



Serving the Silver Lake Community Since 2003

P.O. Box 26385
Los Angeles, California 90026

Phone 323-413-SLNC (7562)
Email board@silverlakenc.org
www.silverlakenc.org

Co-Chairs

Heather Carson
Anne-Marie Johnson
Jerome Courshon
Patty Jausoro
Scott Plante

Vice Chair

Treasurer

Secretary

July 7, 2016

The Los Angeles Police Commission
100 West 1st Street
Los Angeles, California 90012

VIA EMAIL

Re: 2810 N. Hyperion Avenue
Tenants of the Trees/Out of Order Bar

Permit Type: Café Entertainment/Show
Permit Number: 000274970100019P519

Permit Type: Dance Hall
Permit Number: 000274970100019P529

To The Honorable Members of the Los Angeles Police Commission:

On July 6, 2016, the Silver Lake Neighborhood Council (SLNC) unanimously voted to ask that your Commission **not approve** a Café Entertainment/Shows P519 permit request from Tenants of the Trees/Out of Order Bar, located at 2810 N. Hyperion Avenue.

After nearly ten (10) months of exhaustive committee, community, and Governing Board meetings, the SLNC concluded that Tenants of the Trees/Out of Order has negatively impacted the quality of life for many of our residents and neighboring businesses due to the following:

- A lack of proper business management.
- Complete disregard for city ordinances and California Alcohol and Beverage Control guidelines.
- Building and Safety requirements have been ignored.
- Americans with Disabilities Act mandates have been disregarded.
- A lack of basic common decency towards our community.

The SLNC Governing Board realizes that any support for Tenants of the Trees/Out of Order, from our board or any other city agency and/or department, would be a disservice to our Silver Lake neighborhood. We have received numerous complaints from residents and business owners, both in writing and in public comment at multiple community meetings. Letters are attached which detail the experiences common to all business and residential properties in the vicinity of Tenants of the Trees/Out of Order.

Further, The Los Feliz Ledger has also reported that multiple patrons have been roofied at Tenants of the Trees/Out of Order. This kind of activity not only endangers patrons and community members, but



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is criminal. Link: <http://www.losfelizledger.com/article/patrons-report-being-roofed-at-silver-lake-bar/>

The Silver Lake Neighborhood Council has been in existence since 2003, and represents over 40,000 residents. Our Governing Board asks that your commission take our unwavering position on Tenants of the Trees/Out of Order under advisement when making your decision regarding the applicant's permit requests.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Scott D. Plante".

Scott D. Plante
SLNC Board Secretary
On behalf of the Silver Lake Neighborhood Council
Scott.Plante@silverlakenc.org

Attachments

cc: Councilmember David Ryu, Council District 4
Captain Arturo Sandoval, LAPD Northeast Division
Mr. Elvin Wheeler, LAPD Police Commission
Det. LaDonna Cissell-Day, LAPD Police Commission Investigation Unit
Det. Fernando Carrasco, LAPD Northeast Division
Ted A. Ries, Los Angeles Department of Building and Safety
Gabrielle Taylor, Northeast Neighborhood Prosecutor
Supervisor Will Salao, LA Metro District Office

LAW OFFICES OF
CHARLES E. RUBEN, ESQ.

SUITE 1840

11111 SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90025-3333

TELEPHONE
(310) 445-4101

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(310) 445-4108

CHARLES E. RUBEN

Charles@CharlesRubenLaw.com

July 6, 2016

VIA E-MAIL

kawalkid@earthlink.net

Ms. Anne-Marie Johnson

Re: Tenants of the Trees Motions to be Heard on July 6, 2016, at 8:00 p.m. Before
the Silver Lake Neighborhood Council

Dear Anne-Marie:

I feel it is very important that I write a letter to the Silver Lake Neighborhood Council on behalf of my client, The Lew Living Trust dated February 26, 1985, by and through its Trustee, Frumeh Labow.

