

Silverstein Evictions for PHAT-TRAN

January 22nd, 2024

Statement of Damages and Enhancements

Created by AI on January 13, 2025. This document is intended to summarize damages and legal considerations based on California tenant laws. All information should be verified for accuracy.

1. Moving Costs

Details: Costs incurred due to eviction.

- Rental Truck: \$542
- Gas: \$114
- Labor: \$1,400
- Supplies (boxes, tape, blankets): \$444

Total Moving Costs: \$2,500

2. Unreturned Deposits

Details: Funds paid but not returned by the landlord.

- House Deposit: \$5,000
- Rent Paid Through August 1st: \$5,000

Total Unreturned Deposits: \$10,000

3. Medical Costs

Details: Cardiologist visits and tests due to stress and anxiety caused by landlord actions.

- Medical Expenses: \$2,000

Total Medical Costs: \$2,000

4. Psychological Therapy Costs

Details: Therapy to address anxiety and stress caused by eviction.

- Sessions: 20 at \$250/session

Total Therapy Costs: \$5,000

5. Mold-Related Damages

Details: Compensation for exposure to mold, which rendered the property partially uninhabitable.

- Monthly Rent: \$5,000
- Percentage Due to Mold (15%): \$750/month
- Duration: 30 months

Total Mold-Related Damages: \$22,500

6. Fraudulent Depreciation Claim

Details: Landlord falsely claimed the full cost of carpet replacement, ignoring California depreciation standards.

- Carpet Replacement Cost: \$3,000
- Proper Depreciation (50% for 30 months): \$1,500
- Fraudulent Claim Amount: \$1,500

Total Depreciation Claim Damages: \$1,500

7. Unlawful Rent Increase

Details: Landlord increased rent from \$5,000 to \$7,500, violating California's Tenant Protection Act (AB 1482).

- Maximum Allowable Rent (2024, 8.9% Increase): \$5,445/month
- Unlawful Portion: $\$7,500 - \$5,445 = \$2,055/\text{month}$
- Duration: 36 months

Total Unlawful Rent Increase: \$73,980

8. Senior Status Enhancements

Details: Increased damages due to harm caused to senior tenants (62+ years old), protected under California law.

- Enhancement: 10% of subtotal damages (\$117,480)

Total Senior Enhancements: \$11,748

9. Punitive Damages

Details: Based on landlord's fraud, forgery, and malice, calculated as 3-6x actual damages.

- Subtotal Before Punitive: \$117,480
- Punitive Damages (3-6x): \$352,440-\$704,880

Grand Total Damages:

- Without Punitive Damages: \$129,228
- With Punitive Damages: \$481,668-\$834,108