

Billboard

Home Is Where The Heat Is In Recording

BY STEPHEN MICHAELS

NEW YORK The growing use of home recording studios by songwriters and producers has sparked a controversy with broad implications for the music industry and thousands of creative people who live in the city of Los Angeles.

A group of professional studio owners are complaining that some home studios are illegal and provide unfair competition. Representatives from more than 50 L.A.-area recording studios, including Record Plant, Conway, Ocean Way, and Lion Share, have formed a collective known as the Hollywood Assn. of Recording Professionals.

Says Buddy Brundo, CEO of Conway Recording Studios in Hollywood, a founding member of the organization: "We have a problem with anyone who's running a commercial operation out of their house, whether it be a recording studio, a sweat shop, a 7-Eleven—anything. A house is where you're supposed to live, it's not supposed to be a business. When you have a for-hire studio, and advertise it as such, we don't think that's right."

Record producer Chas Sanford has become the test case. Sanford, who wrote the 1984 hit "Talk To Me" for Stevie Nicks and "Missing You" in 1986 with John Waite, recently co-produced the latest offering from Chicago, "Chicago 19." The album, which went platinum, was mostly recorded at Secret Sound L.A., Sanford's own million-dollar home studio in the Los Angeles suburb of Woodland Hills.

"I'm an artist, I'm a creative person," says Sanford. "I like being out here with the trees and no traffic. It's quiet and I can walk down in my bathrobe at three in the morning and create a piece of music. That's why I have the studio. It's part of the artistic process that allows me to do things in a unique way that I could not do in other environments. And that's what I'm fighting for."

Sanford is fighting an order by the Los Angeles Department of Building and Safety that shut down his studio in late May. According to the city officials, Secret Sound L.A. was in violation of city zoning ordinances that strictly prohibit the commercial use of residential property.

John Kennedy, senior building and safety inspector, says the department received a tip on Sanford's studio last December. After a brief investigation, it was determined that

Sanford was using the studio solely for his own projects and the complaint was signed off.

It was only when Kennedy attended a meeting of HARP that he was provided with a six-page color brochure of Secret Sound L.A., and the case was reopened.

"It's tough to enforce in a situation where somebody is writing a song at their home," admits Kennedy. "But when we see advertisements or we see clients coming and going, or we get any positive evidence, that's when we can enforce the law."

Kennedy says the elaborate brochure is the strongest piece of evidence in this case. "It shows the facility, lists equipment, and even states 'rates available upon request.' Yeah, this is real good evidence for us."

Sanford insists the brochure was never intended for widespread commercial distribution, but a copy did wind up in the lobby of Conway.

"That fueled a major fire," says Terry Williams, president of Lion Share Recording Studios. Williams says HARP has no problem with musicians or producers who have home studios solely for their own projects. The group's complaint, according to Williams, is that home studios for hire have an unfair advantage over strictly commercial studios.

"We all, as professional studios, have certain monetary requirements we have to meet by the state of California, business taxes and things like that which aren't required of some of these home studios," says Williams. "Their profit margin is therefore much lower. All they have to do is meet the nut on their equipment and they're in a profit situation."

"They say the problem is that I don't pay one and a half percent business tax or something like that," says Sanford. "I'm happy to pay the tax."

Sanford contends the real issue is that HARP is trying to monopolize the field.

"Basically, what they're saying is, 'This is how we want recording to work. Either you come work at our studios or we're going to put you out of business, we're going to turn you in to the zoning commission.' I think that's elitist."

Frank Zappa, who has long recorded his own product at home, agrees. "It's just a case of local protectionism," he says. "What they're after is to keep all the retail studio business in their hands. They don't want to share any of this with individual entrepreneurs who might want to run it out of their homes."

"What raises my eyebrows," continues Zappa, "is they choose one guy and they make him a test case. They went out and they put him out of business. How would you feel if you were that guy and you were being descended upon by a pack of Hollywood studio owners? Would you be moving to Beijing in about fifteen minutes or what?"

"I have no response to Mr. Zappa's comment," says HARP's attorney Jeffrey Graubart. "If anyone were to move anywhere based on this controversy, they should be moving into commercial space that's properly zoned."

Record producer and keyboardist Robby Buchanan says the Sanford case has other home-studio owners worried. But if HARP targets more home studios, he says, the effort might backfire on commercial studios.

"As a free-lance keyboard player, I work in these studios a lot. As a producer, I book them to mix. I would

'My home studio is part of the artistic process'

not want to go work in somebody's studio that closed my studio down."

Los Angeles zoning laws make no distinction between studios for personal use and those for hire. In fact, anyone who uses his home as his principal place of business is breaking the law. Frank Zappa muses that strict interpretation has disturbing implications.

"If you carried that to its ridiculous extreme, it might have an adverse effect on people who paint at home, sculpt at home, weave at home. Theoretically, if they demand strict enforcement of all enterprises in the home, they could shut down Hollywood," he says.

L.A.'s chief zoning administrator, Frank Eberhard, estimates that thousands of creative people are technically in violation. Because the city is actually encouraging some people to work out of their homes in order to restrict traffic and reduce air pollution, Eberhard expects the code will be liberalized.

"I think the broader implication is that the law needs to be changed," he says. "I think under certain circumstances, the law will be changed to allow commercial activities that don't change the character of residential

neighborhoods."

If the zoning laws are revised, then the issue will become moot. In an effort to expedite the process, Sanford has organized a coalition of creative professionals, simply called Home Workers. Ironically, the group has established a commercially zoned office in Studio City, which was donated by singer/film maker Harry Nilsson.

Home Workers has retained legal counsel to draft proposed legislation that will be presented to the Los Angeles City Council. The process to decide the issue entails a public hearing in which groups like HARP will have their say.

Stephen Michaels is a regular contributor to the Associated Press Radio Network and National Public Radio in Washington, D.C.