



Rent Stabilization Board

**RENT STABILIZATION BOARD**  
**Regular Meeting Minutes**  
(Approved)

Maudelle Shirek Building  
2134 Martin Luther King Jr. Way

**Monday, September 10, 2012**  
**7:00 p.m.**

Council Chambers, Second Floor  
Broadcast Live on KPFB – 89.3 and BTV Cable Channel 33  
Live Webcasting at [www.cityofberkeley.info/rent](http://www.cityofberkeley.info/rent)

1. **Roll call** – Chair Stephens called the meeting to order at 7:14 p.m.\*  
Aimee Mueller called roll.

Commissioners present: Blake, Dodsworth (arrived 7:16), Drake, Harr, Shelton, Townley, Tregub, Stephens

Commissioners absent: Webster

Staff present: Kelekian, Law, Mueller, Sanchez, Siegel

*\*See notation regarding delayed meeting start under Item 5.*

2. **Approval of Agenda** M/S/C (Harr/Townley) APPROVE AGENDA WITH THE FOLLOWING CHANGES: ITEM 4. – WITHHOLD UNTIL NEXT MONTH; DELAY START OF ITEM 5 TO ALLOW TIME FOR BOTH PARTIES TO BE PRESENT; FOR ITEM 6.a.(3) – HOLD OVER WAIVER NO. 4151 UNTIL NEXT MONTH AND REFER WAIVER NO. 4147 TO WAIVERS COMMITTEE FOR REVIEW AT THEIR NEXT MEETING.  
Voice vote. Carried: 7-0-1-1. ABSTAIN: Dodsworth; ABSENT: Webster.

3. **Public Forum** – There were no speakers.

4. **Approval of August 20, 2012 Regular Meeting minutes** – This item was pulled by an earlier vote on Item 2. – Approval of Agenda.

*Action Items 6.a.(1) and 6.a.(2) were then heard out of order per an earlier vote to amend the agenda in an effort to accommodate parties to the Appeal.*

6. Action Items

a. From Board Members, Executive Director and Committees

- (1) Discussion and possible action regarding endorsing a "Yes" vote on two Berkeley ballot measures: Measure N - General Obligation Bond for Pools and Associated Facilities and, Measure O - Special Tax to Fund Operation and Maintenance of the Replacement Warm Water and Willard Pools (Commissioners Stephens, Tregub and Blake)

M/S/C (Tregub/Shelton) ENDORSE BALLOT MEASURE "N" AND BALLOT MEASURE "O". Roll call vote. YES: Blake, Dodsworth, Shelton, Tregub, Stephens; NO: None; ABSTAIN: Drake, Harr, Townley; ABSENT: Webster. Carried: 5-0-3-1

- (2) Executive Director's performance evaluation (Commissioners Harr and Townley) Chair Stephens proposed that this item be combined with Information Item 7.b.(1) – the Budget & Personnel Committee update. There were no objections. Following discussion of both items, the Board took the following action:

M/S/C (Harr/Townley) SCHEDULE A CLOSED SESSION FOR THE SEPTEMBER 24<sup>th</sup> SPECIAL BOARD MEETING TO DISCUSS THE EXECUTIVE DIRECTOR'S PERFORMANCE EVALUATION AND, IF NECESSARY, POSSIBLY TAKE ACTION REGARDING ANY EVALUATION TOOL AND/OR TIMELINE PROPOSED BY THE BUDGET & PERSONNEL COMMITTEE. Roll call vote. YES: Blake, Dodsworth, Drake, Harr, Shelton, Townley, Tregub, Stephens; NO: None; ABSTAIN: None; ABSENT: Webster. Carried: 8-0-0-1.

5. Appeal Time Certain – 7:15 p.m.

*\*The meeting start time was delayed to allow the Appellant time to clarify his intent to pursue or dismiss this Appeal.*

Appeal T-5239 (2113 – 10<sup>th</sup> Street, Unit #8)

Parties present for Appeal: Robert Arakelyan, Appellant

M/S/C (Blake/Dodsworth) HOLD OVER TO THE OCTOBER 15<sup>TH</sup> BOARD MEETING.  
Voice vote. Carried: 8-0-0-1. ABSENT: Webster.

- (3) Proposal to approve staff recommendation on the following requests for waiver of late registration penalties (Executive Director)

**Ministerial Waivers**

<u>Waiver No.</u>	<u>Property Address</u>
4148	1363 Addison Street
4152	2831 Hillegass Avenue
4153	1432 Carleton Street

**Discretionary Waivers**

<u>Waiver No.</u>	<u>Property Address</u>
4146	1410 Cornell Avenue
4147	1522 Woolsey Street
4151	1306 Cornell Avenue
4159	1349 Rose Street

Waiver No. 4151 was held over to the October 2012 meeting by an earlier vote to amend the Agenda.

