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**SUPERIOR COURT OF STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

<p>Ramona Mayon,</p> <p>Plaintiff,</p> <p>v.</p> <p>City and County of San Francisco,</p> <p>Defendant</p>	<p>Case No. CGC-20-588010</p> <p>PETITION FOR WRIT OF MANDATE</p> <p>Date: Time: Dept:</p>
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1 To this Honorable Court:
2

3 1. This is the case involving the group of homeless people being swept from Great Highway
4 and Balboa without notice or offer of services on Nov 25, 2020 and again, Dec 10, 2020. Those
5 who were “swept” are entitled to not only 24-hour notice, storage of belongings, offer of adequate
6 shelter, as well as “Homeward Bound” services, per Prop Q which became SFPD ordinance 169.
7 This petition for a writ of mandate involves the two (2) roadblocks for me to receive *any* kind of
8 services from the City.
9

10 2. Exhibit A (texts between my friend at the camp and I prior to the first “sweep”) disproves
11 that I was onsite for what is described in the Declaration of Jeff Kositsky, from the Department of
12 Homelessness and Supportive Housing (“HSH”) in paragraph 5:

13 *“...prior to the encampment resolution at issue in this case, two different*
14 *teams of City workers visited the encampment, On November 16th, a DPH*
15 *team assessed people for COVID symptoms and other health issues, and on*
16 *November 17th, members of the Housing Outreach Team informed*
17 *residents, including the Petitioner, that the City would be offering shelter*
18 *alternatives on November 18th.”*
19

20 In exhibit A, (my text message to my friend at the encampment), I clearly state that I “*had to drive*
21 *all way to Santiago...am still on Great Highway...see y’all Wednesday morning*”. There had been
22 verbal notice to my friend that a sweep was going to be happening two days later. While this may
23 seem a miniscule detail, it is highly indicative of what homeless people experience with their
24

1 interactions with “HSH”. When they say I was offered services but I can show I was on the end of
2 the Great Highway, I think it ought to be pointed out to the Court. It’s the difference between them
3 being perceived as having fulfilled the spirit, if not the letter, of Prop Q. But it’s not true “for the
4 Petitioner” at least, because I wasn’t there, thus they couldn’t offer me anything, yet presented to
5 this Court that they had done so. At no time prior or during the “sweeps” of Nov 18, 2020 and
6 Dec 10, 2020 were any services offered to me of any kind, except a referral to congregant shelter.
7

8 3. I have a 2” undiagnosed lump in her right breast, with pain in lymph glands (maternal aunt
9 died of breast cancer increasing the risk this is a malignant lump by 50%). I have a small mass in
10 my left arm with a gnawing pain that is particularly bad at night but due to stomach issues, I can
11 take no pain relief as all opioids make me vomit severely (and immediately). I am on SSI (since
12 2017) for mobility issues that also would make living in a congregant shelter setting very difficult.
13 Finally, statistics show that widows have a 65% higher chance of morbidity in the first year after the
14 passing of a long-term spouse. I was married for 27 years and he died of liver cancer with COVID
15 injuries on July 7, 2020. I am 60 years old, in constant physical pain, in a state of grief and
16 emotional bleakness, so to go into a congregant shelter setting would be highly detrimental to me.
17

18 4. I decided to save my life with **my own home**, after being homeless for nine months, and
19 sent AAA to bring my RV out of storage where it was stored since August 2020. It was deposited
20 (away from the encampment) on Great Highway on Dec 23, 2020. The California Constitution’s
21 Declaration of Rights states in Article 1, Section 1 that
22

1 Surely a bereft widow’s attempt at re-establishing the home she shared in (said) marriage and
2 raised (said) children in would be the same as “establishing a home” in the first place.

3
4 6. On Jan 21, 2021 I was interviewed over the telephone for 36 minutes by the City’s
5 “problem specialist” who refused services because my plans don’t “*lead to permanent housing*”
6 since I intend to “*continue to live in a vehicle*”. I can produce phone records that show a
7 36-minute phone interview was held by the City’s “Coordinated Entry’s Problem Specialist” Katie
8 Miller. To be denied public accomodations (i.e. services leading to housing stability) because I
9 belong to an unpopular group (i.e. vehicle dwellers who refuse to go into congregant shelter) is
10 prohibited in the State of California by the Unruh Act:

11
12 “Nevertheless, the enumerated categories, bearing the ‘common
13 element’ of being personal characteristics of an individual, necessarily
14 confine the Act’s reach to forms of discrimination based on
15 characteristics similar to the statutory classifications such as ‘a person’s
16 geopgraphical origin, physical attributes, and personal beliefs’. The
17 ‘personal characteristics’ protected by the Act are not defined by
18 ‘immutability, since some are, while others are not [immutable], but
19 that they represent traits, conditions, decisions, or choices fundamental
20 to a person’s identity, beliefs and self-description.’ ”

21
22 *Candelore v. Tinder Inc.* (2018) 19 Cal. App. 5th
23 1138, 1145 [228 Cal. Rptr 3d 336]

1 “In addition to the particular forms of discrimination specifically outlawed
2 by the Act (sex, race, color, etc.), courts have held the Act ‘prohibit[s]
3 discrimination based on overall classifications which are not enumerated
4 in the statute’. Those judicially recognized classifications include
5 unconventional dress or physical appearance, families with children,
6 homosexuality, and persons under 18.”

