

1 Timothy J. Tatro, Cal. State Bar No. 175633
Peter A. Zamoyski, Cal. State Bar No. 185579
2 TATRO & ZAMOYSKI, LLP
12264 El Camino Real, Suite 400
3 Del Mar, CA 92130-3063
TEL: (858) 244-5032
4 FAX: (858) 847-0032

5 Attorneys for Plaintiff
DE ANZA COVE HOMEOWNERS
6 ASSOCIATION, INC.

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN DIEGO**

10 DE ANZA COVE HOMEOWNERS
ASSOCIATION, INC., a California non-profit
11 corporation,

12 Plaintiff,

13 v.

14 CITY OF SAN DIEGO;
DE ANZA HARBOR RESORT AND GOLF,
15 LLC, a California limited liability company;
and DOES 1-100, inclusive,

16 Defendants.
17

Case No. GIC 821191

**DECLARATION OF GARY LONDON
OF THE LONDON GROUP REALTY
ADVISORS, INC. IN SUPPORT OF
PLAINTIFF'S REQUEST FOR A
TEMPORARY RESTRAINING ORDER
AND FOR PRELIMINARY
INJUNCTION**

18 I, GARY LONDON, declare that:

19 1. I am the president of The London Group Realty Advisors, Inc. I make this
20 declaration based upon personal knowledge and would and could competently testify hereto in
21 court if so requested.

22 2. I am a real estate analyst and consultant with decades of experience in the San Diego
23 real estate market. Our company is located at 825 10th Avenue, San Diego, California 92101.
24

25 Professional Background and Experience

26 3. I earned my Bachelor of Arts from the University of California-Berkeley in Political
27 Science/Economics in 1974. I then earned a Master of City Planning from San Diego State
28 University in 1976.

1 4. I was a City Planner for the City of San Diego from 1975 to 1976. I was an Urban
2 Planner for the San Diego Chamber of Commerce from 1976 to 1977. During the period from
3 1978 to 1985, I was the Executive Vice President of the Goodkin Group. From 1985 to 1987, I was
4 the Director of Real Estate Advisory Services for the firm, Laventhol & Horwath. And before I
5 started my real estate consulting firm, I worked from 1988 to 1991 as Price Waterhouse's West
6 Region Director of its Real Estate Consulting Group.

7 5. My real estate consulting experience includes investment and development
8 consulting. On the investment side, projects have included apartments, retail centers, office,
9 industrial, and mixed use projects. On the development side, my experience includes large scale
10 residential developments, office buildings, industrial properties and hotels. Clients include major
11 corporations, financial institutions, small businesses, individual developers, investors and public
12 agencies. Projects include financial feasibility and market economic analysis for acquisition and
13 disposition, strategic and business planning, portfolio analysis, mixed use assessment, litigation
14 consulting and work-out programs, deal and lease negotiations.

15 6. I have had articles published and have been quoted in Professional Builder, Builder,
16 California Land, California Business, New York Times, Los Angeles Times, San Diego Union
17 Tribune, San Diego Daily Transcript, San Diego Metropolitan Magazine, Real Estate Securities and
18 Capital Markets, and the San Diego Business Journal. Radio and TV appearances have included:
19 channel 39 KNBC, channel 10 KABC, Channel 8 KFMB, Channel 9 KUSI, 1000 AM KCEO, 1130
20 AM KSDO, and 89.5 FM KPBS.

21 7. I have testified before the U.S. House of Representatives, Committee on Banking,
22 Finance and Urban Affairs. I have also been invited to speak to the National Association of Home
23 Builders (NAHB), Pacific Coast Builders Conference (PCBC), International Council of Shopping
24 Centers, (ICSC), National Association of Industrial & Office Parks (NAIOP), Industrial
25 Development Research Council (IDRC), UCLA Extension Courses, and numerous real estate and
26 building industry functions and service clubs.

27 8. I am an Instructor at the University of California-San Diego in the Extension
28 program, teaching courses in Investment and Development Feasibility and Real Estate Economics.

1 I am a Member of the Development Advisory Committee for UCSD Extension and am a Member
2 of the Board of Directors of the San Diego Chapter Urban Land Institute (ULI). I was formerly a
3 Member of the Board of Directors for Partners for Livable Places/San Diego and the San Diego
4 Apartment Association.

5
6 Summary of Opinions from Market Analysis

7 9. I am familiar with the current state of the availability of housing accommodations
8 available in San Diego County and in the City of San Diego. I have prepared a comprehensive
9 demographic and residential analysis report—a true and correct copy of which is attached hereto as
10 **Exhibit 1** and which is incorporated herein by reference—that objectively quantifies the present
11 availability of housing accommodations, and accessible housing accommodations, in the area
12 surrounding the De Anza Harbor Resort mobilehome park and also in San Diego County in the
13 event that the City proceeds with evictions of the residents of the mobilehome park. It is my
14 understanding that approximately 1,100 people reside at the mobilehome park in approximately
15 509 mobilehomes.

16 10. In the Primary Market Area, which is the nine communities surrounding the
17 mobilehome park, we determined that **there is only a 2.1% vacancy rate for rental apartments**
18 (11,643 units, only 247 units available). Due to the high percentage of elderly and disabled
19 residents at the De Anza Harbor Resort mobilehome park, we further determined the availability of
20 “accessible” units, which we defined simply as those units located on the ground floor or which
21 have elevator access. We did not inquire whether these units are actually considered accessible
22 within the meaning of the ADA. Of the available units, **only 130 units in the Primary Market**
23 **Area, or 1.1%, are either ground floor units or have elevator access.** It is our expectation that
24 the San Diego County vacancy rate will drop even lower in the coming months.

25 11. We also surveyed the for-sale condominium market to determine if this was a
26 feasible housing alternative. In the Primary Market Area, 209 units were available, but only 40
27 units were one-bedroom condominiums and 108 units were two bedroom condominiums. We were
28 not able to determine the accessibility of these units at this time. **The average listing sales price**

1 **for one-bedroom condominiums is \$280,642 and for two-bedroom condominiums is \$487,583.**

2 12. Based on the results of our market research, the high percentage of mobilehome park
3 residents who are elderly and disabled, the generally low to moderate income demographic of the
4 De Anza Harbor Resort mobilehome park residents, as well as the sheer number of people who
5 could be evicted in the coming weeks, it is my opinion that it will be quite difficult for these
6 displaced people to find adequate housing if they are evicted.

7
8 **Background of Data Compilation**

9 13. Our data for the Market Analysis Report was compiled generally as follows:
10 Demographic data was obtained from the U.S. Census website, targeting the particular geographic
11 area pertaining to the De Anza Harbor Resort mobilehome park located at 2727 De Anza Road.
12 Apartment data was obtained by searching our apartment database for apartment complexes with
13 50 units or greater in the surrounding communities by zip code. We found a total of 74 complexes,
14 of which we were able to directly speak with 60 apartments' staff over the telephone. The reason
15 we chose apartment complexes of 50 units or greater is because (1) larger apartments are more
16 likely to have staff on-site that are available to speak with, and (2) it is a manageable number of
17 apartments to survey in a limited time. Condominium data was directly obtained through the
18 Multiple Listing Service (MLS) by searching for all condominiums on the market in the
19 surrounding zip codes (one to four bedroom units). This data is identical to that submitted in the
20 report in the Appendix.

21
22 I declare under penalty of perjury under the laws of the State of California that the
23 foregoing is true and correct.

24 Executed on November 17, 2003 at San Diego, California.

25
26 
27 _____
28 GARY LONDON