

LOS ANGELES

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Guarding the Home Front

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When 30 families approached the Inner City Law Center and told Michelle Kezirian their apartment complex had lapsed into an uninhabitable state, she knew things must be bad at the building on 1168 Bellevue Avenue.

But the attorney didn't understand just how desperate conditions were until she visited the tenants at their home in Echo Park, a quickly gentrifying area of the city where landlords routinely convert existing rental units into pricey condos.

Kezirian found apartments infested with roaches and overrun by rodents. She took pictures of collapsed ceilings, mold-eaten walls and a flood of raw sewage.

"To see a room with a newborn baby lying on the bed next to a collapsed ceiling and dead pigeons, and the landlord wasn't doing anything to clean it up, that was just devastating," she recalled.

Tenants complained of rashes and scratches caused by the deplorable conditions.

"In the beginning, I was living in Unit 104, and there was an infestation of roaches, the carpet was very dirty and there were problems with the bathroom," said Maria Zarate, a former Bellevue tenant.

The center decided to sue.

Zarate joined the litigation against the landlords when her young son fell out of their apartment window. The landlord



Attorneys Dorothy Wolpert, left, of Bird, Marella, Boxer, Wolpert, Nessim, Drooms & Licenberg and Betsy Handler of Inner City Law Center.

Gerard Burkhart / for the Daily Journal

removed the windows to replace them but then left them open for 55 days.

As they realized the enormity of the case, attorneys at the center called Dorothy Wolpert, a partner in the tony West Los Angeles firm Bird, Marella, Boxer, Wolpert, Nessim, Drooms & Lincenberg with a roster of corporate clients.

"Dorothy without batting an eyelash jumped right in," said Betsy Handler, director of Legal Services at the center. "She basically acted not only as co-counsel but, in large measure, as litigation director of the team here along with some of her associates."

Wolpert suspected the apartment owner, Monica Hujazi, bought the building thinking she could evict tenants and turn it into condos or lofts.

"She had it in her mind she was going to empty this building, rehab it and sell it or rent it as a fancy condominium. No question about it," Wolpert said.

When the tenants challenged their eviction notices, conditions in the complex deteriorated further.

Wolpert is a longtime member of the

center's board and its past president. She quickly realized this case was especially severe.

"In the beginning, I took the landlord's deposition, and I was so offended and so outraged that it became very important to me," Wolpert said. "These are people with no resources, no cushion. I knew what was at stake."

As the center proceeded with the civil suit, the city placed the building in the Rent Escrow Account Program in January 2004. Under the program, tenants in particularly decrepit buildings have their rent cut in half and pay directly into a repair fund.

"I regard these sorts of civil cases as law enforcement," said Gary Blasi, a UCLA law professor and a new Inner City board member. "These pro bono lawyers are enforcing laws to protect families. These laws have been on the books for some 90 years, but without lawyers to enforce them they don't mean anything."

Despite citations from the city, Hujazi continued to ignore tenant complaints throughout the litigation, even when a fire tore through a wing of the building in July 2005 and forced many tenants onto the street.

"Not only did she not show sympathy, the next day or shortly thereafter, she went around to the inhabited part of the building telling people they had to get out," Handler said.

Then, the team was hit with a last-minute discovery request early in 2006. Defense attorneys deposed 93 plaintiffs during the month of February, and center attorneys and paralegals re-interviewed

CONTINUED

Guarding the Home Front

every client so they could update their interrogatory responses.

“It was a sudden, decisive avalanche,” said Julius Thompson, an attorney at the center. “The other side wanted to break our spirit, but that didn’t happen.”

Wolpert spent hundreds of hours with the center’s attorneys defending depositions that occurred three times a day, six days a week.

“From start to finish, she was our light and our champion,” Thompson said. “As things got closer to trial, our synergy just got better and better.”

Negotiations with the landlord’s attorneys began when the court set a trial date for April 17, 2006. The \$6.9 million settlement is the largest ever achieved by the center and one of the largest habitability settlements in the history of Los Angeles.

Wolpert estimates that she spent 1,200 hours on the Bellevue litigation and that attorneys and paralegals at Bird Marella billed 300 more. The contribution totals more than \$700,000 at 2003 rates. Bird Marella donated to the center attorney fees and \$10,000 in out-of-pocket costs.

“Our firm is small, and pro bono is a very important aspect of our culture,” Wolpert said.

“For a named partner in a significant law firm, that’s pretty amazing,” Blasi said.

Attorneys who work with her say they weren’t surprised by Wolpert’s work on the case.

“She’s incredibly dedicated to these cases,” her law partner, Terry Bird, said.

Zarate moved into a brand new, low-income housing unit with her family.

“I very much appreciate the altruistic nature of Dorothy Wolpert and how she worked for us in the lawsuit,” Zarate said. “I know it is difficult to find someone who has real interest in helping people of low income, and this is something I am very thankful for.”