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FILED

AUG 23 2018

JAMES M. KIM, Court Executive Officer
MARIN COUNTY SUPERIOR COURT
By: H. Roberts, Deputy

8 *Attorneys for the People*

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF MARIN
11

12
13 PEOPLE OF THE STATE OF CALIFORNIA,
14 Plaintiff,
15 v.
16 PAMELA KELLEY (DOB: 11/10/1962) and
17 RICHARD SCOTT PARKE (DOB: 07/11/61),
18
19 Defendants.

Case No. CR205944A

MISDEMEANOR COMPLAINT

20 The ATTORNEY GENERAL OF THE STATE OF CALIFORNIA accuses defendants PAMELA
21 KELLEY and RICHARD SCOTT PARKE of the following crimes, which are connected to one
another in their commission:

22 **COUNT 1 - PRICE GOUGING**

23 1. On or about October 10, 2017, in the County of Marin, State of California, PAMELA
24 KELLEY and RICHARD SCOTT PARKE unlawfully offered rental housing for a price of more
25 than 10 percent (10%) above the price charged for the same housing immediately prior to the
Proclamation or declaration of emergency and said increase above 10 percent (10%) was not
26 directly attributable to costs incurred for offering said rental, in violation of Penal Code section
396, subdivisions (b), a misdemeanor under Penal Code section 396, subdivision (f).

27 2. Commencing on or about October 8, 2017, the County of Sonoma suffered from devastating
wildfires causing loss of lives and massive property destruction. On October 9, 2017, Governor
28

1 Edmund G. Brown proclaimed a State of Emergency in Sonoma, Napa, Butte, Lake, Orange,
2 Mendocino, Nevada and Yuba counties as a result of wildfires.

3 3. Prior to the State of Emergency Proclamation, PAMELA KELLEY and RICHARD SCOTT
4 PARKE offered for rent housing located in Marin County, a bordering county impacted by the
5 emergency, to wit: 6 Terry Court, Novato, California, for rental price of Four-Thousand-Nine-
6 Hundred-Fifty Dollars (\$4,950) per month.

7 4. On or about October 10, 2017, after the State of Emergency Proclamation, PAMELA KELLEY
8 and RICHARD SCOTT PARKE offered the same property for the rental price of Six-Thousand-
9 Eight Hundred Dollars (\$6,800) per month, an increase of more than 10 percent (10%) that was
10 not directly attributable to costs incurred for offering said rental.

11 **COUNT 2 - PRICE GOUGING**

12 1. On or about October 10, 2017, in the County of Marin, State of California, PAMELA
13 KELLEY and RICHARD SCOTT PARKE unlawfully offered rental housing for a price of more
14 than 10 percent (10%) above the price charged for the same housing immediately prior to the
15 Proclamation or declaration of emergency and said increase above 10 percent (10%) was not
16 directly attributable to costs incurred for offering said rental, in violation of Penal Code section
17 396, subdivisions (b), a misdemeanor under Penal Code section 396, subdivision (f).

18 2. Commencing on or about October 8, 2017, the County of Sonoma suffered from devastating
19 wildfires causing loss of lives and massive property destruction. On October 9, 2017, Governor
20 Edmund G. Brown proclaimed a State of Emergency in Sonoma, Napa, Butte, Lake, Orange,
21 Mendocino, Nevada and Yuba counties as a result of wildfires.

22 3. Prior to the State of Emergency Proclamation, PAMELA KELLEY and RICHARD SCOTT
23 PARKE offered for rent housing located in Marin County, a bordering county impacted by the
24 emergency, to wit: 6 Terry Court, Novato, California, for rental price of Four-Thousand-Nine-
25 Hundred-Fifty Dollars (\$4,950) per month.

26 4. On or about October 10, 2017, after the State of Emergency Proclamation, PAMELA KELLEY
27 and RICHARD SCOTT PARKE offered the same property for the rental price of Nine-Thousand-
28 Five-Hundred Dollars (\$9,500) per month, an increase of more than 10 percent (10%) that was
not directly attributable to costs incurred for offering said rental.

1 **COUNT 3 - PRICE GOUGING**

2 1. On or about October 11, 2017, in the County of Marin, State of California, PAMELA
3 KELLEY and RICHARD SCOTT PARKE unlawfully offered rental housing for a price of more
4 than 10 percent (10%) above the price charged for the same housing immediately prior to the
5 Proclamation or declaration of emergency and said increase above 10 percent (10%) was not
6 directly attributable to costs incurred for offering said rental, in violation of Penal Code section
7 396, subdivisions (b), a misdemeanor under Penal Code section 396, subdivision (f).

