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June 12, 2023

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***PRESS RELEASE***

Rent Thefts Target Low-Income Communities in Napa

**Napa, CA-** Local community organizations, including Bay Area Legal Aid (BayLegal), Fair Housing Napa Valley (FHNV), On the Move (OTM), and Puertas Abiertas (PA) along with Napa County and City agencies, including the District Attorney, Napa Housing Authority (NHA), and Napa Police Department, are urging Napa landlords to take immediate action to prevent displacement and further financial harm to hundreds of tenants at rental properties in Napa whose March 2023 rent payments were stolen from the drop boxes and slots operated by their landlords.

In March 2023, a major organized theft affected hundreds of tenants at about 25 different apartment complexes in Napa, primarily victimizing low-income Latinx, Spanish-monolingual families. Using a hook and adhesive technique, the masked perpetrators stole the tenants’ rent payments from the landlords’ drop boxes and slots. The perpetrators cashed many of the stolen money orders and personal checks before the affected tenants could request a stop payment.

Latinx families are nearly 5 times less likely to have access to a checking account than US-born white families, so rent payments by money order are common. It seems clear that these thefts were committed with the knowledge that large numbers of money orders would be in the drop boxes and slots at these properties and that this financially vulnerable community was deliberately targeted.

The impacted tenants faced very different responses from their respective landlords. Several landlords who refuse to take responsibility for their faulty rent collection procedures have issued 3-Day Notice to Pay Rent or Quit, refuse to rescind such notices, and are demanding repayment of already paid March rent.

BayLegal’s Napa housing attorney Consuelo Amezcua encourages landlords, “If you already issued three-day notices to pay or quit, do the right thing by rescinding these notices and letting affected tenants know that you will not require them to pay March rent once again.” Landlords should cooperate with local law enforcement by filing a police report and providing a copy of relevant forged money orders and surveillance footage to local law enforcement. Following the thefts, several landlords issued 3-Day Notices to Pay Rent or Quit to the families whose March rent was deemed unpaid due to the stolen money orders. The majority of those impacted live in subsidized housing. The threat of eviction and possible loss of subsidy raises the real possibility that many of these families will be unable to remain housed in Napa County.

On the other hand, we applaud the landlords who are taking responsibility and protecting their tenants’ tenancy by not issuing 3-Day Notice to Pay or Quit, waiving late rent fees, reimbursing fees for stop-payment, and collaborating with law enforcement. We urge landlords to follow the lead of Rolhffs Manor Senior Apartments (discussed below) who proactively recognized that
there was a large number of missing rent payments and worked with their tenants and law enforcement to do the right thing and prevent further harm.

**Tenants’ Perspective of Further Victimization by Their Landlords**

*Impacted Tenants Obligated by Their Landlord to Sign a Payment Plan*

Mr. Juan Lopez\(^1\) and his family, long-time Napa residents, were shocked to receive a 3-Day Notice to Pay Rent or Quit on March 6, 2023, alleging they owed March rent when, in fact, they had deposited the March rent payment on March 1st using the landlord’s drop slot. Mr. Lopez purchased 4 money orders, each $500, to pay for March rent, and each was stolen. Following the 3-Day Notice to Pay or Quit, the landlord posted harassing notices requesting a “required resident meeting.” When the family appeared for the meeting, the landlord demanded they enter into a payment plan agreeing to pay, once again, the March 2023 stolen rent. The Lopezes, of Latinx descent and with limited English proficiency, felt discriminated against when the landlord pressured them into signing their English-only payment plan. The Lopezes were not offered a Spanish translation of the payment plan and were threatened with imminent eviction legal proceedings if they did not sign it.

As of today, Mr. Lopez says “sigo sintiendo depresión y estrés postraumático por esta experiencia amarga,” or in English, he “continues to feel depression and post-traumatic stress from this bitter experience.” For almost a decade, their landlord has requested tenants, including the Lopezes, to use the drop slot method to deliver all rent payments. A closer look at the tenants’ rental agreement, and the 3-Day Notice to Pay or Quit, explicitly require tenants to deliver rent payments through the landlord’s drop slot.

We urge tenants to deliver future rent payments in person to their landlord or property manager and avoid using the landlord’s drop box and slots when possible. For example, following the March rent payment thefts, the Lopezes make every possible effort to deliver their rent payments personally. Mr. Lopez remains concerned that even after obtaining substantial evidence to support that they delivered the March rent payment through the drop slot, including paying MoneyGram to retrieve a copy of one of the forged money orders to show proof of the theft, his landlord maintains it is the tenants’ responsibility to make the landlord whole by paying March’s rent once again.

*Landlord Admits the Rent Theft was an Inside Job Yet Still Issues a 3-Day Notice to Pay or Quit*

Another affected tenant, Ms. Juana Perez\(^2\), reported that her property manager admitted that her co-worker participated in the rent payment theft and was effectively terminated. Despite this admission, the property manager still issued Ms. Perez’s family a 3-Day Notice to Pay Rent or Quit threatening eviction if the family did not pay the stolen rent.

The rent payment theft has caused Ms. Perez immense stress and financial strain, particularly because she is the only one in her family that speaks English, she has been the primary communicator with the property manager. Ms. Perez shared, “There were nights when my family and I would talk about the situation, sit in silence, and look around the room and see the desperation on our faces. We did not do anything wrong; why are we in this situation? Where

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\(^1\) Name has been altered out of concerns about retaliation from his landlord.

