



Rent Stabilization Board

RENT STABILIZATION BOARD
Special Meeting
Friday, May 29, 2020 – 6:00 p.m.

Minutes - Approved

PUBLIC ADVISORY: THIS MEETING WAS CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City of Berkeley Rent Stabilization Board (Board) was conducted exclusively through teleconference and Zoom videoconference. Pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, **there was no physical meeting location available.** Members of the public were provided with instructions on how to participate via teleconference, Zoom videoconference, and email.

This meeting was conducted in accordance with Government Code Section 54953, 54956, and all current state and local requirements allowing public participation in meetings of legislative bodies.

1. **Roll call** – Chair Laverde called the meeting to order at 6:02 p.m.
Aimee Mueller called roll.
Commissioners present: Alpert, Chang, Mendonca, Poblet, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde.
Staff present: Brown, Bursell, Fabish, McIlroy, Mueller, Wu.

Prior to approving the agenda, Commissioners Alpert and Tregub requested that the meeting be adjourned on honor and memory of George Floyd, Breonna Taylor, and all others who have lost their lives at the hands of police.

2. **Approval of Agenda** – M/S/C (Alpert/Tregub) APPROVE THE AGENDA AS WRITTEN. Roll call vote. YES: Alpert, Chang, Mendonca, Poblet, Selawsky, Simon-Weisberg, Tregub, Laverde; NO: None; ABSTAIN: None; ABSENT: Soto-Vigil. Carried: 8-0-0-1.

M/S/C (Tregub/Mendonca) MOTION TO HEAR THE STAFF PRESENTATION RELATED TO ITEM 4.a.(1) PRIOR TO TAKING PUBLIC COMMENT. Roll call vote. YES: Alpert, Chang, Mendonca, Poblet, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

Rent Board staff presented to and answered questions from the Board.

3. **Public Comment** – There were 46 speakers. Nahuala Quen spoke in favor of repealing the golden duplex exemption. Margot Rose Lederer spoke against repealing the ADU exemption.

Kacey Read spoke in favor of repealing the golden duplex exemption. Agnes Cho spoke in favor of repealing the golden duplex exemption. Dominique Walker of Moms 4 Housing spoke in favor of extending rent stabilization and good cause protections to more tenants. Derek Imai spoke in favor of repealing the golden duplex exemption. Roger Hallsten spoke against repealing the golden duplex and ADU exemptions. Andrea Mullarkey of SEIU 1021 spoke in favor of extending rent stabilization and just cause protections to more tenants. Izzy Meckler spoke in favor of repealing the golden duplex exemption. Gregory Hurcomb supports further protections for tenants. Holly Mines spoke against repealing the golden duplex exemption. Karla Simmons spoke against repealing the golden duplex exemption. “Anna” spoke against repealing the golden duplex exemption. David Barr spoke against repealing the golden duplex exemption. Liam McSweeney spoke in support of extending rent stabilization and just cause protections to more tenants. Jeanne Clinton spoke against repealing the golden duplex exemption. Shira Cion spoke against repealing the ADU exemption. Alicia Moore spoke against repealing the golden duplex exemption. “marchalpern” spoke against repealing the golden duplex exemption. Greg San Martin spoke against repealing the golden duplex and ADU exemptions. Margy Wilkinson of Friends of Adeline spoke in favor of extending rent stabilization and just cause protections to more tenants. Kiran Shenoy from the Association of Realtors spoke against repealing the golden duplex and ADU exemptions, and asked Commissioners who live in golden duplexes to recuse themselves from the vote on that proposal. Joanne Pham’s partner spoke in favor of extending rent stabilization and just cause protections to more tenants. Krista Gulbransen, Executive Director of the Berkeley Property Owners Association, spoke against repealing the golden duplex and ADU exemptions, and asked Commissioners who live in golden duplexes to recuse themselves from the vote on that proposal. Bitu Azizi spoke against repealing the golden duplex and ADU exemptions. Janet Anderson spoke against repealing the golden duplex and ADU exemptions. Carmela Caramagno spoke against repealing the golden duplex and ADU exemptions. Jackie Zaneri spoke in favor of repealing the golden duplex exemption. “Alan” spoke against repealing the golden duplex exemption. Elisa DellaPlana spoke in favor of repealing the golden duplex exemption. “0k36HA” spoke against repealing the golden duplex exemption. “Max” spoke against repealing the golden duplex exemption. Alfred Twu supports repealing the golden duplex and ADU exemptions. John Heim spoke against repealing the golden duplex exemption. Jennie Nguyen spoke against repealing the golden duplex exemption. “nakamura2” spoke against repealing the golden duplex and ADU exemptions. Cordula Didier emphasized the need for owners in duplexes to have control over who lives next to them. Nancy Noman spoke against repealing the golden duplex and ADU exemptions. Jesse Townley asked golden duplex and ADU owners who rent below market why legal recognition of their longstanding commitment to affordability changes anything. Ryan Kearns spoke against repealing the golden duplex exemption. Esteban Sardera spoke against repealing the golden duplex exemption. Bryce Nesbitt said that not all units should be treated the same, and advocated for a disclosure requirement. Matthew Lewis emphasized that owners and tenants in duplexes are in different units and questioned the level of landlord-tenant intimacy that owners opposed to the changes are alleging. Maureen Caldwell-Meurer said that the proposals lacked analysis and are pitting small property owners and tenants against one another. Todd Andrew is a tenant who believes these proposals are scaring people, and that it’s counterproductive to propose eliminating the ADU exemption just two years after voters approved exempting them. Peter Selawsky argued that all tenants need eviction protections.

