

Calif. City Settles Tenants' Wildfire Contamination Claims

By **Isaac Monterose**

Law360 (January 29, 2026, 12:44 PM EST) -- The California city of Pasadena has agreed to settle claims filed by local residents who alleged in California state court that the city failed to conduct "adequate inspections" for homes that were contaminated with "toxic smoke, ash and soot" caused by the Eaton wildfires that occurred in January 2025.

According to the Wednesday announcement about the settlement, Pasadena will "implement an immediate, fast-track program for inspections by certified industrial hygienists" and the city will also provide "professional remediation" for local tenants.

"In addition, the city will implement a training program for inspectors and adopt comprehensive inspection and enforcement protocols for post-wildfire units to protect renters outside the fast-track zone and, if future fires arise," the announcement said.

In their suit **filed** in May 2025, the Pasadena Tenants Union and several individual tenants alleged that the city and their landlords have ignored their requests for home inspections and property damage remediation in the aftermath of the wildfires.

"Although the city of Pasadena's departments and officials have acknowledged the serious potential harms of the toxic smoke, ash and soot resulting from the Eaton Fire, the city's Code Compliance Division has not complied with lawful requests from tenants to have their rental units inspected and to require property owners to promptly remediate any reported damage," the tenants claimed.

"Instead, city divisions and officials have consistently refused to adequately inspect any homes for toxic smoke, ash, or soot-related habitability concerns, stating incorrectly that the tenants must instead pursue remedies against their landlords through civil legal action," they added.

A similar suit was filed by Altadena tenants against Los Angeles County and other parties in California state court in May 2025. The LA County suit "was resolved favorably in September 2025," according to the announcement.

In a Thursday statement sent to Law360, Whitney R. O'Byrne, counsel for the Pasadena and Altadena tenants, said that the Pasadena settlement "represents a critical shift in how cities respond to wildfire contamination in rental housing."

"Tenants shouldn't have to fight their landlords and their local government just to live in safe conditions," she said. "By establishing clear protocols and enforceable timelines, we've set a standard that we hope other municipalities will follow — especially as wildfires become an increasingly common threat to our communities."

On Thursday, Pasadena's counsel Aaron K. Ganser told Law360 that the city has conducted requested wildfire contamination inspections over the course of the suit.

"Last year, the city engaged a contracted certified industrial hygienist to continue to enhance the city's inspection program and further equip inspection staff to conduct the best possible wildfire inspections in rental units," he said.

Ganser also pointed to a California law that was signed by the state's governor in October 2025 that

required landlords to take care of property damage if ash is detected.

"Prior to that new law, the city's authority to declare a violation based on ash alone was not clear nor was the authority to require remediation," he said. "This new law eliminated any remaining controversy and facilitated settlement."

"The city reached an agreement-in-principle to settle the lawsuit to ensure tenants in the most-likely impacted areas receive expedited third-party inspection and remediation in their homes," he continued. "The 75-day fast track period includes requirements that landlords retain a certified professional to inspect the property and determine if remediation or testing is required."

Counsel information for LA County and the other defendants in that case wasn't immediately available.

The Pasadena tenants are represented by Paul J. Estuar and Lena M. Silver of Neighborhood Legal Services of Los Angeles County and Kira A. Davis, Nicole G. Morgan, Whitney R. O'Byrne, Robert M. Paris and Vincent M. Benlloch of Morrison & Foerster LLP.

Pasadena is represented by Aaron K. Ganser of Pasadena's Office of the City Attorney.

The Altadena tenants are represented by Lena M. Silver of Neighborhood Legal Services of Los Angeles County and Kira A. Davis, Whitney R. O'Byrne, Robert M. Paris and Vincent M. Benlloch of Morrison & Foerster LLP.

The cases are Pasadena Tenants Union et al. v. City of Pasadena et al., case number 25STCP01916, and Altadena Tenants Union et al. v. Los Angeles County et al., case number 25STCP01915, in the Superior Court of the State of California, County of Los Angeles.

--Editing by Alyssa Miller.