Waiver No. 4147 was pulled and referred to the Waivers Committee for review at their next meeting.

M/S/C (Townley/Drake) APPROVE THE STAFF RECOMMENDATION FOR ALL MINISTERIAL WAIVERS AND FOR DISCRETIONARY WAIVER NOS. 4146 AND 4159. Voice vote. Carried: 8-0-0-1. ABSENT: Webster.

**7. Information and Announcements**

*Please Note: The Board may move Information Items to the Action Calendar.*

a. Reports from Board Members/Staff

- (1) Update on staffing and Community Services Specialist I selection (Executive Director) – The Executive Director announced that Palomar Sanchez had been selected for this position and introduced Mr. Sanchez to the Board.
- (2) Flier for the Rent Board workshop – “Owning Rental Property in Berkeley” – on Tuesday, September 11<sup>th</sup> at 5:30 p.m. in the Berkeley Central Library Meeting Room (Executive Director) – In packet and self-explanatory.
- (3) Announcement of new Rent Board informational video series titled, “What You Need to Know – A Short Series for Landlords and Tenants” now available on the Rent Board’s Web site (Executive Director) – Chair Stephens announced that this video series is now available on the Rent Board’s Web site and Housing Counselor Moni T. Law spoke briefly about this project.

- (4) Copy of letter to U.C. Berkeley Associate Vice Chancellor LeNorman Strong regarding construction of additional student housing Commissioner Tregub
- (5) Voter Registration for New Tenancies Commissioner Tregub gave the Board some background on this project and a status update. Commissioner Harr asked that this new voter information be added to the Program's packets for new owners.
- (6) Update on remote access to hearings recordings for Commissioners (Executive Director) – This item was discussed and the Executive Director said he would give the Board a report at their next meeting.
- (7) August 20, 2012 communication from Carol Denney to Berkeley City Council regarding posting fliers in Berkeley's Constitution Square (Executive Director) Chair Stephens spoke briefly about this item; it is in the packet and self-explanatory.
- (8) August 22, 2012 Rooflines.org article by Barbara Sard titled, "Time for a Renters' Tax Credit" (Executive Director) In packet and self-explanatory.
- (9) September 2, 2012 San Francisco Chronicle article by Carolyn Said titled, "Renters get boot with big rate hike" (Executive Director) Commissioner Harr stated that the Chronicle consistently makes a mistake when they report on eviction statistics for San Francisco and that, because the San Francisco Rent Board only tracks certain types of evictions – they do not track evictions for non-payment of rent – this means that "90% of all evictions filed in San Francisco are not included in these numbers." She offered that the actual number of evictions are on the order of 2,500 to 3,000 and not on the order that is quoted in this article.

b. Updates and Announcements regarding Committee/Board Meetings

- (1) Budget and Personnel – This item was discussed earlier as part of Action Item 6.a.(2). Chair Stephens announced that the Committee's next meeting is scheduled for September 21<sup>st</sup> at 5:30 p.m.
  - a. June 17<sup>th</sup> minutes
- (2) Outreach
- (3) IRA/AGA and Habitability – Committee Chair Stephens said this Committee has not met.
- (4) Eviction/Section 8/Foreclosure – Committee Chair Harr updated the Board on this Committee's recent activity and asked that the report distributed to the Committee at their last meeting be included in the next Board agenda packet.
  - a. Sept. 12 agenda
- (5) Safe & Sustainable Housing – Committee Chair Townley gave an update on this Committee's latest activity.

- a. May 9<sup>th</sup> minutes
  - b. August 28<sup>th</sup> agenda
  - (6) Waivers Committee – Commissioner Harr gave a brief update on this Committee’s work.
  - (7) Ad Hoc Committee on Smoke-Free Housing – Committee Chair Blake updated the Board on this Committee’s progress.
    - a. August 16<sup>th</sup> meeting cancellation notice
  - (8) 4 x 4 City Council/RSB Housing Committee
  - (9) Future Special Meetings
  - c. Discussion of items for possible placement on future agenda – Commissioner Drake asked that the Commissioner Attendance records published on the Rent Board’s Web site be updated to reflect absences that are “excused.” The Executive Director clarified that the Board had not voted to approve the term “excused absence” but rather stipulated the terms “present”, “absent” and “absent with compensation.”
8. **Adjournment** M/S/C (Drake/Townley) ADJOURN MEETING AT 8:56 P.M. Voice vote.  
Carried: 7-0-0-2. ABSENT: Blake, Webster.