



Rent Stabilization Board

RENT STABILIZATION BOARD
Regular Meeting Minutes
(Approved)

Maudelle Shirek Building
2134 Martin Luther King Jr. Way
Council Chambers, Second Floor
Broadcast Live on KPFB – 89.3 and BTV Cable Channel 33
Live Webcasting at www.cityofberkeley.info/rent

Monday, June 16, 2014
7:00 p.m.

1. **Roll call** – Vice Chair Harr called the meeting to order at 7:11 p.m when a quorum was present. Aimee Mueller called roll.
Commissioners present: Blake, Harr, Hunt, Shelton, Soto-Vigil (arrived 7:18), Townley, Webster (arrived 7:21)
Commissioners absent: Dodsworth, Stephens
Staff present: Brown, Law (in audience), Mueller
2. **Approval of Agenda** M/S/C (Hunt/Townley) APPROVE AGENDA. Voice vote.
Carried: 5-0-0-4. ABSENT: Dodsworth, Soto-Vigil, Webster, Stephens.
3. **Public Forum** – There were no speakers.
4. **Approval of the May 12th Regular Meeting minutes** – M/S/C (Townley/Blake) APPROVE MINUTES AS WRITTEN. Voice vote. Carried: 5-0-0-4. ABSENT: Dodsworth, Soto-Vigil, Webster, Stephens.
5. **Special Presentation by representatives of Christine Minnehan & Associates, Legislative Advocates, on housing legislation**
 - a. State Legislative Report
 - b. State Housing Bills: Status as of June 11, 2014

During and after their presentation, presenters Brian Augusta and Michael Moynagh answered questions from the Board regarding housing legislation. After discussion, the Board took the following action:

M/S/C (Soto-Vigil/Townley) DIRECT STAFF TO SEND A COMMUNICATION(S) TO CITY COUNCIL, ASSEMBLY MEMBER NANCY SKINNER, SENATOR LONI HANCOCK AND THE GOVERNOR, AS APPROPRIATE, CONVEYING THE RENT BOARD'S SUPPORT FOR ASSEMBLY BILL (AB) 319 (CAMPOS), AB 2561 (BRADFORD), AB 2565 (MURATSUCHI), AND AB 264 (MAIENSCHIEIN), SENATE BILL (SB) 1167 (HUESO), AND SB1 (STEINBERG); AND CONVEYING THE BOARD'S OPPOSITION TO AB 1513 (FOX). *Friendly amendment by Townley (accepted)*: ALSO CONVEY THE BOARD'S SUPPORT FOR AB 2222 (NAZARIAN). Roll call vote. YES: Blake, Shelton, Soto-Vigil, Townley, Webster; NO: Harr; ABSTAIN: Hunt; ABSENT: Dodsworth, Stephens. Carried: 5-1-1-2.

6. Appeal Time Certain – 8:00 p.m.

Appeal T-5379 (3030 College Avenue)

Parties present for appeal: Robert Diener, Esq. on behalf of Respondent.

Prior to the Board's action on this item, Staff Attorney Matt Brown informed the Board of a miscommunication that may have contributed to the Appellant's absence from the proceedings. After discussion, the Board took the following action:

M/S/C (Harr/Shelton) ALLOW ROBERT DIENER TO ADDRESS THE BOARD ONLY REGARDING WHETHER HE WOULD PREFER TO HAVE A CONTINUANCE. Roll call vote. YES: Blake, Harr, Shelton, Townley, Webster; NO: Hunt, Soto-Vigil; ABSTAIN: None; ABSENT: Dodsworth, Stephens. Carried: 5-2-0-2.

Following this motion, Mr. Diener spoke briefly, saying that he was willing to continue the appeal hearing.

M/S/C (Townley/Hunt) CONTINUE THIS HEARING TO THE JULY 21ST REGULAR BOARD MEETING. Voice vote. Carried: 5-1-0-3. NO: Shelton; ABSENT: Dodsworth, Soto-Vigil (stepped out), Stephens.

7. Action Items

a. From Board Members, Executive Director and Committees

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

Ministerial Waiver

<u>Waiver No.</u>	<u>Property Address</u>
4334	2007 Prince Street
4367	1639 63 rd Street

Discretionary Waiver

<u>Waiver No.</u>	<u>Property Address</u>
4303	1935 Russell Street
4354	2231 Shattuck Ave
4381	2923 Newbury Street

M/S/C (Townley/Webster) APPROVE MINISTERIAL WAIVERS ONLY. Voice vote.
Carried: 7-0-0-2. ABSENT: Dodsworth, Stephens.

M/S/C (Townley/Blake) WAIVE ONE HUNDRED PERCENT OF THE PENALTY FOR WAIVER NO. 4303. Roll call vote. YES: Blake, Hunt, Shelton, Townley, Webster; NO: Harr, Soto-Vigil; ABSTAIN: None; ABSENT: Dodsworth, Stephens. Carried: 5-2-0-2.