7
8 *Hessians Motorcycle Club v. J.C. Flannigans* (2001) 86 Cal. App 4th 833, 836
9

10
11 7. As a further reason to exclude me from services that other people similarly situated are
12 entitled to receive, on Jan 25th, Mayor London Breed made an announcement (Exhibit C is on
13 thumbdrive and is a 34-second video of Mayor London Breed on January 25, 2021), denying aid to
14 any homeless person recently arrived, like myself. This public policy statement was made four
15 days after the telephone interview. Exhibit D is a screenshot from the Twitter account where it was
16 found plus a few of the residents’ shocked response to her speech:
17

18 *“I want to be clear about something. If you were not on our list to*
19 *receive support and care in our homeless system as of April last year and*
20 *you basically came to San Francisco thinking that there’s an opportunity*
21 *for you to get help in some capacity - unfortunately we will not be able to*
22 *help you. We are not going to jump the line for someone who just decided*
23 *to come to San Francisco yesterday.”*
24

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3 8. This issue of how long a person must be a resident before receiving benefits was
addressed by the Supreme Court in 1999, in a case specific to California:

4 “(District Judge Levi) concluded that the statute placed a ‘penalty on the decision of
5 new residents to migrate to the State and be treated on an equal basis with existing
6 residents’ *Green v Anderson* 811 F Supp. 516, 521 (Ed. Cal 1993) In his view, if
7 the purpose of the measure was to deter migration by poor people into the State, it
8 would be unconstitutional for that reason. And even if the purpose was only to
9 conserve limited funds, the State had failed to explain why the entire burden of the
10 saving should be imposed on new residents. ... [In *Shapiro*] We squarely held that it
11 was ‘constitutionally impermissible’ for a state to enact durational residency
12 requirements for the purpose of inhibiting the migration by needy persons into the
13 State. We further held that a classification that had the effect of imposing a penalty
14 on the exercise of the right to travel violated the Equal Protection Clause unless
15 shown to be necessary to promote a compelling governmental interest. ...What is at
16 issue in this case, then, is this third aspect of the right to travel - the right of the
17 newly arrived citizen to the same privileges and immunities enjoyed by other citizens
18 of the same state. That right is protected not only by the new arrival’s status as a
19 state citizen but also by her status as a citizen of the United States. ”

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22 *Saenz v. Roe* 526 U.S. 489 (1999) 134 F.3d 1400

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9. The substantive reason I come to this court to petition for a writ of mandate is because on Jan 27, 2021, I had a second visit by an RN from the “street medicine team” (Exhibit E is her business card which shows she came from the Dept. of Public Health). She brought a nurse-practitioner with her who did a breast exam. The nurse-practitioner was named Leah. She told me she would go on this “journey” with me and that she would support my decision for no interventions. She said she would start the process to get a mammogram and tests done. When I told her that my last mammogram had been at UCSF, she said she would try to initiate care there, or at the least, obtain that mammogram’s results to compare it to. The reason I know that the Mayor has stepped in and cut off “services” is because I saw such compassion and care in these nurses and I am positive they intended to return and help me. I need them. They are why I am petitioning.

10. The only other visitors from the City (besides the infrequent police visits) were two visits from the HOT team, with one of the visits being from the “Housing Specialist” who gave me a test via an app on her phone and then told me I didn’t qualify for a housing list but however, I did qualify for a “problem specialist” who called me on Jan 21, 2021. As stated earlier, I was denied services because my plans don’t lead to “permanent housing”.

11. I am an “RV dweller” because I am an American-born Scottish Traveller on my father’s side and ¼ Cherokee on my mother’s side. I am an ethnic nomad. I have lived on wheels (fulltime) since 1992. I will *always* live this way. It is an immutable characteristic for me.

12. As for being from out-of-town, my husband and I came to San Francisco on our honeymoon and married here Nov 14, 1997. We were residents of San Francisco from May 1997

1 until July 2013. We, with our four children, lived in San Francisco on Ocean Beach in a black
2 Bluebird schoolbus from 1997 until it was taken from us by SFPD from the Great Highway on
3 Aug 2006 for being 15 minutes over the 72-hour move notice. From Sept 2006 to July 2013, we
4 lived in an RV in San Francisco. The children consider the outer Sunset their childhood home.
5 They all went to school here. My husband was a patient at UCSF's Liver Transplant unit - that's
6 where he found out he had liver cancer Sept 16, 2019. His health care was consistently at the
7 Castro-Mission Health Clinic since 1997. The doctor there signed his death certificate.
8

9
10 13. In 2013, when the "Oversized Vehicle" law came into effect in San Francisco, it was at
11 first only on the beach (where we had lived since 1997). We got tickets the day the signs were
12 installed. That's why I know for a fact that this *restricted* "beach parking" did not go through the
13 California Coastal Commission and the signs under which the neighbors think they can continue to
14 harass me aren't legally placed. Venice Beach + Santa Cruz were denied similar attempts to do this.
15

16 14. My husband (wisely) insisted we leave the City, due to the increasing hatred towards the
17 vehicularly-housed in general, as well as the fact our youngest child was 17 then and had just left
18 home. We moved to a private property in Antioch where we paid rent for five years. In 2018, the
19 owner was made to evict everyone due to a lack of an operating permit. From mid 2018 until the
20 pandemic started we were staying in a Sacramento county daily-pay campground on Sherman
21 Island. Our personal homeless crisis began when Governor Newsom closed the campgrounds.
22

23 15. On March 18, 2020 we were forced to abandon our RV inside the Sacramento county
24 campground because it had a fuel pump failure. Rather than give us time to arrange with a mobile
25

