

## Casey Erlenheim

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**From:** Jenny Terry [REDACTED]  
**Sent:** Friday, January 30, 2026 4:09 PM  
**To:** Elizabeth Pabon-Alvarado; Rita Xavier; Patricia Ponce; Arturo Cruz; Abel Pineda; City\_Clerk  
**Cc:** 'Rhovy Lyn Antonio'; NorCalPA@caanet.org  
**Subject:** PUBLIC COMMENTS AGENDA ITEM No. 12 - San Pablo proposed just cause ordinance - February 2, 2026

Dear City Clerk, Mayor and City Council members,

I am writing to express my opposition to the proposed just cause ordinance (Agenda Item 12), scheduled for discussion and a vote on Feb. 2, 2026.

I urge you to vote **NO** on the proposed just cause ordinance.

**All forms of rent control are a taking of private property rights and are prohibited by the 5<sup>th</sup> amendment of the U.S. Constitution:**

**5<sup>th</sup> Amendment to the Constitution of the United States of America: "...nor shall private property be taken for public use, without just compensation."**

Every member of the San Pablo City Council has violated their oath of office by not upholding the US Constitution. Because municipalities are passing illegal codes, policies, fees, etc., does not make them legal, nor ethical.

Do you remember your oath of office?

"I, [name], do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

The U.S. Supreme Court ruled that "...a law repugnant to the Constitution is void, and that courts, as well as other departments, are bound by that instrument. The rule must be discharged." —*Marbury*, 5 U.S. at 180.

On November 6, 2025, the United States Supreme Court declined to review the Darby Development vs. United States case, which sought compensation for the taking of property, which is guaranteed by our U.S. Constitution. The Supreme Court supported Darby Development's right to just compensation under the 5<sup>th</sup> Amendment.

The U.S. Constitution is the supreme law. Every state in the United States of America is bound by the U.S. Constitution, and therefore, every municipality.

If the City of San Pablo continues to support ANY form of rent control, the City of San Pablo, by law, must provide **just compensation to property owners**. We absolutely should be having a conversation about what **just compensation** looks like. The City of San Pablo should be funding

(compensating property owners) for any form of reduced rent, moving expenses, eviction restrictions, rent registries, property inspection programs, etc. All these programs are, and continue to be, a taking of private property. Also compensation for reduced property values, and the owner's increased compliance expense.

Thank you for your time and consideration.

Sincerely,

Make it a great day!

Jenny Terry



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