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are we going to go? It was depressing and stressful.” They fear becoming homeless due to this stolen rent or future thefts; due to long work hours, they are forced to rely on drop boxes to pay rent.

**An Exemplary Landlord’s Perspective: Rohlffs Manor Senior Apartments**

Once the details of the rent payment thefts became apparent, the fast-acting management staff at Rohlffs Manor, a 355-unit senior community, advised their tenants to immediately request a stop-payment on their checks, reimbursed tenants for stop-payment request fees (typically charged by the issuing financial institution), waived March 2023 late fees, and replaced its 3 rent boxes with more secure ones. Rohlffs Manor is situated on 15 acres in the Napa Valley, and managed by EAH Housing, a non-profit housing development and management organization managing 240 properties in California and Hawai‘i and serving over 25,000 seniors, families, veterans, students, people with special needs, and the formerly unhoused.

The property managers at Rohlffs Manor noticed an unusually high number of March rent payments were not received from approximately 38 tenants. Instead of assuming these 38 tenants had not paid March rent, the property managers spoke with them, who then reported that they had all delivered their March rent payments through the landlord’s drop box. EAH Housing immediately filed a police report with the Napa Police Department and encouraged its impacted tenants to file police reports, reinforcing that this was a verified crime with real victims.

The EAH Housing management team began a discussion on how best to prevent falling victim to another rent theft crime, encourages affected landlords to immediately inform their tenants of these thefts and alert the local authorities. Susan Dutton, Vice President of Communication for EAH Housing, says, “The goal is to believe everything is done as a team. While we are a good example of responding to the unexpected, you have to step up to the plate to make a difference, and hit a home run by taking action.” As of mid-March, Rohlffs Manor confirmed that the perpetrators cashed none of the stolen rent payments. Ms. Dutton added, “Our resource coordinators encourage our tenants to continue to monitor their bank accounts for any suspicious activity.” Ms. Dutton emphasized that Rohlffs Manor’s primary goal is to ensure that organized rent thefts do not happen again in our community.

**Napa Community Organizations and Agencies Respond to the Rent Payment Thefts**

BayLegal, FHNV, OTM, PA, and other community organizations have since convened ongoing public meetings to respond to the rent payment theft crisis. Napa County and City agencies, including the Napa Housing Authority, the district attorney’s office, and the Napa Police Department, and federal and state representatives like US Representative Mike Thompson and State Assemblymember Cecilia Aguiar-Curry, have worked together to investigate, identify victims, and propose remedies.

*May 19, 2023, Housing Rights Clinic Recap*
On May 19, 2023, the coalition of community organizations and City and County agencies held a Housing Rights Clinic at the St. John’s Catholic Church Hall with the purpose and intent to provide in-person assistance to tenants impacted by the March rent payment thefts.

The Napa Police Department, in conjunction with the Napa County Victim Services Division, assisted impacted tenants by filing a police report. The Napa County Victim Services Division is dedicated to guiding victims and their families through the criminal legal system in a supportive, compassionate, respectful, and culturally competent manner. The attending staff from the Police Department and the Victim Services Division were bilingual and bicultural to ensure resources were provided to the affected tenants and to evoke trusting and compassionate interactions between law enforcement and community members.

Staff from Napa County Recovery Center-On the Move was also present to assist impacted tenants with completing financial assistance applications through Keep Napa County Housed funds. BayLegal and FHNV provided general information about tenant rights and fair housing rights. Redwood Credit Union staff were also in attendance offering banking services to Napa County residents.

Ms. Perez attended the May 19 Housing Rights Clinic and expresses gratitude for the help her family received by the participating community organizations and agencies. She explained feeling “listened to and guided” when filing the police report. “The legal information the attorneys gave provided helpful eviction information, so now I know what to do and whom to call,” Ms. Perez added.

A Community Message from the Napa Police Department

The Napa Police Department is committed to helping identify members of our community who have been impacted by the theft of rent checks and those responsible for the crimes. Detective Isabella Romero is the lead investigator who is trying to identify those responsible for the rent check crimes. We will work with the Napa County District Attorney’s Office to prosecute the accused. In the meantime, please contact the Napa Police Department at 707-257-9223 to file a crime report if you are a victim resident or landlord. We need to know how you were impacted to aid in the investigation and prosecution. Our trusted community housing partners can also help support you during this time. Spanish speaking Police personnel can assist if needed. If you cannot make it to the next community event, please call the Napa Police Department to file a report.

A Community Message from On the Move

On The Move and the Napa County Recovery Center have witnessed the aftermath the rental thefts had on our low-income community, our goal moving forward is to ensure those impacted will remain housed and continue our community support to further prevent evictions and homelessness in times of disasters. We encourage all impacted to call us at 707-277-2721 to receive information and case management services.

A Community Message from Puertas Abiertas
Puertas Abiertas (PA) is committed to stand by our Napa Valley vulnerable low-income Latinx community members who were impacted by the rental theft events in March. We will continue working with our community partners to advocate for their rights and provide reliable resources. Overall, the most important thing is to keep their housing. The affected community members are welcome to reach out to PA at 707-224-1786 for guidance.

**Housing Rights Clinic:** Impacted tenants who were unable to attend the May 19 Housing Rights Clinics are invited to attend the June 8, 2023, Housing Rights Clinic from 5:00 pm to 7:00 pm at Puertas Abiertas Community Resource Center located at 952 Napa Street, Napa, California, 94559.