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## **City Attorney Seeks Penalties Against Landlord**

*C Street Inn owner impeded efforts to relocate endangered tenants*

City Attorney Mara W. Elliott today sued the owner of a six-story hotel in downtown San Diego for endangering the lives of his tenants, many of whom are elderly and disabled, for extensive building and extreme fire safety violations and for maintaining a continuing public nuisance

The complaint filed against Jack Shah Rafiq and the various business entities he controls seeks a permanent injunction that would prevent Defendants from maintaining a property anywhere in the County of San Diego with substandard housing conditions, as a public nuisance, and in violation of the state's Unfair Competition laws, and also seeks civil penalties of up to \$2,500 per day per violation.

The C Street Inn has been the subject of numerous inspections by fire officials and code enforcement investigators since 2011, with Rafiq recently denying fire officials full access to the property on one occasion. Local and state law violations which Rafiq has refused to correct that present an imminent danger to the tenants include:

- a non-functioning fire alarm system
- fire escape routes leading to locked exits
- broken fire doors
- missing emergency lighting, exit signs, and smoke detectors
- non-permitted modifications to the sprinkler system
- uncovered electrical boxes, including one installed in a shower area
- dilapidated stairs and stairs without required guardrails
- expired fire extinguishers
- mold and rodent infestations
- openings in fire-safe walls that would speed the spread of flames, and
- numerous non-permitted modifications to the building and its water supply lines.

**“This landlord did more than endanger lives and refuse to take responsibility. He actively impeded the City’s efforts to protect his tenants from the imminent hazards he created,”** City Attorney Mara W. Elliott said. **“His behavior is unconscionable, and we see no reason to believe he will ever comply with health and safety laws.”**

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After the City issued Rafiq a Notice and Order to Vacate and Repair the Substandard Building, on May 25, 2022, Rafiq offered his tenants reduced rent if they agreed not to move out as ordered. He also continued to perform non-permitted construction work.

All but 12 of 84 building occupants have been safely relocated, according to the court-appointed receiver who will be responsible for securing the property and bringing it into compliance with the law. Once properly relocated, tenants are eligible for \$4,720 in relocation costs. The City advanced the relocation funds and will seek reimbursement from Rafiq. The San Diego Housing Commission along with the San Diego City Attorney's Office assisted residents.

The C Street Inn, located at 630-636 C St., is a six-story hotel with a basement. It has been the subject of 18 Code Enforcement cases in recent years, and the San Diego Police Department has responded more than 220 times since May 2019 to address criminal and nuisance activity, spending more than 550 hours.

The City Attorney's Office is continuing its investigation. This case is being handled by Deputy City Attorney David E. Miller of the Community Justice Division, under the supervision of Gabriela Brannan, Chief Deputy City Attorney in charge of the Nuisance Abatement Unit.

The City Attorney's Nuisance Abatement Unit was established in 1984 to address nuisance properties and blight throughout San Diego. This unit works in partnership with the Code Enforcement Division of the City Development Services Department, the San Diego Police Department, the Fire-Rescue Department, other local agencies and the community to identify and aggressively address problem properties.

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