

GENERAL AVIATION

Airport Tenants File New Santa Monica Part 16 Complaint

by Matt Thurber

February 8, 2016, 10:37 AM

Four Santa Monica Airport (SMO) tenants, along with NBAA and AOPA, have filed a new Part 16 complaint with the FAA that outlines specific grant-obligation violations by the city of Santa Monica, which owns the airport property. An earlier Part 16 complaint and appeal resulted in the city being required to keep SMO open through 2023.

Now, according to the latest complaint, the city is taking actions “to create an untenable operating environment at SMO through ‘excessive fees and rents,’ as well as the city’s denial of long-term lease agreements for aviation-related businesses at the field. At the same time, the complaint cites, the city extends “preferential terms to a non-aeronautical local college with facilities at SMO,” according to NBAA. The complaint also alleges that the city is playing favorites with one of the airport’s full-service FBOs. “More recently, with all airport leases expiring on July 1, 2015, the city allowed at least one full-service FBO to remain on a short-term holdover only if it agreed, as it was forced to do, to waive any right to challenge city conduct before the FAA. While not a subject of the current complaint, this kind of bullying and intimidation is characteristic of the city’s continuing disregard of its obligation as an airport sponsor to deal fairly and reasonably with tenants and users, as more fully alleged hereafter. It is also itself a facial violation of the grant assurances.”

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