The Trust owns the real property more commonly known as 2800 North Hyperion Avenue, Los Angeles, California 90027. This is commercial property. The tenants are store owners and operate their businesses there.

Ever since the Tenants of the Trees ("TOT") moved into the real property more commonly known as 2810 North Hyperion Avenue, Los Angeles, California 90027, my client and its tenants have had nothing but problems with the TOT. The real property in which the TOT is located is owned by Monte Overstreet. The problems my client and their tenants have experienced and continue to experience include, but are not limited to the following:

1. The driveway to TOT's real property, and to The Trust's property, are parallel to each other, that is adjacent, and have no separation between the two driveways. Many times customers and vendors for TOT, block the driveway which prevents my client from having ingress and egress to its property.
2. The customers of TOT come onto my client's property at night and dump trash and garbage everywhere.
3. The TOT employees as well as its customers have urinated and defecated on my client's property.

Anne-Marie Johnson
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4. The TOT and its customers trespass on my client's property at night, without consent or permission.
5. Many times TOT would park their vehicles, or their customers would park their vehicles causing extreme difficulty, if not a complete stoppage of ingress and egress on my client's real property, which causes problems for my client's tenants.
6. TOT play their music above the maximum decibel level, and in violation of the LAMC and there are complaints from the neighbors who live close to the location of TOT.
7. For a period of time one of the owners of TOT was parking his automobile on my client's real property. When my client's tenants complained, the employee of TOT got a Handicap Placard or permit, and would park his vehicle all day in the one Handicap spot on my client's real property.
8. The prior owner of the premises where TOT is located, never built a wall between the two properties at anytime whatsoever. However, the current owners of TOT have built a wall right up to the property line next to the Handicap parking space on my client's property. It is the only location on my client's property that will allow for a Handicap spot which would be helpful to anyone who is handicapped. If it is changed to any other spot on my client's property, it would be impossible for a handicapped person to get in and out of the parking space. The wall makes it more difficult for handicapped persons to get in and out of their automobile.
9. TOT was required to have seven (7) parking spaces on its real property, however, what TOT did was build a fence across their driveway, into the back area where the seven (7) spaces are located, and are now seeking to expand their bar into the back area in the rear. It took away all the parking spaces and they are now in violation of the LAMC. In fact, at one point TOT represented to this Silver Lake Neighborhood Council that they had sixteen (16) parking spaces, which is totally false. TOT has no parking spaces whatsoever.
10. My client's tenants are complaining because they are losing business because of the conduct of TOT and its customers and employees.

Anne-Marie Johnson
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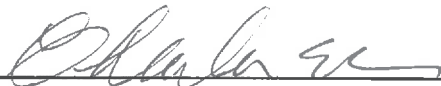
11. TOT on many occasions has trucks come onto their property on their driveway, which are commonly known as "Roach Coaches" and serve food in their driveway to customers of TOT. When they serve food to the customers of TOT, they do so into the night, and these customers trespass on my client's property in which they dump all the garbage from their food, as well as drinks, and other forms of garbage.

These are just some of the difficulties that my client has been experiencing, for which I have been retained to find solutions. Therefore anything the Silver Lake Neighborhood Council can do to alleviate some of these problems would be greatly appreciated by the Trust that owns the real property.

Thank you for taking the time to consider my client's complaints and difficulties with TOT.