1 mechanic to fix it, we were told that a report had been made on me to Adult Protective Services for
2 neglect of my morbidly-ill husband due to our “housing situation”. Because we were threatened
3 with separation, as Sacramento county wanted to put him into hospice, I filed an elder abuse case
4 on (Sacramento) DHS on April 1, 2020 to contest their plans for him. We were immediately kept
5 in a motel, which eventually turned into a three-month stay. Throughout the entire time, I was
6 denied any assistance in getting us back into our RV-home. I was unable to proceed with the
7 repairs during that time because my husband’s health was failing rapidly and it was a constant
8 struggle to get the motel vouchers as we were made to move every 21-days, in spite of the
9 pandemic. Funding for the motel ran out mid-June and we were moved to the FEMA quarantine
10 trailers at the CalExpo grounds. The three weeks spent there were traumatizing due to the complete
11 lack of care by either DHS or Public Health. My husband died in my arms on July 7, 2020. His
12 final days were devastating as he was completely stressed out how I was going to be homeless
13 going forward without him.
14
15

16 16. I stayed at my daughter’s home for 84 days until her landlord threatened to evict her for
17 having me there. By then, the RV had been towed up there, stored, and the fuel pump repaired
18 (\$800). I left Sept 23, 2020 and began camping out of my SUV, using the membership camping
19 system known as “Thousand Trails”. I continued going with the plan of traveling throughout the
20 Bay area/ Sacramento valley campground “preserves” (as the company calls them) to see if it was a
21 suitable plan for my RV, which is an older model (1996). Older RVs will not be accepted by most
22 campgrounds in California who practice the 10-year-or-newer rule. “Thousands Trails” does not.
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17. By Oct 15, 2020 I was down in Hollister and the SUV's oil leak was getting considerably worse so I drove into San Francisco to get help from our old case manager at the Sunset Youth Center, who immediately introduced me to the mobile mechanic who fixed the SUV and continues to work on the RV. Because I could only pay for the repair a little at a time, it ended up being Nov. through Dec. to fix the SUV.

18. It was during this time that I began staying on Balboa and the Great Highway to be near a friend I had known when I lived in San Francisco (17 years) and who was part of the homeless encampment there. I would put my tent out to stay in during the day but sleep with locked doors in my SUV at night. It was here the HOT team signed me up for "services" on Nov 16, 2020. It was where I was Nov 18, 2020 for the first sweep (returning about 15 minutes before it began) and it was where I was (in my tent) on Dec 10, 2020 for the second sweep.

19. The requirement to offer services to encampment residents was triggered by the requirements of Prop Q. by the encampment "sweep" of Nov 20, 2020 (my tent was not present) and the second encampment sweep of Dec 10, 2020 (my tent was up and I was made to "*remove it from the roadway, but don't go on the sidewalk either*" stated the uniformed park ranger in aforementioned videos). Photos from Dec 10, 2020 are Exhibit F. The blue tent in front of the SUV is mine. I was made to remove it by the same people who commanded the "sweep" on Nov 18, 2020. The entire time the city officials tried telling us (the encampment people) that the entire area belonged to Park and Rec. As the videos submitted in January show, we all vehemently disagreed with him. A video from the Nov 18, 2020 "sweep" has audio of the main park ranger

1 saying the sidewalk + roadway belongs to the City while the Park owns the sand on the other side
2 of the (broken) fence.
3

4 20. I am no longer a tent dweller. I am an RV dweller again. The RV (our home since 2012)
5 is now running properly and the brakes redone. For the RV work, I have (to date) paid the mobile
6 mechanic \$710 (and will continue to pay him throughout 2021 until the bill is satisfied). He
7 agreed to extend me credit to undertake (as a whole) the project plus he has agreed to drive me
8 back to the nearest "Thousand Trails" preserve. Next phase of repair is two (2) front tires, rewire
9 the brake lights (wires eaten by vermin while in storage), some small body damage repaired, then
10 get smogged. The reason I continue to have to remain in San Francisco is because I did not get my
11 stimulus as shown in Exhibit G. I have to pay two years tags to DMV plus penalties which I don't
12 know what are yet. Exhibit H is the package sent to DMV with my husband's death certificate in
13 order to get the vehicles transferred to my name.
14

15 21. Exhibit I shows my monthly SSI income of \$954. The cost of this camping membership
16 system "Thousand Trails" (which I have been enrolled in since Sept 2020 at the basic 4-day level
17 for \$54 a month/ 21-day cost would be \$204 per month --- after a deposit of \$690) is actually
18 affordable on my budget, even with the additional cost of the driver every three weeks.
19

20 22. Exhibit J is simply to show this Court that I have a *plan* worthy of the City's approval.
21 The worker, Katie Miller, told me it was an unacceptable plan because it did not lead to permanent
22 housing. That is simply not true. I would be independent and living in my own home, surrounded
23 by my belongings and memories. The 1st arial map that show the layout of the nearest
24

1 campground (Turtle Beach RV Resort in Manteca) plus other photos show how far between
2 campgrounds the RV would be moved every 21-days (by the mobile mechanic). Each “Thousand
3 Trails” campground is fenced in, has a gate, security staff that patrol in golf carts, mobile shower
4 trailers with electricity, bathrooms, as well as the feeling of acceptance because I am in an RV park
5 with other RV dwellers as opposed to the current hostile situation with multiple Great Highway
6 residents continuing to yell and harass and intimidate. Every morning just 6 am, a man stops
7 outside the RV and yells the same phrase every morning: “I am fighting to get you towed.” On the
8 other hand, on a daily basis, I hear passersby stop and call me in, asking someone to come out and
9 check on me, quoting the signs on RV (Exhibit K).
10
11

