

Mark Bass sits in his apartment at University Park North in San Francisco, Calif. (Jesus Arriaga Xpress Magazine)

LEGAL LOOPHOLE ALLOWS UNIVERSITY TO SEND EVICTION NOTICE

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MARK BASS HAS BEEN A TENANT WITH UNIVERSITY HOUSING FOR 15 YEARS AND LIVES WITH CEREBRAL PALSY. WHEN HIS ROOMMATE LEFT TO SEEK LONG-TERM MEDICAL CARE, HOUSING SAID HE HAD TO GO TOO

When Mark Bass found his 80-year-old roommate unconscious on the floor of their SF State housing apartment, he didn't think it would be the spark that would lead to his eviction notice. Instead, Bass, who was born with cerebral palsy, called 911. After first responders arrived, his roommate never returned to the apartment and instead had to seek full-time medical care.

That was March 2024. Four months later, Bass was served with an eviction notice. He had 30 days to leave the apartment that he had lived in for 15 years. After his roommate left, Bass took on paying both portions of rent so he could continue living there. But that wasn't enough.

According to his eviction letter, Bass does not qualify as a legacy resident. The California State University system campuses house students, faculty and legacy residents –– defined as an individual who was residing on the premises at the time CSU purchased them, according to Bass's eviction letter.

The eviction notice goes on to state Bass' roommate was the legacy resident, not Bass, making him ineligible to continue his occupancy. Furthermore, it says the CSU is not governed by the San Francisco Rent Board's just cause eviction requirements.

Kent Bravo, the Media Relations Specialist for the university, initially stated that SF State had not filed an eviction against Bass. This was later clarified by the Director of Communications, Bobby King.

"The distinction is that SF State isn't a separate legal entity. It's part of the CSU," King stated in an email.

King said Bass isn't a legacy tenant, but his rights are affected by the legacy tenant who has no further plans to live in the unit.

"As a result, Mr. Bass has to be given notice," King stated in an email. "But there are people who are working with Mr. Bass to try to find a solution which will work for everyone."

Despite paying his full rent on time, Bass said the university would not accept his funds. His cashier's checks were cashed by the university then subsequently returned to him as corporate checks, according to Bass.

"I don't have any animosity toward the university," said Bass. "I don't know why they're doing this. I would just like to be left alone and go back to my life."



Red tape covers damaged areas in Mark Bass' apartment at University Park North in San Francisco,Calif. (Jesus Arriaga/Xpress Magazine)

He said the university also deleted his online payment portal.

"They shut it down," Bass said. "They won't even let me do it [pay rent] electronically."

Robert Allen, lecturer in SF State's Department of Public Health, who also works as a policy advocate for housing issues, said Bass is part of the SF State community. Allen stressed the issue of housing.

"There's a housing crisis in the Bay Area," said Allen. "It's the most salient, most attention getting political issue."

Allen pointed out that this is even a national issue on Kamala Harris' agenda. Harris' campaign website lists affordable rent and home ownership attainability as one of her issues.

"I expect the university to, in a housing crisis, do better," he stated.

Allen said he does not approve of the university behaving like a corporate landlord.

"That's not who we are," Allen stated. "That's not who the university is."

Myrna Melgar, San Francisco's District 7 Supervisor, wrote a letter of support for Bass to the university where she asked SF State to negotiate with him. She stated in her letter that San Francisco has an affordable rent crisis and disabled tenants on fixed incomes, like Bass, are the ones who will suffer the most by the housing crunch.

"Recently, a representative from SF State reached out to our office to say that there was a

high rate of vacancies in your complex and you were seeking solutions to fill the units," Melgar stated in her letter. "It is a contradiction to be seeking to fill empty units while also attempting to evict non-problematic tenants who have always paid on time."

Jennifer Fieber, a legislative aide for Melgar's office, said the CSU did not have to oblige by the San Francisco Rent Board ordinances, but they did. However, they agreed to do this for legacy tenants only, according to Fieber.

"If he is able to show that he was always there, they knew he was there, they collected rent from him directly, which they did, and he also has a deposit with them, these are all things that could legally establish your rights," Fieber said. "So that would be the foundation of this case."

At the time of this reporting, Bass said his security deposit has not been returned to him and he is still residing in the apartment.

Bass filed complaints with both the San Francisco Human Rights Commission and the Civil Rights Division.

Matthew Oglander, Bass' assigned investigator and mediator with the San Francisco Human Rights Commission, said the SFHRC performs in a neutral role in order to complete fair investigations.

"Our office is a local department of the city and county, and we are tasked with enforcing certain ordinances for nondiscrimination at the local level," Oglander stated.

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He said that he explained to Bass there were a few different things he could do, such as the formal complaint process through the California Civil Rights Department.

"I also explained to him that there are some jurisdictional limitations that affect what a local department like ours can do with respect to a state agency like the CSU," Oglander said.

He also offered to contact the university to offer mediation services, which is voluntary for both sides, according to Oglander.

Bass accepted the mediation service, according to Oglander, but the university did not.

"It [the university's response] essentially said that they were not interested in participating in mediation with us," Oglander said. "They said they were already working with Mark and the other tenant that he resides with, and they emphasized that the other tenant would need to give consent for any alterations or modifications to the unit in order to address Mr. Bass's concerns."

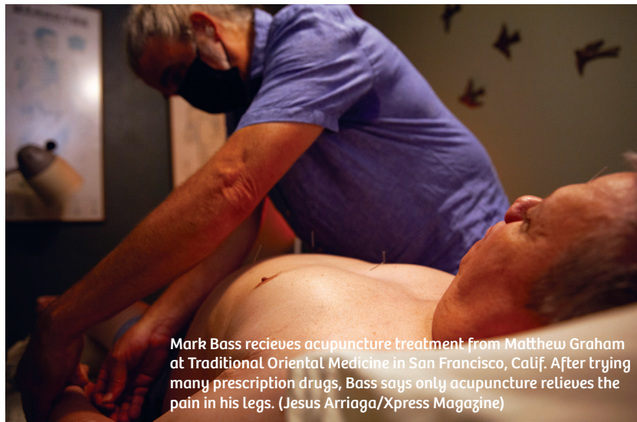
Oglander said the University Housing representatives also emphasized that, because they are a state agency, they do not have to answer to local governments as far as any sort of regulation is concerned.

"That essentially meant that our office would not have authority to pursue any complaint or any sort of formal investigation," Oglander said. "And that is something that we've encountered before in the past when we've offered mediation with SF State, that they typically take that position."

Oglander emphasized that what his office can do in any particular situation depends on who is involved, so when it comes to the SF State's University Housing, there are certain limitations.

"If it's private housing or if it's housing by a city-subsidized, non-profit agency, the parameters are different," Oglander said.

Attorneys from Gordon Rees Scully Mansukhani law firm, who sent Bass' eviction notice, were unable to be reached for comment after multiple attempts. Representatives from University Housing did not respond to multiple email requests for interviews.



Mark Bass recieves acupuncture treatment from Matthew Graham at Traditional Oriental Medicine in San Francisco, Calif. After trying many prescription drugs, Bass says only acupuncture relieves the pain in his legs. (Jesus Arriaga/Xpress Magazine)