

# Summer of Law

## Students Learn Practical Legal Skills While Making a Difference in Tenants' Lives

**Erin Katayama**

**T**his summer, I supervised students from Golden Gate University (GGU) School of Law who were assisting in the representation of tenants in unlawful detainer lawsuits as part of the GGU Honors Lawyering Program (HLP). HLP is designed to integrate classroom theory with hands-on practical legal work. The students I worked with focused on unlawful detainer law in San Francisco, and the nine students in my section represented San Francisco tenants in six different eviction cases over a two-month period.

Although the students were broken up into groups, they all shared their cases with each other and brainstormed strategy and case law during classes. This helped students get exposure to a unique variety of cases and issues during the course. The following are highlights of the casework taken on by the students.

**Koohyar Hasanizadeh** and **Cecile Vue** worked on a case for a long-term tenant in subsidized housing accused of alleged nuisance. Upon further investigation, the students discovered that this disabled tenant was being denied the right to reasonable accommodations, that there were valid defenses to the alleged incident, and that the tenant may have been the victim of violence rather than the perpetrator.

Hasanizadeh and Vue conducted site visits and discovered Fair Housing Act violations at the building. They decided to file a complaint, which is still being investigated, on behalf of their client with the Department of Fair Employment and Housing. Throughout their summer course, Hasanizadeh and Vue drafted deposition questions, requested and reviewed discovery, interviewed doctors, reviewed medical records, analyzed videos, and participated in ongoing settlement negotiations. Although this case has not yet been resolved, the parties are currently negotiating a settlement that will enable this long-term disabled tenant to keep his subsidized housing.

**Devin Fathi** and **Joseph Alvarez** worked on a case for a long-term tenant in private housing. The tenant being evicted was once a teacher in the San Francisco Unified School District who could no longer do that job because of an injury. Unfortunately, her new income was not enough to pay rent in her current housing. She found herself unable to make rent payments and was behind by six months. After initial interviews, the client represented that her goal was to move to a more affordable location outside of San Francisco but that she wanted to move on her own terms without having an eviction on her record. Fathi and Alvarez conducted site inspections, drafted discovery questions and responses, reviewed copious amounts of discovery, and helped with deposition preparation. During their investigation, the students discovered that several habitability conditions

existed in the unit, some with outstanding notices of violation. Fathi drafted a motion to amend the defendant's answer so that the defendant could add some newly discovered defenses—including the failure of the landlord to provide a reasonable accommodation. After extensive settlement negotiations the tenant will be moving out of her unit to a place she can afford, her unpaid rent is being waived, and she will receive a monetary settlement upon move-out—all things that will help her with a fresh start.

**Daniel Francis Alper** and **Jaron Lines** assisted in the representation of a long-term tenant in subsidized housing who was being accused of nuisance. After conducting an



*Erin Katayama, far right, with Golden Gate University School of Law students*

initial investigation, Alper and Lines drafted two reasonable accommodation requests on behalf of this tenant because it was clear that the alleged incidents were directly related to the defendant's disability and that her disability could be accommodated. They sent document requests, interviewed the client and her doctor, and conducted a site inspection. In addition, they drafted discovery, and in doing so they got firsthand experience participating in a discovery dispute. The opposing counsel first attempted to avoid responding to the discovery, citing a rule that did not exist—something that Alper picked up on immediately. The students insisted that the plaintiff was required to respond to the discovery. After plaintiff's counsel missed the discovery deadline and gave an inadequate response to the meet and confer letter,

Daniel Francis and Lines helped draft a motion to compel, seeking sanctions. The outcome of this motion is pending.

**Nic Marston, Danielle Allison, and Joseph D'Andre** participated in the representation of a long-term tenant who—a week after her mother passed away—was told to move out of her apartment where she had been living since 1995. She is being accused of being a “licensee” rather than a tenant and, according to the plaintiff, is not entitled to any tenant's rights or protections. Because this case involved complicated theories of property ownership, conservatorship, and possible creations of rights as a tenant, Marston, Allison, and D'Andre conducted extensive file review and research into the history of this case and the law. Because the facts relevant to this case date back more than twenty years, the students were faced with several challenges including locating very old records and finding witnesses. They drafted subpoenas, wrote deposition questions, and attended the deposition. Finally, the students decided to dig deeper and found records and transcripts from conservator hearings that took place years prior. Because this case will likely go to trial, Marston, Allison, and D'Andre have been busy doing trial preparation which includes more research and preparing jury instructions. The students are also considering filing a motion for summary judgment. This case is still pending.

By working on real cases, the students gained practical lawyering skills while also obtaining favorable outcomes for their clients. Now that the course is over, the students with unresolved cases have requested to stay involved because they have invested so much of their time in the outcome. When asked what they learned most from this summer, the students overwhelmingly said that they experienced what it is actually like to litigate a case in a way that cannot be learned in a classroom.

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