12 23. I have lost a total of 70 lbs since my husband died July 7, 2020, now weighing 191.5.
13 Because I am extremely religious, I found it unseemly to hunger strike during Lent, which is the
14 season we contemplate what our Lord Jesus Christ wrought for Easter. I ended my hunger strike
15 on its 57th day, the day before Ash Wednesday, to be replaced with my usual annual fast for Lent I
16 undertake every year (generally known as the *Daniel* fast). I eat small amounts of protein and
17 necessary minerals, as I described to the RNs who came in January. On April 5th, 2021, I will
18 resume my hunger strike, resetting the timer at day #1. I will not end this fast until I have safely left
19 San Francisco under my own power (which is only delayed because I have not received the
20 stimulus), because I consider it unsafe here, due to the depth of hatred that San Franciscians have
21 for RV dwellers, especially on the Great Highway where the “oversized vehicle” ban was
22 illegitimately born in 2012.
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ARGUMENT

24. What is really going on with the City’s refusal to allow HSH to render services to me is the City’s **bias** towards RV dwellers in general. Below are statements regarding “RV dwellers” by Mayor London Breed, board supervisors and Jeff Kositsky when he was the director of “HSH” (currently he runs the encampment cleaning department). The Unruh Act protects unpopular groups from being given unequal (or no) access to public accommodations. The biased statements are in bolded letters to show the City’s official bias against the group.

Exhibit L: *May 16, 2019* San Francisco’s Homeless Population on the Rise (SF Examiner)

- Kositsky said **the City needs to “think long and hard” about how to stem the growing population of people living in vehicles.** “A few safe parking facilities isn’t a long-term solution,” he said. **“Are vehicles the new form of housing? They shouldn’t be.”**
- Mayor London Breed said she plans to expand the City’s “Vehicle Encampment Resolution Team which works with individuals to help them into services and housing.” She also plans to open a “Vehicle Triage Center” where people living in their vehicles can stay as they work to exit homelessness”.

Exhibit M: *Nov 15, 2018* San Francisco’s RV dwellers wary of city’s efforts to disperse them
(Mission Local)

- ...after receiving ceaseless complaints from housed residents about people living in cars and RVs, **the city has announced plans to rid the streets of vehicle dwellers** - usually those

1 residing in campers and large vans. Mayor London Breed, with Supervisors Ahsha Safai
2 and Vallie Brown, is directing the city's Department of Homelessness and Supportive
3 Housing to **form a team that will effectively disband groups of RVs while offering their**
4 **inhabitants services like a shelter bed.** For those not necessarily in need of services, the
5 department is handing out information on where to legally park vehicles around the Bay
6 Area. It is also considering **footing the bill for repairs for dwellers whose vehicles have**
7 **broken down,** or giving them enough gas money to leave the city. "It is exactly like the
8 encampment resolution team, which has helped dramatically decrease large encampments in
9 the city," said Jeff Kositsky, the director of the Department of Homelessness and Supportive
10 Services.

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13 ➤ The initiative is already underway, according to Kositsky. The so-called "vehicle
14 encampment resolution team" has **cleared a group of around a dozen RVs and vehicles** in
15 Bayview's Chrisp Street, he said. Of those people, Kositsky said, one went to the hospital,
16 several to a navigation center, some went to family and friends, some drove off, and some
17 abandoned their vehicles. "It certainly wasn't perfect, but neither was the encampment
18 resolution," Kositsky said. **But he emphasized that "Nobody was told to leave without**
19 **being offered assistance."**

20
21 ➤ It's unclear what kind of demographics are represented in the 432 inhabited vehicles the
22 homeless department counted in October - 25 percent of which Kositsky said were tallied in
23 the Mission and Castro neighborhoods. But he said his department is assessing a 10 percent
24

1 sample of the vehicles in various neighborhoods to create a “typology of need” that can help
2 the department formulate solutions. He added that **the department believes there is a**
3 **population of more hardcore homeless individuals living in “metal tents”**, vehicle
4 substitutes for sidewalk tents. “Those are the folks who are our target population,” he said.
5 But others, the department believes, are either stranded tourists, or so-called “reluctant
6 commuters” - those who have jobs and could be paying rent somewhere else,” he said.
7 “That issue needs to be addressed through a lot of sharing of information.” And, he added,
8 **“I think there needs to be a law-enforcement component” - not for the department’s**
9 **“clients” but those who have the choice to leave.**

- 10
- 11
- 12 ➤ The same day that Mayor Breed **announced her intention to tackle “vehicular**
13 **homelessness”**, Supervisor Hillary Ronen shot out a press release stating her intention to
14 introduce an ordinance establishing a so-called “vehicular Navigation Center” within six
15 months. That would create one or more parking zones with bathrooms and showers, where
16 the vehicle inhabitants work with city outreach workers to access “benefits, housing and
17 other services.” It would have **prioritized people “with ties to San Francisco through**
18 **work, family, or recent residency**, and who currently live in their cars or RVs in residential
19 neighborhoods.”
20

21 Exhibit N: *May 16, 2019* SF homeless count up 17 percent, driven by vehicle dwellers

22 (Mission Local)

- 23 ➤ “I will tell you, when I first got the numbers I was like, “No way, I don’t believe this,” said
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Jeff Kositsky, the director of the city’s Department of Homelessness and Supportive Housing. “I feel like we made a lot of progress.” The last two year’s have seen a slew of initiatives, including a “coordinated entry system” that **tracks homeless people** as they receive services, including supportive housing. ... Still the city reported that the largest increase in homeless individuals - 68 percent - was driven by people living in their vehicles. **In November, the city undertook a concerted effort to disperse people living in their vehicles.**

Exhibit O: *July 5, 2019 San Francisco: More homeless living in vehicles* (AP)

- But people of higher income levels including those who own cars, are also struggling, said Jeff Kositsky, the San Francisco agency’s director. “I’m seeing people with **decent RVs but no place to live**, and many of them have jobs,” he said “It’s very concerning.”