4. ACTION ITEMS

a. From Board Members, Committees, and Executive Director

- (1) Discussion and possible action to recommend revisions to the Rent Stabilization and Eviction for Good Cause Ordinance for Berkeley City Council to place on the November 2020 local ballot (IRA/AGA/Registration Committee and Acting Executive Director)

M/S/C (Soto-Vigil/Chang) MOTION TO ADOPT AND SEND TO COUNCIL THE PROPOSAL AS WRITTEN IN SECTION 1 OF THE STAFF MEMO TITLED “EXPANDED REGISTRATION.” Roll call vote. YES: Alpert, Chang, Mendonca, Poblet, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSENT: None; ABSTAIN: None. Carried: 9-0-0-0.

M/S/C (Soto-Vigil/Chang) MOTION TO ADOPT AND SEND TO COUNCIL THE PROPOSAL AS WRITTEN IN SECTION 3 OF THE STAFF MEMO TITLED “COVID19 DELAYED PAYMENTS ARE NOT GOOD CAUSE FOR EVICTION.” Roll call vote. YES: Alpert, Chang, Mendonca, Poblet, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSENT: None; ABSTAIN: None. Carried: 9-0-0-0.

M/S/C (Simon-Weisberg/Alpert) MOTION TO ADOPT AND SEND TO COUNCIL THE PROPOSAL AS WRITTEN IN SECTION 2 OF THE STAFF MEMO TITLED “‘GOLDEN DUPLEX’ REPEAL.” Roll call vote. YES: Alpert, Mendonca, Poblet, Selawsky, Simon-Weisberg, Tregub, Laverde; NO: Chang, Soto-Vigil; ABSTAIN: None; ABSENT: None. Carried: 7-2-0-0.

M/S/C (Simon-Weisberg/Alpert) MOTION TO CALL THE QUESTION. Roll call vote. YES: Alpert, Mendonca, Poblet, Selawsky, Simon-Weisberg, Tregub, Laverde; NO: Chang, Soto-Vigil; ABSTAIN: None; ABSENT: None. Carried: 7-2-0-0.

M/S/C (Simon-Weisberg/Selawsky) MOTION TO ADOPT AND SEND TO COUNCIL THE PROPOSAL AS WRITTEN IN SECTION 4 OF THE STAFF MEMO TITLED “ELIMINATING THE ACCESSORY DWELLING UNIT (ADU) EXEMPTION.” Roll call vote. YES: Alpert, Poblet, Selawsky, Simon-Weisberg, Laverde; NO: Chang, Soto-Vigil; ABSTAIN: Tregub, Mendonca; ABSENT: None. Carried: 5-2-2-0.

5. BOARD MEETING UPDATES AND ANNOUNCEMENTS

a. Discussion of items for possible placement on future agendas

6. ADJOURNMENT – M/S/C (Tregub/Alpert) Motion to adjourn the meeting in honor and memory of George Floyd, Breonna Taylor, and all victims of police brutality, and to call for the full prosecution of Derek Chauvin for killing George Floyd. Roll call vote. YES: Alpert, Chang,

Mendonca, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSTAIN:
None; ABSENT: Poblet. Carried: 8-0-0-1.

The meeting adjourned at 10:40 p.m.