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Report 24-0005

July 11, 2024

To: Board of Commissioners
El Pueblo de Los Angeles Historical Monument Authority

From: Arturo Chavez, General Manager
El Pueblo de Los Angeles Historical Monument

Subject: Issue 30 -day notice to Richard Hernandez to quit P-4 and authorizing eviction.

Summary:

Concession agreement C-119092 executed on June 15, 2011 by Ms. Maria Trancito Hernandez the sole signatory for space P-4 ended upon the passing away of Ms. Hernandez on April 16, 2024.

Mr. Richard Hernandez the manager for P-4 was informed that the lease terminated by its own terms and was sent a notice on May 9, 2024 that he would need to vacate the premises by May 16, 2024.

Background:

Maria Trancito Hernandez attended a meeting on October 9, 2019 with El Pueblo's previous General Manager to request the addition of Richard Hernandez se (son) and Patricia Hernandez (daughter) to the concession agreement.

In a letter dated October 19, 2019 from the General Manager to Ms. Hernandez there were concerns about adding Mr. Richard Hernandez to the agreement based on a "record of non-payment of rent, inconsistent business insurance, aggressive and threatening behavior and making false accusations against city staff and merchants". There was an agreement to place Mr. Hernandez on a one- year probation per Mr. Hernandez's recommendation.

The following year, 2020, COVID -19 engulfed the nation and Olvera Street was closed. Staff have no further records about the proposed amendment to the lease and the lease was never amended.

The aggressive behavior that prompted the probation period for Mr. Hernandez continued after October 2019 and through 2023. In addition, under Mr., Hernandez management of the business, rent was not paid on time, required liability insurance lapsed, and no rent was paid for over a year.

Mr. Hernandez has not vacated the premises as required under the concession agreement and continues to operate a business on Olvera Street.

Recommendation:

Because Mr. Hernandez has not adhered to the terms of the concession agreement which terminated on its own terms and has refused to vacate the premises. It is recommended that the board authorize the issuance of a 30-day notice to Mr. Hernandez to quit P-4 and authorizing eviction thereafter if necessary to regain possession of the premises.