

Bond Case Briefs

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BUSINESS IMPROVEMENT DISTRICTS - CALIFORNIA

Hill RHF Housing Partners, L.P. v. City of Los Angeles

Supreme Court of California - December 20, 2021 - P.3d - 2021 WL 5997247 - 21 Cal. Daily Op. Serv. 12,501

Landowners in proposed business improvement districts (BID) filed petition for writ of mandate and complaint for declaratory and injunctive relief against city challenging establishment of BIDs under Property and Business Improvement District Law.

The Superior Court denied relief. Landowners appealed. The Court of Appeal affirmed. Landowners petitioned for review, which was granted.

The Supreme Court held that landowners were not required to present specific objections to BIDs at public hearings for objections to later be heard on the merits in court.

Landowners in proposed business improvement districts (BID) were not required to present specific objections to BIDs at city council's public hearings in order for objections to later be heard on the merits in court via landowners' petition for writ of mandate and complaint for declaratory and injunctive relief challenging establishment of BIDs under Property and Business Improvement District Law; opportunity to comment on a proposed BID did not involve a clearly defined machinery for submission, evaluation, and resolution of complaints by aggrieved parties, constitutional and statutory scheme did not implicitly convey an expectation that exhaustion was required to occur, and policy rationales for requiring issue exhaustion were not compelling.