

CBPA Weekly Update– January 22, 2021

January 23, 2021

*****BREAKING NEWS: JUDGE RULES IN FAVOR OF TEJON RANCH**

This afternoon, a Kern County Superior Court Judge ruled in favor of Tejon Ranch and Kern County over its 2019 re-entitlement of Grapevine. The judge decisively rejected the Center for Biological Diversity’s lawsuit — their 12th — against Tejon Ranch.

Many are pointing to this as a form of CEQA lawsuit abuse and an example of why housing and commercial space (homes and jobs) is so difficult and expensive to build in California.

[Click here](#) for more information on the Tejon Ranch victory:

CBPA BOARD MEETS SETS DIRECTION FOR 2021

The CBPA Board of Directors gathered yesterday via ZOOM to kick off 2021 and set the direction for the organization. Issues facing the industry in the next year include how to manage with prolonged COVID-19 shutdowns and the economic fallout, oncoming energy code mandates including commercial solar and EV charging, a push to force even deeper building “decarbonization,” and the hundreds of bills introduced in the California State Legislature.

Two new legislators joined the board meeting, [Assemblymember Chris Ward \(D-San Diego\)](#) and [Assemblymember Lisa Calderon \(D-Whittier\)](#), discuss their priorities with CBPA and learned a bit more about the commercial, industrial, and retail real estate industry. Normally, this time of year, CBPA hosts a “New Legislator Luncheon” where our leadership can meet and interact with newly elected members of the Assembly and Senate, and we hope that event will return soon, but appreciated both Assemblymembers Calderon and Ward for taking time out of their schedule to connect with us.

The board also heard directly from the Pacific Legal Foundation’s Damien Schiff, who is the lead attorney for the plaintiff in [*Iten v. County of Los Angeles*](#) California’s first lawsuit against a local commercial eviction moratorium, a case seeks to end L.A. County’s commercial eviction ban.

CBPA and its members are all about advocacy for the commercial, industrial, retail real estate industry, whether before a board of supervisors, the California State Legislature, state agencies like the State Fire Marshal’s office or the Public Utilities Commission, or the U.S. Congress, we are focused on serving the industry interests.

Thank you to everyone who serves the industry through volunteering time, expertise, and funding support, at every level of CBPA and its affiliate members.

Thank you to those companies who share these valuable resources and assure they have the time to engage.

LAWSUIT FILED AGAINST L.A. COUNTY COMMERCIAL EVICTION BAN

Earlier this week, the first lawsuit against a commercial local eviction moratorium was filed in Los Angeles County. [*Iten v. County of Los Angeles*](#) seeks to end L.A. County's commercial eviction ban. The Pacific Legal Foundation represents Howard Iten, the commercial property owner and plaintiff in the case.

Below is the PLF press statement, a link to the case page, and the online press release can be found by [clicking here](#).

From the PLF press release:

Los Angeles; January 19, 2021: Today, the owner of a commercial building filed a lawsuit challenging Los Angeles County's moratorium on commercial evictions. The lawsuit is the first to challenge a commercial eviction moratorium.

Howard Iten is a retired auto mechanic who leases his garage to an auto repair franchisee, and he relies on the income from the lease for his retirement. Although his tenant's business has been open through the pandemic, the tenant owes Iten more than \$30,000 in rent.

"The County can't put the burden of the pandemic only on the shoulders of landlords," said Damien Schiff, a senior attorney at Pacific Legal Foundation. "L.A. County's heavy-handed response to COVID-19 has hit businesses hard. It's unfair and illegal for the County to force commercial landlords to bear the costs of those policies."

*Filed in the U.S. District Court, [*Iten v. County of Los Angeles*](#) seeks to end L.A. County's commercial eviction ban. PLF represents Howard Iten free of charge.*