Exhibit P: *July 15, 2019 SF proposes first ‘safe’ parking lot for homeless living out of vehicles* (SF Chronicle)

- Officials hope to replicate this one-year pilot program, if it’s successful, in other areas of the City, where people are increasingly using their vehicles for shelter.
- “When we have this option, we can say to people, ‘we have an option for you’ and ‘where you are right now is not safe’” said Supervisor Ahsha Safai, whose district includes the site, which is tucked at the corner of San Jose and Geneva avenues. “And they can say yes or no. **And if they say no, they will not necessarily be able to stay where they are.**”

People living out of their vehicles is the next frontier of San Francisco’s homelessness crisis.

1 The city’s homeless population has risen 30% since 2017, much of that attributed to people
2 living out their vehicles.

- 3
4 ➤ The Department of Homelessness and Supportive Housing is also working with SFMTA to
5 figure out a way to lower **fees and fines for people who are sleeping in their vehicles.**

6 Exhibit Q: *July 31, 2019 One Day, One City, No Relief* (SF Chronicle)

- 7 ➤ Jeff Kositsky drives down Evabs Avenue in the Bayview district, towards the water, chasing
8 a report of a surge of occupied RVs. This is the kind of thing Kositsky, head of the
9 Department of Homelessness and Supportive Housing, does on his way into the office. He
10 likes to stay in touch with the street. And this tip is especially relevant. Since 2017, the
11 number of people living in RVs, cars and other vehicles has jumped by 45% to 1,794 ...
12 Kositsky slows and peers out the window. The seven RVs parked along the street look
13 relatively clean. **Still, he says, it’s not humane to allow people to sleep in their vehicles.**
14 But what is the City to do when there isn’t enough housing to offer these people? “Is it
15 success that they **leave and don’t come back?**” he asks. “Or is it just that they drive around
16 the corner and move somewhere else? It’s hard to know what success means.”

17
18
19 \$364 million 2019-20 budget for HSH

20 \$285 million 2018-19 budget for HSH

21 Exhibit R: *Nov 5, 2018 SF weighs new policies, plans for RV dwellers* (SF Examiner)

- 22 ➤ There are roughly 430 vehicles being used for sleeping in San Francisco, most of them
23 parked in the Bayview, Mission and Taraval police districts. That’s the first such count of
24

1 vehicle dwellers conducted in San Francisco, released by city officials last week. Of the
2 432 vehicles counted with people sleeping in them by the City between October 22 and
3 October 30, 313 were recreational vehicles, or RVs, and 119 were passenger vehicles like
4 sedans. ... “We want to go out and see who’s out there, what the needs are,” Kositsky said,
5 and once we have that information to develop a clear plan on how to best address the
6 program.” The new data will play a part in several major city efforts to somehow provide
7 both help to those living in the RVs and relief for neighbors who consider them a **nuisance**.
8

- 9
10 ➤ The San Francisco Municipal Transportation Agency Board of Directors will consider policy
11 guidelines for oversize vehicles overnight parking restrictions at its regular meeting Tuesday.

12 ... The proposed policy set to be considered by the board would allow oversize vehicle
13 restrictions near schoolyards, playgrounds and community parks, to ensure children are not
14 exposed to “public health risks” or public safety risks from encampments, and on residential
15 streets with “limited” on-street parking, or on streets with vehicles subject to dumping or
16 “blight”. Meanwhile, the City is looking at other ways to handle oversized vehicles
17 sheltering the homeless.

- 18
19 ➤ Supervisor Hillary Ronen told the Examiner on Nov 13 she plans to introduce legislation
20 requiring the Department of Homelessness to create a central parking area for oversize
21 vehicles within six months, complete with bathrooms and city services to help people
22 become housed. Ronen said the legislation was prompted by Portola neighbors who, for
23 “very good reasons”, were fed up with trash and other hazards generated by homeless RV
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1 dwellers, but also her desire to see people lifted out of homelessness.

- 2
- 3 ➤ Brinkman, the SFMTA board chair, said a citywide effort to find parking space for RV
- 4 dwellers may influence her board’s discussion on banning RVs. ...”Do we want to put any
- 5 more bans in place before we have a solution? Or do we trust a solution will be
- 6 forthcoming?”
- 7 ➤ Kositsky, on the other hand, said he did not disagree with Ronen’s plan on its merits, but he
- 8 believes the Department of Homelessness needs to conduct more research first. “Almost
- 9 every community that has attempted to address this problem has failed,” he said. His
- 10 department “is determined not to jump on the failure bandwagon by rushing into unproven
- 11 programs.”
- 12
- 13 ➤ The department recently launched a vehicle encampment resolution team to address the RVs,
- 14 an offshoot of the team that addressed tent encampments. A pilot program on Crisp Street in
- 15 the Bayview helped reach out to people sleeping in their vehicles, and the department also
- 16 developed outreach materials detailing RV parks nearby San Francisco to help redirect
- 17 people to where they can sleep legally. The department is also **piloting a program to offer**
- 18 **vehicle repair to people in RVs who are stuck but wish to leave San Francisco.**

19

20 Exhibit S: *Nov 7, 2018* City bans RVs on small Ingleside street, promises to offer services first

21 (SF Examiner)

- 22 ➤ City officials are rushing to research solutions for homeless RV dwellers, who, much like
- 23 tent encampments, draw complaints from the communities surrounding them.
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- Supervisor Hillary Ronen said she would introduce legislation Nov 13 calling for public land to be used for RV dwellers to park and be offered homeless services, and the Dept of Homelessness has launched a vehicle encampment resolution team, social workers who **target homeless people living in RVs to offer them help and a way out.**
 - Jeff Kositsky, director of the Dept. of Homelessness and Supportive Housing, said the solutions will take time. “It’ll be at least six months or so before we’re up and running with all the resources needed to address this,” Kositsky said in a presentation to the SFMTA board. He also told the board, “we have been on De Wolf, we know what’s out there, but we haven’t put a lot of resources into providing that assistance or trying to get those people indoors.”