Sincerely,

LAW OFFICES OF CHARLES E. RUBEN

By  _____
Charles E. Ruben, Attorney for the Owners
of 2800 North Hyperion Avenue, Los Angeles,
California

CER/mmg

cc: Frumeh Labow, Trustee

Mr Wheeler,

I am writing you in regards to the permit trying to be obtained from Tenant of the Trees. I would like to express my extreme opposition to this permit. I have lived at 3020 Rowena Ave for over 2 years and am the person who has brought the nuisance complaint to the Silverlake City Neighborhood Council back in September of last year. Until this bar opened I never had any problems and they completely destroyed my quality of life with the noise coming from the back patio of their bar, sometimes even past 3 in the morning. I made numerous complaints to the LAPD and the noise never got better. I am moving out of my apartment this month due exclusively to the disturbances that this bar had caused me which is extremely upsetting as I love the neighborhood and am giving up a rent that is far below all other units in the area. I really feel like I was bullied out of my home due to this establishment. The owners have gone to the city council meetings where I have played recordings of how loud their decimal levels are in my bedroom and they never did a single thing to lower the volume even after they promised me to my face that they would. I never had a noise problem when MJ's was located at the address. Thank you for your time and consideration. I hope for the sake of my neighbors that this permit gets rejected.

Sincerely,
Jamie Collelo
Apt 307

Hello Mr Wheeler,

My name is Steve Rosolio, and I live and on Rowena Ave as well as work at a local business on the same street. My apartment faces Hyperion Avenue, and unfortunately towards Tenants of the Trees located 2810 Hyperion Avenue Los Angeles, CA 90027. I ask as a neighbor (I can see and hear the establishment from my window) that no further permits are granted to Tenants of the Trees.

I know this sounds incredibly cliché, but it was a nice quiet place to live before the above bar opened. They are loud, discourteous, and rude. I went to multiple Silver Lake Council meetings to speak against the noise levels constantly heard from the bar. The music has been quieter, but is in no way tolerable. They posted a number outside the bar for locals to call after hours, but when and more importantly IF they answer the caller is greeted with rudeness.

Please, please, please do not grant them any further permits. I have nothing against new bars, restaurants, or any other form of business in my neighborhood. My issue with Tenants of the Trees is the rude owners and obnoxious levels of noise.

Thank You for your help and service.

-Steve Rosolio

Hello,

I am writing to you in regards to Tenants of the Trees on Hyperion Avenue. I am writing to support Anne-Marie Johnson's move that the Silver Lake Neighborhood Council Governing Board send a letter to the LAPD Police Commission Board and any other city or state agency responsible for granting permits/licenses dealing with onsite liquor sales and live entertainment, requesting the Cafe Entertainment Permit request from Tenants Of the Trees/ Out Of Order Bars not be granted.

I have lived at 3020 Rowena Avenue for over 8 years, and nothing has disturbed the peaceful neighborhood nearly as much as Tenants of the Trees. The bar can be heard from my apartment with the windows closed. The noise gets louder and louder as the evening goes on, usually reaching its peak at 1:00 am. At 1:00 am, a local bar should be quiet and respectful of its neighbors. They promised the Silverlake Council and local residents to post a phone number where the owners can be reached after hours. This sign has since been taken down after less than 6 months.

They have routinely made promises and not kept them. The building has no roof, yet they claim to be trying to reduce the noise coming from the bar. I walked by the bar at MIDNIGHT July 3, and the noise could be heard from as far as the Rowena / Hyperion corner.

PLEASE, I beg, do not grant them any further permits. Please help in getting these applications dismissed.

Thanks,
Steve Rosolio

Dear Mr. Wheeler,

I am a resident of 2951 Angus street and continue to be severally impacted by the noise coming from the bar's outside patio.

All the houses on Angus behind the bar are less than 500 feet away from TOT and have been dealing with broken promises from the owners about not having any outdoor entertainment or crowds of drunk people screaming and cursing on the patio.

The owners showed up at the Silver Lake Neighborhood Council meeting and they made empty promises to everyone present - not to have live entertainment on the patio and promised to have entertainers only inside in a sound proof area. They left the meeting and since that time, they continue to have amplified outdoor comedy shows and raucous private parties on the patio whenever they are booked up in their sound proof room or have more patrons than that small room can hold.

At a second SLNC meeting the owners were asked to attend, they lied again with a straight face and now said they were putting up a sound proof wall on the outside but promised there would be no outdoor activities on the patio. There's no effective soundproofing and the noise from the screaming guests and music continue.

