1. **Roll call** – Chair Selawsky called the meeting to order at 7:09 p.m. Aimee Mueller called roll. Commissioners present: Chang, Murphy, Poblet, Simon-Weisberg, Soto-Vigil (arrived at 7:13 p.m.), Townley (arrived at 7:10 p.m.), Tregub, Selawsky. Commissioners absent: Laverde. Staff present: Brown, Darrow (for Closed Session), Kelekian, Law (in audience), Mueller, Shoquist.


3. **Public Forum** – There were three speakers. Marcia Levenson expressed her hope that the Board would take action encouraging the repeal of Costa-Hawkins. Christine Schwartz expressed concern about landlords who do not remedy code violations in a timely manner, and spoke of being bullied by a landlord when she tried to help a tenant. Krista Gulbransen spoke regarding Consent Item 4.b. and suggested that the Board consider expanding Regulation 1017 to include non-natural disasters, and to allow landlords to offer a rent reduction to tenants suffering extreme financial hardship.

4. **CONSENT ITEMS**

   *Action items 6.a.(1), 6.a.(2), 6.a.(3) and 6.a.(4) were moved to Consent by an earlier vote of the Board.*

   a. Approval of the November 20th meeting minutes

   b. Recommendation to adopt Resolution 17-26 allowing landlords to use Regulation 1017 to provide temporary, below-market rental housing in Berkeley to disaster victims displaced by the fires in Southern California (Chair Selawsky, Commissioner Tregub & the Executive Director)

5. APPEAL – Case No. C-275 (2412 Atherton St. Unit #2)

Appearances:
John Hanley, Appellant
Patrick Mellor, on behalf of Respondent
Mark Okada, Respondent

M/S/C (Poblet/Chang) AFFIRM THE HEARING EXAMINER’S DECISION. Roll call vote. YES: Chang, Murphy, Poblet, Simon-Weisberg, Soto-Vigil, Townley, Tregub, Selawsky. NO: None; ABSTAIN: None; ABSENT: Laverde. Carried: 8-0-0-1.

6. ACTION ITEMS

Action items 6.a.(1), 6.a.(2), 6.a.(3), 6.a.(4) were moved to Consent by an earlier vote of the Board.

a. From Board Members, Executive Director and Committees

(1) Recommendation to adopt proposed amendments to Regulation 403 [Rental unit: definition] on first reading (IRA/AGA/Registration Committee)

MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.

(2) Recommendation to adopt proposed amendments to Regulation 1242 [Appeal] on first reading (IRA/AGA/Registration Committee)

MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.

(3) Recommendation that the Board send a letter of support prioritizing housing over parking at the Berkeley Way Project (Commissioners Tregub and Chang)

MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.

(4) Request that the Board ask the 4 x 4 Joint Committee on Housing to investigate the status of the City Council referral titled, “Community Emergency Response Training for multi-unit buildings and emergency cache program tailored to the needs of large multi-unit residential buildings” (Commissioner Townley and Chair Selawsky)

MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.
(5) **Recommendation to adopt the proposed Rent Stabilization Board’s Regular Meeting Schedule for 2018** (Executive Director)


- Commissioner Chang will likely miss the July meeting
- Commissioner Poblet will likely miss the July meeting.
- Commissioner Simon-Weisberg will likely miss the July meeting.
- Commissioner Murphy will miss the June meeting.
- Commissioner Soto-Vigil will miss the August meeting.
- Commissioner Tregub will miss the January, February, or March meeting (not all, just one)
- Chair Selawsky might miss the June and October meetings.

*It was noted for the record that Vice Chair Laverde would be informed of the 2018 Regular Meeting Schedule as she was not present. It was agreed that staff would publish the Schedule after Vice Chair Laverde provided her availability for the 2018 meeting dates and once staff had confirmed the availability of Council Chambers for 2018.*

(6) **Proposal to approve staff recommendations on the following requests for waiver of late registration penalties** (Executive Director)

**Administrative Waivers**

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**Ministerial Waivers**

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**Discretionary Waivers**

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<td>4670</td>
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7. **INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES**

*Please Note: The Board may move Information Items to the Action Calendar.*
ALL ITEMS BELOW WERE MENTIONED AND/OR BRIEFLY DISCUSSED. UNDERLINED ITEMS HAVE ADDITIONAL COMMENTS AND/OR INFORMATION.

a. Reports from Board Members/Staff

(1) Update on actions related to recent fire-related State of Emergency declarations and the application of California’s anti-price gouging statute: Penal Code Section 396 (Executive Director)

