalidated, landlords will no longer have a legal disincentive to discriminate  
19 against holders of housing vouchers. Ms. Sheffield and Ms. Keys will then face a significant  
20 likelihood of again being shut out of the Santa Monica rental market without legal recourse.

21 7. Intervener Tenants Together is a California nonprofit organization dedicated to defending  
22 and advancing the rights of California tenants to safe, decent and affordable housing. As  
23 California's only statewide renters' rights organization, Tenants Together works to improve the  
24 lives of California's tenants through education, organizing and advocacy. Tenants Together seeks  
25 to galvanize a statewide movement for renters' rights.

26 8. Tenants Together intervenes in this action on its own behalf. It will enjoy furtherance of its  
27 interests as an organization if the ordinance is upheld, while it will suffer a detriment as an  
28 organization if the ordinance is enjoined. Tenants Together believes that the ability to use Section

1 8 Housing Choice Voucher Program is a key component of Tenants mission to achieving safe,  
2 decent and affordable housing. The purpose of the Section 8 Housing Choice Voucher program is  
3 to make it possible for low-income tenants to live in privately owned rental units in neighborhoods  
4 that have good resources and offer its residences good opportunities that are often unaffordable  
5 without the government subsidy. In the winter of 2014, an elderly African-American woman  
6 living in a senior complex in Sacramento contacted Tenants Together. The owners of the senior  
7 complex were evicting her the week of Christmas because they had decided that they would no  
8 longer accept Section 8 Housing Choice Vouchers. She was unable to find another complex that  
9 would accept her voucher. Tenants Together began to monitor the number of rental housing  
10 announcements in various cities listing “no section 8 accepted” and found that the practice had  
11 become widespread.

12 9. Tenants Together works at the state and local level to advocate for policies that ensure that  
13 voucher holders can access housing in well-resourced communities. If the Santa Monica  
14 ordinance is upheld, Tenants Together will lose one important avenue for such advocacy. In  
15 contrast, if the ordinance is not upheld, it will hinder Tenants Together’s ability to fulfill its  
16 mission of increasing access to affordable housing. Tenants Together will have to expend more  
17 resources advocating for change at the state level. Due to renters’ difficulty retaining and locating  
18 affordable housing, including places where housing assistance vouchers may be used, Tenants  
19 Together has been forced to divert resources away from its civic engagement, community  
20 education and leadership development initiatives.

21 10. The City cannot adequately represent the Interveners’ interests in this lawsuit. Individual  
22 interveners Sonjia Sheffield and Stephanie Keys stand to benefit directly from the ordinance. They  
23 have faced difficulty finding landlords in Santa Monica who will accept their housing subsidies. If  
24 the ordinance is upheld, they will be able to search for housing based on their qualifications as  
25 tenants, and not based on who is paying their rent. Upholding the ordinance will also make it  
26 likelier that they will be able to use their vouchers to obtain housing in Santa Monica. If the  
27 ordinance is enjoined, however, their efforts to use their vouchers in Santa Monica will likely be  
28 stymied.

1 11. The City has no such personal interest in this action. The City's interest in defending the  
2 legality of its actions is not coincident with the Interveners' personal stake. The City is a  
3 governmental entity with political and other concerns that will inform its decisions in defending  
4 against this action.

5 12. Similarly, the City cannot adequately represent Tenants Together's interests, whose very  
6 mission it is to increase tenants' rights and improve access to affordable housing. This mission is  
7 directly impacted by the outcome of this action. Tenants Together works to get local tenant  
8 ordinances passed and determining whether Santa Monica's ordinance is preempted by state law  
9 will affect their ability to engage in such advocacy in the future.

10 13. The Interveners seek to defend the lawfulness of the ordinance, the central issue in this  
11 action. This intervention will not enlarge or alter the issues or cause delay in this action.

12 **COMPLAINT IN INTERVENTION**

13 (Answer of Defendant-Interveners)

14 14. Defendant-Interveners generally deny each allegation of the unverified complaint herein.

15 **AFFIRMATIVE DEFENSES**

16 **FIRST AFFIRMATIVE DEFENSE (ALL CAUSES OF ACTION)**

17 15. The Complaint fails to state a cause of action, as to each cause of action.

18 **SECOND AFFIRMATIVE DEFENSE**

19 16. The Complaint is premature and fails to state a justiciable case or controversy ripe for review.

20 **PRAYER FOR RELIEF**

21 WHEREFORE, the Defendant-Interveners pray for judgment as follows:

22 17. That Plaintiffs' claims be dismissed with prejudice;

23 18. That Plaintiffs take nothing by their Complaint;

24 19. For costs of suit and attorneys' fees; and

25 20. For such further relief as the Court may deem just and proper.

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Dated: April 27, 2016

Dated: April 27, 2016

LEGAL AID FOUNDATION OF  
ANGELES

WESTERN CENTER ON LAW AND LOS  
POVERTY

  
By: Denise McGranahan

  
By: Navneet Grewal

Attorneys for Proposed Interveners

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**PROOF OF SERVICE**

**Case: SC124308 / The Apartment Association, et al Vs. City of Santa Monica**

I am employed in the County of Los Angeles, State of California, I am over the age of eighteen years and not a party to the within entitled action; my name and business address is; Legal Aid Foundation of Los Angeles, 1640 5<sup>th</sup> Street, Suite 124, Santa Monica, California, 90401.

On April 27, 2016, I served the the following document:

**COMPLAINT IN INTERVENTION BY SONJIA SHEFFIELD, STEPHANIE KEYS, AND, TENANTS TOGETHER**

on the interested parties in this action, by placing the true copies thereof enclosed in sealed envelopes addressed to the following:

Craig Mordoh, Esq.  
California Law Information Foundation  
621 South Westmoreland Ave.  
Suite 200  
Los Angeles, CA 90005

Gary Rhoades, Esq.  
Deputy City Attorney  
City of Santa Monica  
16985 Main Street  
Suite 310  
Santa Monica, CA 90401

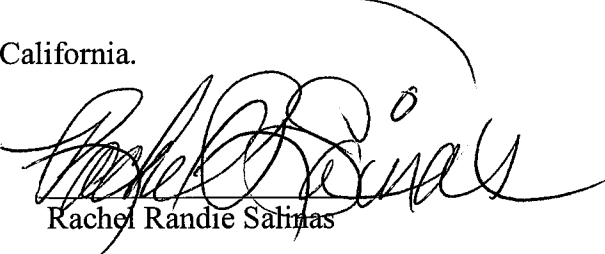
(BY MAIL) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Santa Monica, California in the ordinary course of business.

(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee(s).

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on April 27, 2016, at Santa Monica, California.

  
Rachel Randie Salinas