M/S/C (Blake/Townley) APPROVE STAFF RECOMMENDATION FOR WAIVER NO. 4354. Voice vote. Carried: 7-0-0-2. ABSENT: Dodsworth, Stephens.

M/S/C (Blake/Hunt) WAIVE ONE HUNDRED PERCENT OF THE PENALTY FOR WAIVER NO. 4381. Voice vote. Carried: 7-0-0-2. ABSENT: Dodsworth, Stephens.

8. Information and Announcements

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

a. Reports from Board Members/Staff

- (1) Fiscal Year 2014-2015 Registration letter and information mailed to Berkeley property owners (Executive Director) Commissioner Soto-Vigil asked that this information be made available in other languages.
- (2) Communication from the Disaster & Fire Safety Commission concerning their action taken in response to the Rent Board memorandum on the Multi-Unit Housing Emergency Preparedness Program (Executive Director) Commissioner Soto-Vigil expressed his thanks to the Safe & Sustainable Housing Committee for all their hard work on this issue and emphasized how important this work is. Commissioner Hunt had questions and feedback on the memo which was noted by Commissioner Townley.
- (3) June 6, 2014 Distressed Properties/Foreclosure Report presented to the Eviction/Section 8/Foreclosure Committee (Executive Director and Eviction/Section 8/Foreclosure Committee) Vice Chair Harr gave some background information on this report and informed Commissioners that the letter that the Rent Board previously sent to tenants in foreclosed properties (apprising them of their rights) has been amended to include helpful information for property owners as well. She drew the Board's attention to the fact that foreclosures this year are higher than last year, and that Berkeley is on track to have 180 foreclosures by the end of this year

as opposed to the 115 we had last year. She said the Eviction/Section 8/Foreclosure Committee is keeping an eye on this trend.

- (4) May 4, 2014 Bay Area News Group article with information provided by Informa Research Services, Inc., titled, “Consumer Rates – Bay Area Saving and Borrowing Rates” (Commissioner Hunt) Commissioner Hunt explained her reasons for providing this article and highlighted how low the interest rates are for savings and money market accounts at several banks doing business in Berkeley. Matt Brown clarified that it is the 6-month CD rate that the Board uses to calculate the interest on security deposits.
- (5) May 8, 2014 NBC News article by Stephanie Chuang titled, “Hot Bay Area Housing Market Squeezing Out Renters” (Executive Director)
- (6) May 27, 2014 LA Times article by Rosanna Xia and Rong-Gong Lin II titled, “Santa Monica will have earthquake engineers identify older buildings” (Chair Stephens)
- (7) May 28, 2014 LA Times article by Rosanna Xia titled, “L.A. to list structures that could be at risk in quake” (Chair Stephens)
- (8) May 30, 2014 Bay Area News Group article by Paul Burgarino titled, “Antioch: Landlord tax measure will find home on November ballot” (Commissioner Hunt and Chair Stephens) Commissioner Hunt highlighted several points from this article related to the costs incurred by property owners and the impact this has on all cities’ renters and property owners.
- (9) May 30, 2014 SFChronicle.com/SFGate.com article by Melody Gutierrez titled, “S.F. Evictions – State Senate backs Ellis Act reforms” (Commissioner Hunt)
- (10) June 1, 2014 Oakland Tribune article by Pete Carey titled, “Nation’s Tightest Housing Market – Bay Area homebuyers face ‘a dire situation’” (Commissioner Hunt) Commissioner Hunt explained that she included this article in an effort to reflect another aspect of housing she feels deserves attention, namely the challenges faced by first-time home buyers and those who are trying to move toward home ownership. She said that this information is important for balance because affordable housing affects homeowners and renters alike.
- (11) June 11, 2014 Beyond Chron.org article by Andrew Szeto titled, “At-Will Eviction Bill Moves Through CA Legislature” (Vice Chair Harr)

At this point, the Board moved to table the Committee Reports via the following motion:

M/S/C (Webster/Soto-Vigil) SKIP COMMITTEE REPORTS AND ADJOURN MEETING. Voice vote. Carried: 6-1-0-2. NO: Blake; ABSENT: Dodsworth, Stephens.

The meeting was adjourned at 9:30 p.m. None of the following items were heard.

- b. Updates and Announcements regarding Committee/Board Meetings

- (1) Budget and Personnel
- (2) Outreach
- (3) IRA/AGA and Habitability
- (4) Eviction/Section 8/Foreclosure

a. May 2nd minutes

- (5) Safe & Sustainable Housing
- (6) Waivers Committee
- (7) 4 x 4 City Council/RSB Housing Committee
- (8) Future Special Meetings

c. Discussion of items for possible placement on future agenda

- (1) Discussion of Board Compensation and Attendance rules
- (2) Discussion of Airbnb rentals in Berkeley

9. Adjournment See earlier vote following Item 8.a.(11).