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## LOCAL NEWS

Posted on: Friday, June 13, 2008

# Tenants' lawsuit says city overcharged rent

*Residents of Salt Lake complex claim utility allowances in error*

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By **Peter Boylan**  
Advertiser Staff Writer

Tenants at a city-owned public housing complex have filed suit against the city, alleging they were overcharged hundreds of thousands of dollars because utility allowances were miscalculated.

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The suit, filed yesterday in U.S. District Court on behalf of tenants at the 95-unit Westlake Apartment complex in Salt Lake, claims the city has repeatedly failed to re-adjust the federally mandated utility allowance.

The allowances must be re-adjusted "every time utility rates increase by more than 10 percent," according to the suit.

Currently, tenants receive \$40 a month to pay utility costs.

The city has "repeatedly falsely certified to Westlake tenants that their rents were properly calculated, leading tenants to pay excessive

rents," according to the suit.

Victor Geminiani, executive director of Lawyers for Equal Justice in Hawai'i, said the miscalculations have made life difficult for fixed-income, elderly, disabled and low-income tenants.

"Someone's asleep at the wheel and has been asleep at the wheel for some time," said Geminiani. "For whatever reason, they have missed this year after year after year, even though they are certifying year after year after year that they are paying the correct rents. It's a mess. God knows how many have been evicted due to the theory that they've been behind on their rent."

City officials said they have not been served with the lawsuit and declined comment.

Arlene Supapo has lived at Westlake Apartments for more than 10 years and said she is unable to cover \$150 in monthly utility costs with the \$40 given to her by the city. Supapo is disabled and lives on a fixed income from Social Security, Geminiani said.

"It's hard to pay the utilities and the rent every month. The allowance is never enough, not since the costs have gone up," said Supapo in a statement released by Lawyers for Equal Justice. "I trusted that they were treating me fairly and I was so upset when I learned that the city had been overcharging me."

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