13 Exhibit T: *Dec 23, 2019 Living in her car, she was afraid and harrassed. Then she found a*
14 *unexpected refuge* (CNN)

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- She’s now among more than 16,000 people in LA county who live in their vehicles --- about a quarter of the nearly 60,000 homeless people here.
 - ...while cars, trucks, and RVs can be cost-effective alternatives in places with some of the nation’s steepest rents, they lack bathrooms and showers ... beyond that, sleeping in them on most city streets is illegal.
 - “I was harassed constantly,” Kush said of nights spent parallel parked. “People were screaming or there was a fight.”
 - ...similar programs have popped up across California, including in San Diego, Oakland, San

1 Jose, and San Francisco, which recently opened its first lot. That pilot program provides
2 spaces for nearly three dozen vehicles and has bathrooms and showers. “We’re going to
3 identify individuals who are in their vehicles **who consider themselves homeless** and
4 invit(e) them to park in this facility,” said Jeff Kositsky, director of the Department of
5 Homelessness and Supportive Housing in San Francisco where the \$3,700 median rent for a
6 one-bedroom apartment marks the highest rate. The rising number of homeless residents has
7 Kositsky “very concerned”, he said, adding that cities may need to recalibrate their thinking
8 given the shortage of affordable housing. **“Maybe we need to start having mobile home
9 parks in urban areas,”** he contemplated.

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- 12 ➤ All around the Bay area, they hide in plain sight, the vehicles doubling as shelters. ... San
13 Francisco counted 1,794 people living out of their vehicles in 2019, a 45% increase
14 from the last homeless count in 2017.
- 15 ➤ Some cities like San Francisco and Berkeley have enforced oversized vehicle bans on certain
16 streets, leading to ticketing and towing of what is essentially people’s homes. Some, like San
17 Francisco and Oakland have proposed safe parking zones, where individuals with vehicles
18 **that fit certain parameters** can securley leave their belongings without fear of enforcement
19 for an allotted period of time.
- 20
- 21 ➤ Vehicle living is not a new phenomenon ... The transient population is notoriously difficult
22 to count, and those living in their vehicles are even more so becasue of their mobility.
- 23 ➤ “There are more and more **people who have assets and means that are becoming**
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1 **homeless**, which is very scary,” said Jeff Kositsky, the director of San Francisco’s
2 Department of Homelessness and Supportive Housing, noting that **many RVs, for example**
3 **are worth some money**. “[Their owners] are clearly people with some sort of assets, as
4 opposed to some guy curled up in a blanket sleeping in a doorway.”

- 5
- 6 ➤ Aid workers say the needs of RV dwellers are divergent. Many vehicle dwellers don’t
7 consider themselves homeless and therefore don’t know of the **resources available**. “There
8 are people who are extremely sick and living in extremely bad conditions,” said Kositsky.
9 “We’re talking about hoarding and cluttering, black water leaking into the streets, mold
10 inside these vehicles that don’t move. **They are using it as a metal tent**. They’re not
11 visible and they can be in their vehicles, really sick, and no one will really know.”
- 12
- 13 ➤ ... **constituents complain about vehicle dwellers**. They rake up valuable parking spaces.
14 They leak gasoline and sewage. And in general, trash pick-up doesn’t exist for people living
15 in cars. Not every individual has a working bathroom.
- 16
- 17 ➤ The **criminalization** of vehicles also result in people’s homes getting ticketed or worse,
18 towed with all their belongings - and more often than not, the individuals don’t have the
19 funds to retrieve their cars out of the impound.
- 20 ➤ The [safe sleeping] sites are not lacking in criticism. They can only take a limited amount of
21 vehicles for a limited amount of time - in San Francisco, individuals can only stay 90 days.
- 22 ➤ “Life beats you down sometimes, and everybody don’t function the same way,” she
23 [Beavers] said. The RV has a bedroom, a small bathroom with a shower, as well as a
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1 kitchen-living room space with a couch. Beavers recently took in a woman she met on the
2 street. ... “I cook breakfast. I clean out front. We listen to music during the day,” she said,
3 noting how much better it is having a vehicle to sleep in.
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5 Exhibit U: *May 16, 2019 Homelessness surges in Bay Area amid political battles over housing*
6 (Biz Journals)

7 ➤ In all, 25,739 people were counted as homeless in the three counties - roughly one in every
8 200 people in the region - compared to 19,881 just two years ago. That’s a 29.4 percent
9 increase. ... “The initial results of this count show we have more to do to provide shelter,
10 more exits from homelessness and to prevent people from becoming homeless in the first
11 place,” San Francisco Mayor London Breed said in a statement. ... “The results around our
12 work focusing on youth and veteran homelessness are evidence that when we target our
13 investments, we can make a difference for those living on our streets,” Breed said. **San**
14 **Francisco attributed the increase in unsheltered residents to people living in vehicles,**
15 which accounted for 68 percent of that population.
16

