CITY OF OAKLAND

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September 15, 2026

HONORABLE CITY COUNCIL
Oakland, California

Subject: ***People Of The State Of California And The City Of Oakland V. Angelique Austin, Terrell Bailey, T & A Independent Room And Board, Andy Kim, Lai C. Saelee, Elvecio Machado, Alexandre Machado, Thuan Duong (as an individual and as a trustee of Duong-Nguyen Family Trust), Khanh Nguyen (as an individual and as a trustee of Duong-Nguyen Family Trust), Rubin Tamra, And Does 1-25***
Case No. 23CV035004 SK
City Attorney File No. CE05461
(Office Of The City Attorney – Public Nuisance And Tenant Harassment)

President Jenkins and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing and directing the City Attorney to compromise and settle the City of Oakland's lawsuit against defendants Thuan Duong (as an individual and as a trustee of Duong-Nguyen Family Trust) and Khanh Nguyen (as an individual and as a trustee of Duong-Nguyen Family Trust) by payment to the City in the amount of One Hundred Six Thousand Five Hundred Dollars and Zero Cents ($106,500.00) and defendant Elvecio Machado by payment to the City in the amount of Seven Thousand Five Hundred Dollars and Zero Cents ($7,500.00) in the above-entitled lawsuit.

The City filed this lawsuit on June 2, 2023, alleging violations of numerous housing laws and public nuisance law in connection with a chain of independent living facilities that targeted individuals with serious mental illnesses, among other groups. The operators of the independent living facilities failed to provide tenants with advertised services, physically and verbally abused tenants, and subjected tenants to the repeated threat of forcible and unlawful self-help evictions. The City sued both the operators of the independent living facilities as well as the owners of the properties that housed these facilities, which includes Defendants Thuan Duong, Khanh Nguyen, and Elvecio Machado.

The City has determined that it is in the City's best interests to settle the claims against the remaining Defendants Thuan Duong, Khanh Nguyen, and Elvecio Machado. In addition to a monetary payment to the City, Defendants have agreed to injunctive relief to ensure compliance with housing laws and public nuisance law.

The City Council authorized payment to the City of $106,500.00 by Thuan Duong and Khanh Nguyen and payment to the City in the amount of $7,500.00 by Elvecio Machado to settle this case in Closed Session on Thursday, June 25, 2026.

Respectfully submitted,

RYAN RICHARDSON
City Attorney

Assigned Attorney:
Allison Ehlert
Martha Cardenas Delgadillo