

HARMON SIEFF

A LAW CORPORATION
15760 VENTURA BOULEVARD #700
ENCINO, CALIFORNIA 91436
Telephone: (818) 986-4563
Facsimile: (818) 986-4780
E-mail: SieffLaw@aol.com
Web: www.SieffLaw.com

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1. Employee Injury

A pedestrian died when hit by a truck while returning to work and his family sued his employer. The Worker's Compensation System is the exclusive remedy against an employer for work injuries - with some exceptions - but here, none applied, so the Court case was dismissed.

2. Consumer Rights

A judgment creditor cannot foreclose on a debtor's principal residence to satisfy a "consumer debt" except under very special circumstances. The purchase of a recreational boat was considered a "consumer purchase" and the foreclosure was disallowed.

3. Hospitals

Unpaid hospital bills create an automatic lien against any monetary settlement received by the non-paying patient from a third person. Where an insurance company delivered a settlement check payable to the hospital and the patient, it violated the lien law.

4. Apartments

After a landlord evicted many rent controlled tenants on the "stated" basis that it was removing the buildings from the rental market, it promptly listed the vacated units on Airbnb which is a "rental market". A class of former tenants was allowed to sue the landlord for violating the rent control law.

5. Disability Discrimination

Blind individuals sued a website as a "place of public accommodation" which provided no "accessible" screen reading software for the unsighted. The website won because the discrimination act applies only to physical locations.

6. Land Use

A citizens group sued AIRBNB for accepting rental listings in California's "coastal zone" as an unpermitted coastal development, but lost, because a short term rental is not a per se "development" under the California Coastal Act.

7. Abuse

The law defines "domestic abuse" to include efforts to control, regulate, or monitor a spouse's finances, movements, or access to communications. In such cases, a restraining order against the abusing spouse is appropriate.

8. Current Cases

This month our office is representing commercial landowners with clouded title and easement problems; defending another accused of real estate fraud; prosecuting one insurer for failure to cover an insured claim and another for damages for wrongful death; and assisting other commercial and private clients.

This practice serves as a "lawyer of first resort", or "primary care attorney", advocating for small businesses and individuals with transactions and disputes, including accident victims by referral only. We specialize in personalized client service. If we can be of any assistance with your legal issues, consider contacting us as soon as a question is identified. Your recent referrals have been greatly appreciated.

Remember: Preventative lawyering is the most effective kind.

Sincerely,



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