17 ➤ “We have to be honest with ourselves: We’re not succeeding at this,” Jim Wunderman,
18 president and CEO of the Bay Area Council
19

20 ➤ Jeff Kositsky ... said in a statement ... “...more needs to be done to stop people from losing
21 their homes and **to assist people living in vehicles.**

22 Exhibit V: *Nov 27, 2016 No space for safe parking program* (SF Examiner)

23 ➤ The challenge is further complicated by neighbors who are upset that people living in their
24

1 cars occupy limited parking spaces, while also **potentially posing hygiene, health and safety**
2 **issues from living in a vehicle.** The bulk of the burden to address the issue appears to fall on San
3 Francisco transit officials, who are left chasing homeless residents living in their vehicles from
4 neighborhood to neighborhood as they implement the City’s latest parking restrictions. Yet a
5 permanent solution remains elusive. The issue may be compounded in the coming months after
6 San Francisco voters passed Prop Q on Nov 8 that bans tent encampments on sidewalks and
7 authorizes city officials to remove them 24 hours after offering some form of shelter.
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10 ➤ It’s not likely that the program will come to San Francisco anytime soon, however. Sam
11 Dodge, deputy director of San Francisco’s newly formed Department of Homeless and Supportive
12 Services, said there had been some discussion on a safe parking program for the City but pointed
13 out what he considered a flaw in the concept. **“These programs have not been successful for**
14 **transitioning out of homelessness,”** Dodge said. Dodge further cited challenges in finding
15 suitable locations with proper amenities and design. He also noted there are substantial differences
16 between homeless living in their vehicles with a dry place to sleep and possible **other amenities**
17 like a stove and a bathroom from homeless living outright on the streets.
18

19 ➤ San Francisco’s homeless population has reportedly remained stable for the past decade,
20 with 6,686 people in 2015 compared to 6,248 in 2005, according to the 2015 point-in-time Survey.
21 *(please note this article was written in 2016; since HSH was created, homelessness has - alongside*
22 *the HSH budget - increased)* Of that number, 4 percent - approximately 268 people - are estimated
23 to be living in their vehicles, be it a car, camper, recreational vehicle or bus.
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➤ Rachael Kagan, spokesperson for the Department of Health, noted that many people living in vehicles discard less human waste on the street than those who are homeless living on the open street. Some of San Francisco’s homeless living in their vehicles maintain jobs in San Francisco.

➤ In August, the Santa Rosa City Council declared a “homeless emergency” and formally sanctioned the safe parking and safe camping programs...the City Council’s declaration expedited implementation of the program...**Typically, overnight vehicles need to leave each morning around daybreak.**

Exhibit W: *Feb 8, 2021 (published four years after the above article)*

SF’s first-ever RV parking site for the unhoused is set to close, Will any new ones take its place?

(SF Examiner)

➤ San Francisco’s first ever city-sanctioned site that provides a space for unhoused people to park and live in their vehicles will close down next month. The supervisor who supported it in his own district said there should be more sites like it across the City. “I feel like we did it right, [Supervisor Ahsha] Safai told the SF Examiner in a recent interview. “It turned out well.”

➤ Users of the site must leave March 1.

➤ However, there remains hundreds of unhoused people living in cars and RVs throughout the City. And in some areas residents continue to complain about the impacts, including noisy generators. A city tally from December found 771 vehicles being lived in by unhoused people of which 186 were passenger cars and the others RVsm campers and vans.

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- Safai argues that they have shown offering the unhoused living in their vehicles a safe place to park works and he believes the City should now open other sites to address the need while **at the same time becoming “firmer” in enforcement.**
 - “It far exceeded even my own expectations,” Safai said. “We’ve gotten people housed. It’s increased safety in the area. **It’s been super cost effective.**” In its first year of operation, the site cost the City, \$1.7 million, according to new analysis released by the City Controller’s office. Of the 75 people who used it from November 2019 to November 2020, the period of the controller’s analysis, 44, or 24 households, left at some point during their stay, with varying outcomes. Two-thirds of them were living in RVs or other large vehicles. Eleven recieved housing and eight were moved into temporary shelter for medical reasons, However,, more than half of those who did leave left voluntarily or were **denied services.** ... and seven people, comprising three households, “had a denial of services due to behaviors of one or more household members.”
 - An HSH spokesperson did not respond directly to a question about whether the City will open other sites, but said, “We believe the Vehicle Triage Center was a success.”
 - “We want to talk about expanding this model citywide,” Safai said. “There is still a significant number of people that are living on the streets on vehicles. As this model has shown **we can transition them into a safe spot.** We can get them the **services they need.**” Safai said that there are **still RVs in his district, but “not like before.”**
 - Board President Supervisor Shamann Walton, who represents District 10, supports opening

1 more sites. ... “As you know we have had an increase of people living in vehicles in the
2 District during the pandemic and we need to find a place where they can **receive services**
3 **until we can get folks permanently housed.**” ... “Obviously permanent housing is the
4 main goalm but we need to make sure people living in vehicles have food, medical services,
5 proper restroom and hand-washing stations and connection to wrap-around services.”

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7 ➤ Supervisor Myrna Melgar also said she would “definatley want a site in my district,” but did
8 not offer a timeline or specific sites. Although she noted, “We do have space in District 7.”
9 Melgar said she’s exploring sites and partnerships as well as service models. She said many
10 of the unhoused population living in the vehicles are **the working poor** and don’t need
11 intensive case management, but do need other tools like asset building services and access to
12 banking or employment to help them transition into housing.