This neighborhood has a large number of very young pre-school and elementary school age kids and working adults who don't appreciate the noise and disrespect these owners continue to show their neighbors in Silver Lake.

The bar is literally only feet away from Residential houses (in R1 zoning) with working men, women and children that need to go to sleep well before 2pm and we all are continually accosted by the overwhelming, noise. music and live entertainment from their outdoor patio space and the doors to the patio being left open.

Please do not approve this permit as the notice emanating from TOT is already more than a hardship to the working families that live in this R1 zoned neighborhood.

Thank you.

Sincerely,
Michele Kuraner

Dear Mr. Wheeler,

My husband and I are the owners of the property at 2945 Angus St. which **directly** borders the bar "Tenants of the Trees" located on 2808 Hyperion Ave. We bought our property little over a year ago. It was a beautiful and tranquil parcel. We could see the commercial buildings on Hyperion but the bar was not operating at the time.

My husband and I have worked hard and saved money all our lives, and dreamed of building a home for us to retire in, to enjoy our family and grandchildren. As we started construction it came to our attention that a bar, also advertised as a night club, had opened.

Since we are close to completing our construction, we have been coming to the property every evening, only to realize that the loud noise of music, drunken crowds screaming, laughing, yelling etc. basically crushed our vision of retirement. Needless to say we are extremely concerned with this effecting our lives.

A few days ago we noticed that the owners of the bar are expanding in the back area, and are building, in addition to the stage, another covered area where their parking (handicap) used to be. That means even MORE NOISE and dirt and drunk people screaming, yelling, cursing, and food trucks that come after midnight, and drunk people trying to climb the hill where our home is. On weekends the back area is extremely crowded with people, loud with amplified music and shows on the stage they had built.

All this means that we are not going to be able to spend time in our back yard, or to have company in the evenings. or even open our windows.

Shouldn't the bar have soundproofing when directly adjacent to R1 zoning? Isn't there a law prohibiting the kind of noise coming from the bar and the open area behind the bar until way after 2AM and 3AM? Are they allowed to play loud music in their area designated as parking? Can food trucks come after midnight to cater to the crowds?

We are extremely upset and angry that the City of Los Angeles has given permits and is considering giving other permits to this bar/night club. I had always thought the City is supposed to protect its people. This bar should be ordered to close.

Please help us in stopping this bar from severely damaging our lives.

Thank you,
Varda Stern
Jehouda Arad
2945 Angus St.
818-254-5201

Hello my name is Arman Hakopyan and I own the shoe repair business next to Tenants of the Trees. I really cannot complain much about noise because we close at 6:30pm and they open at 8pm but i wanted to add how much trash(empty drink glasses, beer cans, cigarette buds) i find in front, in back and even in the driveway that we both share. I have personally swept the driveway, sidewalk and even the curb just to keep it clean. Being born and raised in this neighborhood i know for a fact that my neighborhood has never been so filthy. It is my opinion that adding another venue to the bar scene will make it even more filthy than it is now.

Thank you.

Arman Hakopyan

I cannot attend the meeting tonight, but would like to express my displeasure with the Tenants of the Trees bar on Hyperion Ave. I live behind the bar (3020 Rowena Ave #211) and it is very loud every night. I can't have my windows open at night because the music and people screaming is so loud it sounds like I am there. Even with my windows closed the music is obnoxiously loud until 2am. One night last week the music was so loud, it woke me up and I thought someone had put a shoe in the dryer in the laundry room- no exaggeration.

I hope something can be done about this place- not only is it loud every single night of the week, there are tons of people blocking the side walk, cigarette butts everywhere and I've seen people urinating in the dry cleaner parking lot and on Rowena Avenue on separate occasions.

Thanks for reading this and feel free to contact me any time.