8 2. Commencing on or about October 8, 2017, the County of Sonoma suffered from devastating
9 wildfires causing loss of lives and massive property destruction. On October 9, 2017, Governor
10 Edmund G. Brown proclaimed a State of Emergency in Sonoma, Napa, Butte, Lake, Orange,
11 Mendocino, Nevada and Yuba counties as a result of wildfires.

1 3. Prior to the State of Emergency Proclamation, PAMELA KELLEY and RICHARD SCOTT
2 PARKE offered for rent housing located in Marin County, a bordering county impacted by the
3 emergency, to wit: 6 Terry Court, Novato, California, for rental price of Four-Thousand-Nine-
Hundred-Fifty Dollars (\$4,950) per month.

4 4. On or about October 11, 2017, after State of Emergency Proclamation, PAMELA KELLEY
5 and RICHARD SCOTT PARKE offered the same property for the rental price of Seven-
6 Thousand-Five-Hundred Dollars (\$7,500) per month, an increase of more than 10 percent (10%)
that was not directly attributable to costs incurred for offering said rental.

7 **COUNT 4 - PRICE GOUGING**

8 1. On or about October 15, 2017, in the County of Marin, State of California, PAMELA
9 KELLEY and RICHARD SCOTT PARKE unlawfully leased a rental housing for a price of more
10 than 10 percent (10%) above the price charged for the same housing immediately prior to the
11 Proclamation or declaration of emergency and said increase above 10 percent (10%) was not
12 directly attributable to costs incurred for offering said rental, in violation of Penal Code section
13 396, subdivisions (b), a misdemeanor under Penal Code section 396, subdivision (f).

14 2. Commencing on or about October 8, 2017, the County of Sonoma suffered from devastating
15 wildfires causing loss of lives and massive property destruction. On October 9, 2017, Governor
16 Edmund G. Brown proclaimed a State of Emergency in Sonoma, Napa, Butte, Lake, Orange,
Mendocino, Nevada and Yuba counties as a result of wildfires.

17 3. Prior to the State of Emergency Proclamation, PAMELA KELLEY and RICHARD SCOTT
18 PARKE offered for rent housing located in Marin County, a bordering county impacted by the
19 emergency, to wit: 6 Terry Court, Novato, California, for rental price of Four-Thousand-Nine-
20 Hundred-Fifty Dollars (\$4,950) per month.

21 4. On or about October 15, 2017, after the State of Emergency Proclamation, PAMELA KELLEY
22 and RICHARD SCOTT PARKE unlawfully leased the same property to another, to wit: Thomas
23 Sands, for a monthly rental rate of Seven-Thousand-Eight-Hundred-Twenty-Five Dollars
24 (\$7,825) per month, an increase of more than 10 percent (10%) that was not directly attributable
25 to costs incurred for offering said rental.

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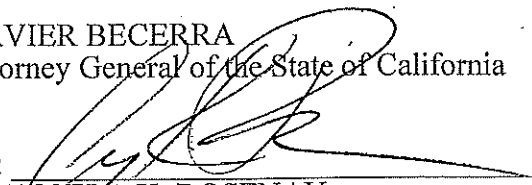
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1 **DECLARATION**

2 Complainant therefore requests that a warrant issue and that said defendants be dealt with
3 according to the law. I declare under penalty of perjury under the laws of the State of California,
4 based on information and belief, that the foregoing is true and correct.

5 Dated: August 23 2018

XAVIER BECERRA
Attorney General of the State of California

6 By: 
7 ANGELA K. ROSENAU
8 Deputy Attorney General
9 *Attorneys for the People*

10 **DISCOVERY REQUEST**

11 Pursuant to Penal Code section 1054.5(b), the People of the State of California hereby
12 informally request that defense counsel provide discovery to the People as required by Penal
13 Code section 1054.3.

14 **NOTICE TO ATTORNEY**

15 Any material accompanying this complaint or provided by the People in this case may
16 contain information about witnesses. Such information is subject to Penal Code section 1054.2,
17 which provides, "No attorney may disclose or permit to be disclosed to a defendant the address or
18 telephone number of a victim or witness whose name is disclosed to the attorney pursuant to
19 subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a
20 hearing and showing of good cause."
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