

“In these circumstances, where a wrongful cloud on title impedes marketability during a period of falling values, the defendants will be liable for the loss. *See Gudger v. Manton*, 21 Cal.2d 537, 552-553 (plaintiff could recover the difference in value, where property value decreased by 50% during period of wrongful cloud on title), *disapproved on other grounds in Albertson v. Raboff* (1956) 46 Cal.2d 375, 381. “The elements of damage are: (1) the loss or impairment of ability to sell, the measure being the difference between the normal price and the salable value or depressed sale price afterwards...It is not necessary to show that a particular pending deal was hampered or prevented; recovery may be had for the depreciation in market value of the property.” 6 Witkin, Summary of California Law, Torts § 1703.”

The County of Santa Cruz is liable for the thousands of red tags that they have illegally recorded to title since 1966. County Counsel **Dana McRae** and her assisting counsel, **Jason Heath**, have run down property values in their participation in the Board of Supervisors illegal scheme to extort from property owners. They will have to pay millions in damages to each red-tagged property owner as the new lawsuits begin to be filed.

Chair 2008 Supervisor, **Ellen Pirie** and Chair Supervisor 2009, **Neil Coonerty** have headed the illegal scheme, which includes the concealment of an independent appeals board, independent from the planning department. This State mandated board is supposed to be an avenue to relieve property owners of abuses by the local government. The appeals board still does not exist, thereby violating civil rights and due process rights.

Please do not re-elect incumbent supervisors Pirie, Coonerty, Campos, Stone and Leopold.