Thanks,

Brendon Walsh

512 576 6462

(323) 284-8442 | 2804

2804 Hyperion Ave,
Los Angeles, CA 90027

May 27, 2016

Silver Lake Neighborhood Council

To the members of the Silver Lake Neighborhood Council,

We are writing a letter of complaint in regards to "The Tenant of the Trees" and their continuing disrespect of the adjoining businesses, including our own "What the Fish"

There are now broken bottles regularly welcoming the adjoining businesses most mornings following one of "Tenant of the Trees" opening. Though we are aware that they are not responsible for the behavior of individuals, these people are clients of theirs, and they should have security patrolling the exterior of the club to ensure this sort of thing doesn't happen.

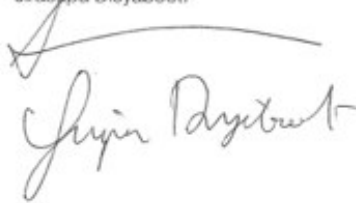
Also, food trucks continue to park in the alleyway/driveway at night, and the mess left behind, by both the trucks, and the clients from "Tenant of the Trees" is unacceptable.

Their continued disregard for their neighbors is disrespectful and not in step with the spirit of Silver Lake and our community.

Sincerely,

Thaweesak V. Ramsuta

Jirasupa Disyaboot.



A handwritten signature in black ink, appearing to read "Jirasupa Disyaboot", is written over a horizontal line. The signature is cursive and somewhat stylized.

Date: June 15, 2016

Dear Anne-Marie Johnson,

My name is Leyen Lim and I am an optometrist with a practice in Silver Lake for over 14 years. Last year in March, we moved across the street to 2814 Hyperion Ave, located right next door to a bar known as Tenants of the Trees. I am writing this letter because I am appalled by the defacement and disregard for our neighborhood by the owners of Tenants of the Trees.

Since we have been here, we have experienced vandalism on a daily basis. Each morning, our office building and street front are littered with cigarette buds, beer bottles, plastic cups and trash. Our planter has continually been trampled on. Human waste such as vomit and urine can be found on our walls and sidewalk in front of our building. The amount of trash and human waste are alarming and they posted a health and environmental concern. Each morning we are forced to clean up after the Tenants of the Trees. The majority of the trash gets washed into the gutter as we are forced to hose off the vomits on our walls and sidewalk. Instead of cleaning up after themselves, the owners of Tenants of the Trees built large walls, which acted as a façade for their storefront. These walls enclosed their building and business from the vandalism caused by their patrons.

Having a practice in Silver Lake, I take pride in being a part of this friendly and beautiful neighborhood. These are characteristics that defined Silver Lake. My hope, by reaching out to you with this letter, is for a change to the way The Tenants of the Trees are allowed to operate their business. I am asking for more accountability from the owners of Tenants of the Tree to their neighboring businesses and residents.

Thank you for reading my letter regarding my concerns

Sincerely,

Dr. Leyen Lim

To The SLNC.

I am writing due to the fact that the Police Commission is allowing a hearing in regard to The Tenants Of The Trees and their application for a cabaret license. I do not think it is in the best interest of the neighborhood to grant them the cabaret license due to ongoing problems and issues.

The neighborhood is still having problems with awful behavior from it's clients, especially after closing hours. It is not unheard of to have to deal with mornings where vomit, trash, and even signs of public urination greets the areas neighbors. Not to mention the noise level and disruptions caused after hours as well. It has been reported time and time again that after Tenant Of The Trees closes, customers can be heard screaming, running around, being loud and unruly, and causing general mayhem in the neighborhood. This should not be tolerated or allowed, and issuing Tenants Of The Trees a cabaret license will only make this issue worse.

Please take the existing neighborhood and its residents into consideration, they are what makes Silver Lake the unique, beautiful, and amazing neighborhood it is, and it would be a shame to destroy it.

Thank you
Glenn Harrell
Owner
Say Cheese Los Angeles
323-665-0546