



# EQUAL JUSTICE AMERICA

## SUMMER 2024

### EJA FELLOWSHIP RECIPIENT



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#### Update 1:

I have learned so much in my first two weeks interning with East Bay Community Law Center's housing practice. For example, I have learned about just cause policies in the East Bay and how often landlords violate them; how to write a demurrer and a motion for a judgment on the pleadings; and how to argue under California law why a tenant should not be forced to pay rent when their landlord refuses to make needed repairs. After the drudgery of 1L, it has been such a relief to work with the tenants and advocates fighting to make this world livable. I can't wait for what's to come!

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#### Update 2:

I have continued to learn so much at EBCLC. I have been consistently surprised by how antagonistic housing providers, including landlords and housing authorities, are toward tenants who need support. I am working with a disabled client whose Voucher has been terminated by a local housing authority for blatantly discriminatory reasons. I have primarily been drafting a brief to contest the termination. The brief writing process has allowed me to develop a trusting and honest relationship with my client. Though the brief has very specific goals—to present particular legal defenses in a manner digestible for the hearing officer—I have tried to stay faithful to how our client wants her story told.

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#### Update 3:

I am getting into the flow of things—I am interviewing clients efficiently, I can spot issues quickly, and I am drafting motions with more ease. I am proud of my growth in just 5 weeks. I recently worked on a demurrer for a tenant whose landlord tried to evict him without first serving an eviction notice that complies with the Oakland Just Cause Ordinance. The defenses



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we articulated in the demurrer would not be available to us without the courage of local leaders who stand up to landlord and real estate capital and pass tenant protections. I hope that tenant power continues to grow so that more elected officials begin to realize that tenants and working-class people are the backbone of all the places we love and call home.

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## **Update 4:**

Today I argued a demurrer in California Superior Court and won. The judge sustained the demurrer, denied the landlord's request for leave to amend the complaint, and dismissed the case with prejudice. Unfortunately, the landlord can merely restart the eviction process by serving a new notice that complies with local law. This illustrates a frustrating feature of landlord-tenant law. When filing an eviction action—even one that blatantly violates the required procedure—a landlord doesn't have much to lose, because they can try again if they fail. The stakes for a tenant in an eviction action are far higher, because if they lose, they lose their housing and face difficulty renting again for years to come. So, while procedural protections that allow advocates to poke holes in a landlord's case are helpful, far more robust tenant protections are needed to ensure housing justice for all.

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## **Update 5:**

In my final weeks at EBCLC, I prepared to represent my client in a hearing to contest the termination of her Section 8 Voucher. In the hearing, I delivered an opening statement, responded to the hearing officer's questioning, direct examined my client, and helped cross examine the housing authority's witnesses. And we won! My client's Voucher was restored, and she can now live comfortably in her subsidized housing. I am very frustrated that we, and our client, had to expend so much energy to defend her housing. Housing authorities are incredibly antagonistic to tenants—and it shouldn't be this way! With the summer ending, I leave EBCLC feeling very grateful for all I've learned from my clients and the advocates here.