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8 *Attorneys for the People*

**FILED**

APR 16 2018

JAMES M. KIM, Court Executive Officer  
MARIN COUNTY SUPERIOR COURT  
By: T. Jones, Deputy

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 **MELISSA ECHEVERRIA (DOB: 2/10/1964),**

17 Defendant.

Case No. CR 204532A

**MISDEMEANOR COMPLAINT**

5/16/18  
8:30AM  
Dept N.

18 The ATTORNEY GENERAL OF THE STATE OF CALIFORNIA accuses defendant MELISSA  
19 ECHEVERRIA of the following crimes, which are connected to one another in their commission:

20 **COUNT 1 - PRICE GOUGING**

21 1. On or about October 12, 2017, in the County of Marin, State of California, MELISSA  
22 ECHEVERRIA unlawfully offered rental housing for a price of more than 10 percent (10%)  
23 above the price charged for the same housing immediately prior to the proclamation or  
24 declaration of emergency and said increase above 10 percent (10%) was not directly attributable  
25 to costs incurred for offering said rental, in violation of Penal Code section 396, subdivisions (b),  
26 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  
28 wildfires causing loss of lives and massive property destruction. On October 9, 2017, Governor  
Edmund G. Brown proclaimed a state of emergency in Sonoma, Napa, Butte, Lake, Orange,  
Mendocino, Nevada and Yuba counties as a result of wildfires. October 25, 2017, the Governor  
issued Executive Order B-43-17 extending the price gouging protections under Penal Code 396 to  
and including April 18, 2018.

1 3. Prior to the State of Emergency proclamation, MELISSA ECHEVERRIA offered for rent  
2 housing located in Marin County, to wit: 95 Blanca Drive, Novato, California, for rental price of  
3 Five-Thousand Dollars (\$5,000) per month.

4 4. On or about October 12, 2017, after the Proclamation of Emergency, MELISSA  
5 ECHEVERRIA offered the same property for the rental price of Nine-Thousand Dollars (\$9,000)  
6 per month, an increase of more than 10 percent (10%) that was not directly attributable to costs  
7 incurred for offering said rental.

8 **COUNT 2 - PRICE GOUGING**

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

15 2. Commencing on or about October 8, 2017, the County of Sonoma suffered from devastating  
16 wildfires causing loss of lives and massive property destruction. On October 9, 2017, Governor  
17 Edmund G. Brown proclaimed a state of emergency in Sonoma, Napa, Butte, Lake, Orange,  
18 Mendocino, Nevada and Yuba counties as a result of wildfires. October 25, 2017, the Governor  
19 issued Executive Order B-43-17 extending the price gouging protections under Penal Code 396 to  
20 and including April 18, 2018.

21 3. Prior to the State of Emergency proclamation, MELISSA ECHEVERRIA offered for rent  
22 housing located in Marin County, to wit: 95 Blanca Drive, Novato, California, for rental price of  
23 Five-Thousand Dollars (\$5,000) per month.

24 4. On or about October 13, 2017, after the Proclamation of Emergency, MELISSA  
25 ECHEVERRIA offered the same property for the rental price of Seven-Thousand Dollars  
26 (\$7,000) per month, an increase of more than 10 percent (10%) that was not directly attributable  
27 to costs incurred for offering said rental.

28 **COUNT 3 - PRICE GOUGING**

1. 1. On or about October 16, 2017, in the County of Marin, State of California, MELISSA  
ECHEVERRIA unlawfully offered rental housing for a price of more 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 directly attributable  
to costs incurred for offering said rental, in violation of Penal Code section 396, subdivision (b), a  
misdemeanor under Penal Code section 396, subdivision (f).

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  
Edmund G. Brown proclaimed a state of emergency in Sonoma, Napa, Butte, Lake, Orange,  
Mendocino, Nevada and Yuba counties as a result of wildfires. October 25, 2017, the Governor  
issued Executive Order B-43-17 extending the price gouging protections under Penal Code 396 to  
and including April 18, 2018.

1 3. Prior to the State of Emergency proclamation, MELISSA ECHEVERRIA offered for rent  
2 housing located in Marin County, to wit: 95 Blanca Drive, Novato, California, for rental price of  
3 Five-Thousand Dollars (\$5,000) per month.

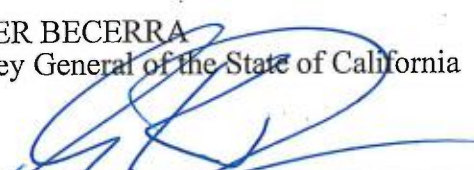
4 4. On or about October 16, 2017, after the Proclamation of Emergency, MELISSA  
5 ECHEVERRIA offered the same property for the rental price of Five-Thousand-Eight-Hundred  
6 Dollars (\$5,800) per month, an increase of more than 10 percent (10%) that was not directly  
7 attributable to costs incurred for offering said rental.

8 **DECLARATION**

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

12 Dated: April 17, 2018

XAVIER BECERRA  
Attorney General of the State of California

13 By:   
14 ANGELA K. ROSENAU  
15 Deputy Attorney General  
16 *Attorneys for the People*

17 **DISCOVERY REQUEST**

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

21 **NOTICE TO ATTORNEY**

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