

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONALD B. MILLER, *et al.*,
Plaintiffs,

No. C-12-2282 EMC

v.

ORDER RE SECURITY

WELLS FARGO BANK, *et al.*,
Defendants.

Per the Court’s order, the parties have submitted evidence as to what the fair rental value of the property at issue is. Plaintiffs submit that the fair market rental is \$1,400; Defendants that the fair market value is \$1,807. Both parties’ evidence has problems.

First, the Court rejects Plaintiffs’ reliance on “GoSection8.com.” Contrary to what Plaintiffs suggest, the website is not affiliated with the federal government. Furthermore, the website focuses on Section 8 housing, and it is not clear to the Court that Section 8 housing is a proper comparable. The Court does give weight to the appraisal submitted by Plaintiffs. To be sure, the appraiser discounted the rental value of the comparables by \$400 because the subject property is in “bad shape” and in “need[] [of] TLC,” without any specific explanation. Nonetheless, of all the data presented, this is the most credible.

Defendants’ evidence is, at best, of limited value because the declarant simply states in conclusory terms that the fair rental value is \$1,807 based on comparables. No specific information about the comparables is given at all.

