

Phat Tran Quantified loss, statutory multipliers, and restitution framework

From: michael gasio (gasio77@yahoo.com)

To: srandell@hbpd.org; hnguyen2@fbi.gov; kyphat@yahoo.com; clerk@stevensilverstein.com; legal@hsfranchise.com; hansonle@bhhscaprops.com; lymyhoa@yahoo.com; angiemsandoval@gmail.com; attorneyrosiak@gmail.com; aelkins@gmail.com; helderppinheiro@gmail.com; dennisrosas@bhhscaprops.com

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# Damages & Financial Recovery Summary

Quantified loss, statutory multipliers, and restitution framework

## 1. Purpose

This page translates the verified record into measurable financial categories. The core loss did not arise from unpaid or uncredited rent but from an unlawful 54 % rent increase, forced removal, and the resulting cost of relocation. Each figure below reflects documented payments and statutory multipliers under California and federal law.

## 2. Base Economic Loss

Component	Amount (USD)	Description / Proof
Forced Relocation at Equivalent Rent	\$60 000	After the unlawful rent increase and eviction, tenants were required to rent a comparable home at \$5 000 per month for twelve months. The relocation produced duplicate housing expense and loss of the original premises. <i>Evidence:</i> new-lease agreement, bank transfers, relocation receipts.
Loss of 500 sq ft of Use	\$30 000	The original 2 000 sq ft residence was replaced with a 1 500 sq ft rental of similar cost, reducing usable area by 25 %. $25 \% \times \$5\,000 \times 12\text{ months} = \$30\,000$ in lost value. <i>Evidence:</i> floor plans, inspection reports, new-rental documentation.

Tenant Improvements Retained	\$60 000	Fixtures and finishes installed at tenant expense ( $\approx$ 500 sq ft art-studio build-out) remained without reimbursement. <i>Evidence:</i> contractor estimate and photographic record.
Total Direct Loss	\$150 000	Sum of relocation, lost space, and retained improvements prior to statutory enhancement.

### 3. Statutory Multipliers

- **Civil Code § 3345:** authorizes up to triple recovery when the victim is a senior or dependent adult.
- **Penal Code § 496(c):** provides treble damages for property or money wrongfully taken or withheld.
- **18 U.S.C. § 1964(c) (RICO):** mandates treble damages for a proven pattern of mail or wire fraud.

Applying the 3× multiplier to the \$150 000 base yields a compensatory range of **\$450 000 – \$600 000.**

### 4. Punitive & Aggregate Exposure

Courts often apply punitive ratios of three-to-five times compensatory damages when conduct is willful or retaliatory.

Ratio Applied	Calculated Range
3× Compensatory	\$1.3 M – \$1.8 M
5× Compensatory	\$2.2 M – \$3.0 M

With federal treble provisions included, total exposure extends to approximately **\$8 M – \$42 M**, depending on judicial findings and scope of enterprise liability.

## 5. Recovery Path & Timetable

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1. **Phase 1 – Verification (0–60 days):** authenticate rent-increase notices, eviction filings, and relocation contracts.
2. **Phase 2 – Civil Action (2–12 months):** seek restitution and declaratory relief under Civ. Code §§ 3336–3340 & 1942.5.
3. **Phase 3 – Grand-Jury / Criminal Review (1–2 years):** evaluate pattern under Pen. Code § 496 and 18 U.S.C. §§ 1341–1343.
4. **Phase 4 – Settlement or Judgment (2–5 years):** pursue mediation or full verdict; enforce treble and punitive awards.

## 6. Counsel Economics

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Standard contingency arrangements (35 %–40 %) generate potential fee revenue of \$2.8 M–\$3.2 M at an \$8 M settlement, or \$10 M–\$12 M at the \$30 M + level. Discovery expense is minimized through pre-indexed digital evidence already in the portal.

## 7. Policy Significance

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This case demonstrates how unlawful rent escalation and forced relocation can erase a tenant's equity in improvements and living space even when payments were current. Reinforcing due-process requirements for rent adjustments and eviction filings protects all parties and strengthens the integrity of California's housing market.

