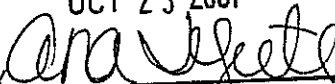


1 HON. RAYMOND J. GIORDANO  
2 Superior Court Department 21  
3 3035 Cleveland Avenue, Suite 200  
4 Santa Rosa, CA 95403  
5 Telephone: (707) 565-6440

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA

OCT 23 2007  
BY   
Deputy Clerk

6 SUPERIOR COURT OF CALIFORNIA  
7 COUNTY OF SONOMA

8 SEQUOIA PARK ASSOCIATES,

SCV-240003

9 Plaintiffs,

ORDER AFTER HEARING ON  
WRIT OF MANDATE

10 vs.

COUNTY OF SONOMA, et al

11 Defendants

Date: October 17, 2007

12 / Dept: 21

13  
14 The above entitled action came on regularly for hearing on October 17, 2007 in  
15 Department 21 before the Honorable Raymond J. Giordano. Thomas W. Casparian,  
16 appeared on behalf of Petitioner. Sue A. Gallagher, Deputy County Counsel. Appeared  
17 on behalf of Respondents.

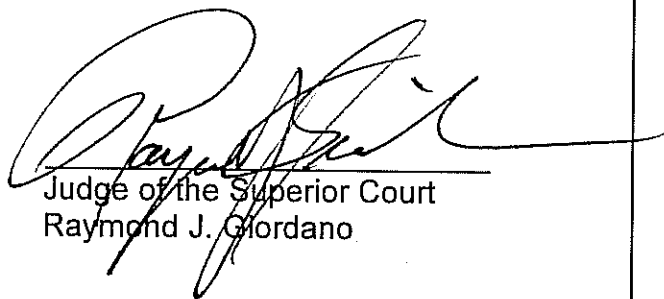
18 After oral argument was made by counsel, the matter was taken under submission  
19 by the court. Upon further reflection, and considering their argument and their written  
20 pleadings, the Court makes the following order:

21 Petition for Writ of Mandate is Denied. *El Dorado* does not appear binding or to  
22 limit the authority of local agencies to impose requirements, but Government Code  
23 section 66427.5 largely does appear to impose such limitations by its own language.  
24 However, Ordinance 5725 seems merely to comply with, and give effect to, the  
25 requirements set forth in section 66427.5 rather than imposing additional requirements.  
26 This is certainly true for the language on bona fide conversions, tenant impact reports,  
27 and even general plan requirements. It is possibly less clear regarding health and  
28

1 safety, but even on this issue, the Ordinance does not appear to exceed Respondent's  
2 authority since, contrary to Petitioner's contention, it does not intrude on the HCD'S  
3 power in the area.  
4  
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6 **IT IS SO ORDERED.**

7 Dated: Oct 23, 2007  
8

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11 Judge of the Superior Court  
12 Raymond J. Giordano  
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PROOF OF SERVICE BY MAIL

I certify that I am an employee of the Superior Court of California, County of Sonoma, and that my business address is 600 Administration Drive, Room 107-J, Santa Rosa, California, 95403; that I am not a party to this cause; that I am over the age of 18 years; that I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service; and that on the date shown below I placed a true copy of the foregoing attached papers in an envelope, sealed and addressed as shown below, for collection and mailing at Santa Rosa, California, first class, postage fully prepaid, following ordinary business practices.

Date: October 23, 2007

Denise L. Gordon  
COURT EXECUTIVE OFFICER

by *Ana Kjetil*  
Deputy Clerk

--ADDRESSEES--

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