(2) Market Medians report through the 2nd Quarter of 2017 (Executive Director)

(3) Short-Term Rental applications update (Executive Director)

(4) Update on Rent Board workshops, seminars and/or outreach at community events – Verbal (Executive Director)

(5) Status of thank you letters to state legislators (Commissioner Tregub)

(6) December 2017 Brief: Impact and Risks to Berkeley’s Housing Stock from Earthquake and Wildfire by Gradiva Couzin (Commissioner Tregub)

(7) November 20, 2017 Pasadena Now article titled, “Pasadena Tenants Union Takes Responsibility for Rent Control Initiative Petition” (Vice-Chair Laverde)

(8) November 21, 2017 DailyCal article by Adriana Buenviaje titled, “Price gouging ban sparks controversy, confusion from Berkeley Rent Stabilization Board” (Commissioner Tregub)

(9) November 22, 2017 LA Weekly article by Jason McGahan titled, “Will 2018 Be a Year of Rent-Control Revolt in L.A.?” (Commissioner Chang & Vice-Chair Laverde)

(10) November 22, 2017 Mountain View Voice article by Mark Noack titled, “Rent control adversaries under scrutiny” (Vice-Chair Laverde)

(11) November 22, 2017 Santa Barbara Independent article by Nick Welsh titled, “Santa Barbara Landlords, Tenants Reach Hard-Fought Compromise” (Vice-Chair Laverde)
8. **COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS**

   a. **Budget and Personnel** – Commissioner Tregub urged the Commissioners to complete the Executive Director’s performance evaluation survey if they hadn’t done so already.

   b. **Eviction/Section 8/Foreclosure** – Committee Chair Simon-Weisberg asked that the 4 x 4 Committee take up the golden duplex issue.

      (1) November 29th agenda

   c. **Habitable & Sustainable Housing (HASH)** – Commissioner Townley updated the Board on a variety of issues the Committee is discussing, including disaster...
recovery and coordination on green building certification with the City Office of Resiliency and other stakeholders.

(1) December 14th agenda
d. IRA, AGA and Registration – Staff Attorney Matt Brown said that the proposed amendments to Regulations 403 and 1242 reflect the Committee’s recent work, and proposed that the Committee not meet in January since Committees are generally reassigned in January. Committee Chair Simon-Weisberg asked that the 4 x 4 Committee take up the issue of enforcement regarding a number of City ordinances affecting rent control.

(1) December 7th agenda
e. Outreach – Committee Chair Chang said that the Committee will reconvene in January.

(1) December 4th meeting – Cancelled
f. 4 x 4 Joint Committee on Housing: City Council/Rent Board – Chair Selawsky mentioned that Mayor Arreguín was unwell and unable to attend the December 12th meeting. The Committee discussed the state of emergency price-gouging law, compliance with the Soft Story Ordinance, and golden duplex issues.

(1) December 12th agenda packet
g. 4 x 4 Ad Hoc Committee on Safety, Occupancy and Affordability of Converted Artist Warehouses and Workspaces
h. Ad Hoc Committee on the Effects of Costa-Hawkins
i. Ad Hoc Committee on Technology Issues
j. 2 x 2 x 2 Committee on Housing: Council / Rent Board / BUSD
k. Updates and Announcements regarding future Special Meetings
l. Discussion of items for possible placement on future agenda

(1) Items proposed for the next 4 x 4 Committee agenda include:
- Pilot program for emergency caches
- Correcting Relocation Ordinance information on the City’s website
- Golden Duplex issue

At this point, the Board adjourned to reconvene in Closed Session to discuss the item(s) listed below.
CLOSED SESSION – The Board convened in Closed Session for an update on litigation pursuant to California Government Code Section 54956.9(d)(1):

St. Hieronymus Press, INC, a California Corporation, et al. v. City of Berkeley Rent Stabilization Board, et al. (Alameda County Superior Court, Case No. RG 17867768)

Pursuant to California Government Code Section 54957(b)(1), the Board also discussed:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Executive Director

When the Board reconvened, Chair Selawsky announced the following: the Board provided direction to staff regarding St. Hieronymus Press, INC, a California Corporation, et al. v. City of Berkeley Rent Stabilization Board, et al. (Alameda County Superior Court, Case No. RG 17867768), but took no formal action. The Board will tabulate and provide the results of the Executive Director’s performance evaluation at the next meeting.

9. ADJOURNMENT – Chair Selawsky adjourned the meeting at 10:02 p.m. in honor and memory of Ed Lee who recently passed away, and in celebration of the life of Mary Kelekian who is turning 90.