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14 ➤ The site is operated under city-contract by the nonprofit Urban Alchemy. The City spent
15 \$1,662,503 on the site in the first year, whihc includes \$552,783 in one-time capital costs
16 expended by the Dept of Public Works, the City Controller’s report said. That equates to
17 \$22,166 per client served in the past year. But if looking at just operational costs, its
18 \$14,796 per client served annually or \$38,266 per parking spot. The cost estimates do not
19 Include case management services provided by the Homeless Outreach Team, who
20 performed that function as part of their scheduled shifts but were estimated at an additional
21 \$4,500 per parking spot, the report said. Clients who moved into housing stayed at the site
22 for a average of 103 days, while those who exited voluntarily or were denied services had
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2 average stays of 39 days.

3 Exhibit X: *May 4, 2020* a letter from Senator Dianne Feinstein to President Board Norman Lee
4 objecting to the use of Golden Gate Park for the homeless: “...expanding RV programs...”
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6 CONCLUSION
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8 25. A program on CBS Feb 19, 2021 titled White Americans Confront Legacy of Housing
9 Discrimination quotes David Troutt, a law professor at Rutgers Law School, “It’s just a remarkable
10 record of exclusion. It is not accidental or bad attitudes. It’s about inequitable rules.” Exactly what
11 is happening to RV dwellers in this City and throughout California: *inequitable rules*.
12

13 26. I am a criminal every night at 10 pm per SFPD 97 for the act of habitating my RV-home.

14 27. There is nowhere for me not to be a criminal. That’s prosecuting me for my status. Just
15 off the top of my head, *Powell v. Texas* 392 U.S. 514 (1968) and *Robinson v. California* 370 U.S.
16 660 (1962) could have challenged this long before *Martin v. Boise* 920 F.3d 584 (9th Cir. 2019).
17

18 28. Then City gets to play God with services, picking and choosing the recipient of their
19 “investment” and the only way to be that recipient is to agree to give up one’s home (or at least say
20 you will) and although the City officials tell the media over and over, they are going to do
21 something, even if they do, it’s only a pilot program.

22 29. I have the *fundamental* right to establish a home under U.S. Constitution and under the
23 California Constitution to seek safety and privacy, but most especially because there is a pandemic
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1 going on. The City’s wilful failure to provide services and facilities to the vehicle dweller,
2 including RV parks and campgrounds (both free and for-daily-pay), is due to bias towards all types
3 of nomads, including gypsyTravellers, Native Americans, Rainbows, and all other free-range
4 citizens living in their own housing solutions. Petitioner respectfully requests that this Court issue a
5 writ of mandate instructing the City that she is eligible for services regardless of her status as an RV
6 dweller and her recent arrival. She was made eligible for services by the City’s encampment
7 “sweeps” of Nov 18 and Dec 10, 2020 because SFPD ordinance 169 states she (and the other
8 residents of the Balboa/ Great Highway encampment) were supposed to have been offered
9 services.
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13 Sincerely,

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15 Ramona Mayon
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EXHIBITS

- A) text messages showing my location at other end of Great Highway on Nov 17
- B) photo of my RV Dec 23, 2020 leaving the snow in the Sierra Nevada mountains
- C) video of Mayor London Breed on Jan 25, 2020 re. Newly arrived homeless
- D) screenshot showing date of video plus some residents' comments
- E) business card from nurse who came the last time on Jan 27, 2021
- F) photos showing Dec 10, 2020 "sweep" at Balboa and Great Highway
- G) showing I did not receive stimulus \$ but had to file for it (need in order to buy tires, etc.)
- H) package to DMV- issuance unit
- I) showing only income is SSI \$954
- J) screenshots of Google Maps showing that I am returning to Sacramento area
- K) photos showing RV with protest signs on Great Highway
- L) *May 16, 2019 San Francisco's Homeless Population on the Rise* (SF Examiner)
- M) *Nov 15, 2018 San Francisco's RV dwellers wary of city's efforts to disperse them*
(Mission Local)
- N) *May 16, 2019 SF homeless count up 17 percent, driven by vehicle dwellers*
(Mission Local)
- O) *July 5, 2019 San Francisco: More homeless living in vehicles* (AP)
- P) *July 15, 2019 SF proposes first 'safe' parking lot for homeless living out of vehicles*

1 (SF Chronicle)

2
3 Q) *July 31, 2019 One Day, One City, No Relief* (SF Chronicle)

4 R) *Nov 5, 2018 SF weighs new policies, plans for RV dwellers* (SF Examiner)

5 S) *Nov 7, 2018 City bans RVs on small Ingleside street, promises to offer services first*
6 (SF Examiner)

7 T) *Dec 23, 2019 Living in her car, she was afraid and harrassed. Then she found a*
8 *unexpected refuge* (CNN)

9
10 U) *May 16, 2019 Homelessness surges in Bay Area amid political battles over housing*
11 (Biz Journals)

12 V) *Nov 27, 2016 No space for safe parking program* (SF Examiner)

13 W) *Feb 8, 2021 (published four years after the above article) SF's first-ever RV parking site*
14 *for the unhoused is set to close, Will any new ones take its place?* (SF Examiner)

15 X) *May 4, 2020 a letter from Senator Dianne Feinstein to President Board Norman Lee*
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PROOF OF SERVICE

I, Merlin Mayon, am above the age of 18 and I am not a party to this action. I hereby certify that on this third day of March, I served the foregoing *Petition for Writ of Mandate* by causing it to be mailed to:

City Attorney’s Office
1 Dr Carlton B Goodlet Plaza
San Francisco, California 94102

Merlin Mayon