

Letter to the Editor

Housing Inspector Owes Apology

Below is a letter by Jerry Feldman that was sent to the Los Angeles Housing Department, (LAHD) regarding an inspection on a six unit apartment building in the City of Los Angeles.

Dear Sirs:

I am writing this letter of complaint and protest on my own behalf. The owner of this property did not ask me to write this letter, did not authorize or approve this letter, did not give me permission and has no knowledge that I am even writing this letter. So, I hope that there will be no retaliation against the property owner.

The tenant in apartment number two has somehow obtained a restraining order against the property owner. The restraining order was granted only because the defendant (owner) made the mistake of waiting in the wrong court room. That is why she was restrained from entering the apartment on her own property to accompany the LAHD inspectors.

Here is what happened. Two LAHD inspectors were ready to enter that apartment. Since the owner was under the restraining order, the owner informed the inspectors that I was to be her representative and accompany the inspectors in the apartment. As a result thereof, I entered the unit with the inspectors and the owner waited outside on the walkway. Upon entering, the tenant told the LAHD inspectors that he did not want me, the representative of the property owner, in his apartment and ordered me to leave.

The tenant and the property owner are currently engaged in an unlawful detainer (eviction) process plus the restraining order so they, obviously, are not on good terms. As a result thereof, the LAHD inspectors told me, the duly appointed representative of the property owner, to leave the premises, which I did. Not only was I told to leave the apartment, but I was threatened with calling the police. At that time I complained to the LAHD supervisor who made no change in his attitude.

I made the mistake of leaving the apartment when I should have insisted on calling the police myself. A police officer should have enough brains to tell the LAHD inspectors that tenants cannot determine who property owners select as their representatives.

The LAHD inspector, Mr. Hatzikian, gave the tenant the right to approve or disapprove the representative of the owner. He elevated the tenant into the position of the property owner with the right to determine who the property owner can or cannot designate as her representative.

According to the laws of principal-agency, what right does a tenant have to determine who the property owner designates as a representative to conduct an inspection? I discussed this with my attorney and we determined that Mr. Hatzikian, indeed, does not know what he is doing.

There were two inspectors, one of which, Mr. Hatzikian, gave me his business card. It is bad enough that two inspectors are present to perpetrate this error, but even worse when one inspector states that he is the supervisor of inspectors. I got the distinct impression that this particular inspector has the attitude that he can do anything that he wants, legal or illegal, right, wrong or indifferent and operates without restraint. Inspectors are supposed to have appropriate knowledge of laws including principal-agency and be able to think logically, fairly and with common sense.

The irony here is that we are dealing with a very flawed tenant. This tenant has refused entrance to the property owner after legal notice, refused entrance to various workmen and interfered with work projects on the premises in the rear parking area, as well as other mischief on the premises. He is four months behind in his rent, takes in boarders (sub-tenants) without permission or notice and the property owner is pursuing an unlawful detainer which has been adjudicated in the favor of the property owner as of September 15, 2008. A photocopy of the judgment is enclosed. There is also a writ of possession and other documents that I have on file that have not been included herein but are available upon request.

What do I want? I want an apology. I want to be put back in the position that I would have been in had this inspector not made the mistake that he made. I want the prior inspection cancelled, voided, nullified and I want Mr. Hatzikian and anyone else Mr. Hatzikian designates to go through the inspection process again. Nothing less will satisfy me. Of all persons who should be a part of the inspection, it is the owner or her representative. It is the owner who should understand the inspection, the violations, the defects and be able to ask questions of the inspector(s) while at the inspection site. It is the owner who is charged with curing any and all defects, with hiring personnel, buying supplies, equipment, tools, machinery, not the tenant. Common sense would dictate that once the property owner or her representative is excluded from an inspection that this does not constitute an inspection unless the owner has previously agreed.

If LAHD inspector Mr. Hatzikian thinks he did the correct thing, then logic would dictate that he should write me a letter with a rational explanation of how in the world a tenant can have the right to select who property owners can designate as their representative. Ironically, I overheard Mr. Hatzikian boasting as to how "fair" he is. I suppose that this is Mr. Hatzikian's concept of fairness.

If I do not hear from Mr. Hatzikian, I am going to make him famous. The Apartment Owners Association of California (AOA) has a monthly magazine in which articles of abuse, mistakes, incompetence, illegal nonsense, biases, prejudices and other gross negligence acts of the LAHD are printed. I am sure that the AOA will be interested in a copy of this letter. Furthermore, I intend to meet with my City Councilman at his office to discuss this matter.

Supposedly, all LAHD inspectors are to be impartial, follow the law, not be biased or prejudiced either for or against the tenant or property owner. In this particular matter, I

hereby state that the two inspectors, one of which is a supervisor, were completely prejudiced in order to arrive at a conclusion that tenants have a right to reject agents, persons, workmen, representatives or for that matter anyone that the property owner so designates, from entering their premises. People I tell this story to, including my attorney, have a difficult time believing the ignorance of basic laws.

One of us is either right or wrong. Let's see if incompetent inspectors can make their own rules and laws as they go along. I delayed this letter to make sure that the tenant was actually evicted and was moving out, as I understand, will happen tomorrow, October 17, 2008. I have restrained myself from using strong language, but I do not like being threatened with calling the police when I haven't done anything wrong.

I anxiously await a rational response. *Jerry Feldman*