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November 15, 2023

VIA E-MAIL

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CC: Mr. Noah Sacks  
U.S. Department of Justice Civil Rights Division  
Housing and Civil Enforcement Section  
950 Pennsylvania, Ave., NW  
Washington, D.C. 20530

Re: June 12, 2023 Notice of Violation

Mr. Rosenblit:

We have received no response from you to our repeated recent calls and emails to discuss the Notice issued against our client Rabbi Levi Illulian, the current resident of the property located at 613 N. Crescent Drive, Beverly Hills, CA 90210-3329 (the “Home”). As you will recall, Rabbi Illulian uses his Home to host various private religious gatherings throughout the week to meet the religious needs of his family, friends, and neighbors. Rabbi Illulian’s gatherings are open only to those who are invited into Rabbi Illulian’s home as guests and not the general public. For instance, Rabbi Illulian hosts Shabbat for his family and friends so that they may participate in the requisite prayers, customs, and rituals without working or driving. Rabbi Illulian also hosts Jewish holiday celebrations at his home, like Purim and Passover, which are no different than a Christmas, Easter, or Halloween celebration.

As you will recall, the City initially investigated Rabbi Illulian and dismissed a neighbor’s prior complaint about him. But after receiving another complaint from a neighbor, the City commenced a full-scale investigation against Rabbi Illulian. Initially, City personnel engaged in multiple stakeouts of the Home over many hours, effectively maintaining a governmental presence outside Rabbi Illulian’s home. After that, the City sent Rabbi Illulian an overbroad “Notice of Violation” letter prohibiting all religious activity at the Home with non-residents. Upon

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information and belief, the City also surveilled Rabbi Illulian's home with aerial drones without obtaining a warrant.

In light of that harassment, Gibson, Dunn & Crutcher LLP and First Liberty Institute sent the City a letter on August 9, 2023, detailing Rabbi Illulian's right to engage in religious exercise at his Home with family or friends, free from government burden and interference, under the First and Fourteenth Amendments of the United States Constitution and the Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. §§ 2000cc *et seq.* ("RLUIPA"). After receiving that communication, you represented on behalf of the City that it no longer engaged in stakeouts in front of Rabbi Illulian's Home. Since then, we have not heard anything from you, despite multiple emails and phone calls seeking the City's current position regarding the Home, and when you intend to formally withdraw the City's letter of June 12, 2023.

Although Rabbi Illulian hoped that the City's campaign against his Orthodox Jewish community had come to a close, he quickly learned that a covert campaign had only just begun. The City's tactics escalated from observation to action: Rabbi Illulian's Orthodox Jewish friends and family who visited his home began receiving parking citations, even if they moved their cars several hundred feet up the road before the City's two-hour limit. For instance, on October 28, 2023, Rabbi Illulian hosted a prayer and a luncheon for one of his students. The student's mother had recently died in a car accident, and it is Jewish tradition to hold a 30th day memorial service to support recently orphaned children. During this luncheon, Rabbi Illulian instructed his guests to move their cars after two hours to avoid the two-hour street-parking limit. One guest initially parked five hundred feet away from the house and then moved his car up the street in respect for the parking limit. Nevertheless, an officer still issued the guest a parking citation. When Rabbi Illulian spoke with the officer, the officer said that cars may only park for two hours total in Beverly Hills and fined the guest anyways. On information and belief, City Police ticket cars exceeding the two-hour street parking limit only on Rabbi Illulian's street—not on any of the adjacent streets. Some of Rabbi Illulian's visitors have even had their car tires slashed.

In October 2023, a new wave of antisemitism began building in response to events in Israel and Gaza. Beverly Hills is not immune. In late October, vandals graffitied a Holocaust survivor's apartment building in Beverly Hills, with some messages even calling for the murder of Jewish people. Beverly Hills Police also received multiple calls demanding violence against Jewish people.

But instead of pursuing the criminals preying on the Orthodox Jewish community during this time of widespread antisemitism, the City doubled-down on its harassment campaign against Rabbi Illulian. On the night of October 31, 2023—Halloween—music was audible from several houses in Rabbi Illulian's neighborhood sans any police activity. On that bustling evening, Rabbi Illulian also hosted a ceremony: an Upshernish for his three-year-old son—a solemn rite where a young Jewish boy has his hair cut for the first time as a symbol of his initiation into his formal study of the Torah. For that event, Rabbi Illulian used a single speaker to amplify his voice along with occasional music from a single guitar.

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Cue the police. Around 6:45 P.M., officers with the Beverly Hills Police Department knocked on Rabbi Illulian's door, issued him a warning for violating the City's noise ordinance, threatening to return if they received another complaint. Rabbi Illulian lowered the volume of the amplifier in an attempt to satisfy the officers. But to no avail. Around 7:00 P.M., officers knocked on Rabbi Illulian's door a second time, this time threatening to charge Rabbi Illulian with a misdemeanor, confiscate the music equipment, and cite the musician for violating the City's noise ordinance. When Rabbi Illulian pointed out that music was audible from other houses in the neighborhood, the officers insisted that they were responding to a complaint and that he must immediately shut off the speaker or be ticketed. When Rabbi Illulian attempted to return to his ceremony, the officers indicated that he could not leave. Rabbi Illulian offered to further lower the volume, but the officers refused to approve any lower volume. Instead, they threatened Rabbi Illulian about the consequences if they had to return a third time.

The City's effort to chill Rabbi Illulian's religious practice worked. The officers' presence and threats caused discomfort and anxiety to the Rabbi's guests, causing them to leave early and ending what should've been a special and solemn celebrations for his young son.

In short, in a time of swelling antisemitism, the City has chosen to disproportionately and inappropriately target the Orthodox Jewish friends and family of Rabbi Illulian with parking citations for visiting a Rabbi. And at a time when gatherings of the Jewish community are most critical, the City has taken steps to shut down those religious gatherings under the pretext of a noise ordinance—even on an evening where neighbors were making just as much, if not more, noise than Rabbi Illulian.

Moreover, we remind you that the City's June 12 letter has not been formally withdrawn. Thus, Rabbi Illulian lives under the constant threat of fines and other penalties imposed by the City because of the City's letter, in addition to the threats to his physical safety and repeated harassment by his neighbors. Worse, the continued presence of the City's letter gives cover to the harassment-by-complaint of neighbors who dislike the presence of their Jewish neighbors. It must be withdrawn.

Because the City's threatened enforcement actions and escalating covert tactics impinge upon Rabbi Illulian's fundamental civil rights in violation of constitutional and federal law, the City must immediately cease and desist from all efforts to prohibit Rabbi Illulian from engaging in "religious activities" with "non-residents" at the Home. Further, the City's letter of June 12, 2023 must be formally withdrawn, in writing. We await your response no later than December 1, 2023. If we have not heard from you by that time, we intend to initiate a lawsuit for the full measure of declaratory, injunctive, and compensatory relief to which Rabbi Illulian is entitled.

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Respectfully,

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