



Rent Stabilization Board

## RENT STABILIZATION BOARD

Thursday, September 17, 2020 – 7:00 p.m.

### Regular Meeting Minutes - *Approved*

1. **Roll call** – Chair Laverde called the meeting to order at 7:05 p.m. Aimee Mueller called roll. Commissioners present: Alpert, Chang, Mendonca (joined at 7:10 p.m.), Selawsky, Simon-Weisberg, Soto-Vigil (joined at 8:10 p.m.), Tregub, Laverde. Commissioners absent: None. Staff present: Brown, Bursell, Mueller, Siegel, Wu.
2. **Approval of Agenda** – M/S/C (Tregub/Selawsky) APPROVE THE AGENDA WITH THE FOLLOWING CHANGES: MOVE ACTION ITEM 6.a.(1) TO CONSENT WITH A CORRECTION TO THE DATE IN RESOLUTION 20-17 (ON PAGE 2, FIFTH “WHEREAS” PARAGRAPH, AND IN THE FINAL PARAGRAPH, CHANGE THE DATE TO MARCH 31, 2021); AND ADJOURN IN MEMORY OF DAVID MUNDSTOCK. Roll call vote. YES: Alpert, Chang, Selawsky, Simon-Weisberg, Tregub, Laverde; NO: None; ABSTAIN: None; ABSENT: Mendonca, Soto-Vigil. Carried: 6-0-0-2.
3. **Public Comment** – There were three speakers. Anne Tamiko Omura, the Executive Director of the Eviction Defense Center, thanked the Board for the contract modification that enables them to address critical needs related to COVID-19 housing issues. Andrea Henson, an attorney for the Eviction Defense Center, reiterated Ms. Omura’s appreciation, and spoke about work related to Berkeley Housing Retention Grant funding, and anti-displacement. Carole Marasovic spoke about Item 5.
4. **CONSENT ITEMS**

*Action item 6.a.(1) was moved to Consent by an earlier vote of the Board.*

- a. Approval of the August 20<sup>th</sup> regular meeting minutes
- b. Approval of the August 28<sup>th</sup> special meeting minutes

M/S/C (Alpert/Tregub) MOVE ALL CONSENT ITEMS, INCLUDING ITEM 6.a.(1) AS CORRECTED. Roll call vote. YES: Alpert, Chang, Selawsky, Simon-Weisberg, Tregub, Laverde; NO: None; ABSTAIN: Mendonca; ABSENT: Soto-Vigil. Carried: 6-0-1-1.

5. **SPECIAL PRESENTATION on Housing Legislation including Assembly Bill (AB) 3088 by Brian Augusta & Associates, Rent Board Lobbyist**
  - a. State Legislative Report – Mr. Augusta presented about currently pending housing legislation, including AB 3088, and took questions from the Board.

## 6. ACTION ITEMS

*Action item 6.a.(1) was moved to Consent by an earlier vote of the Board.*

### a. From Board Members, Committees, and Executive Director

- (1) Discussion and possible action to adopt Resolution 20-17 to extend the sunset provision in Regulation 503(B)(2) (Acting Executive Director) – MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.
- (2) Discussion and possible action to recommend proposal for implementing the registration of partially exempt units if Measure MM is adopted at the November general election (IRA/AGA/Registration Committee)

M/S/C (Simon-Weisberg/Selawsky) ADOPT THE STAFF RECOMMENDATION AS WRITTEN. YES: Alpert, Mendonca, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSTAIN: None; ABSENT: Chang. Carried: 7-0-0-1.

## 7. INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES

**THE ITEMS BELOW WERE EACH MENTIONED OR BRIEFLY DISCUSSED. UNDERLINED ITEMS HAVE ADDITIONAL COMMENTS OR INFORMATION.**

### a. Reports from Board Members/Staff

- (1) Update on recent Rent Board outreach events (Acting Executive Director) – The Acting Executive Director informed the Board that Cal Counseling would resume on October 1<sup>st</sup> but will be conducted virtually via Zoom.
  - a. Sept. 9<sup>th</sup> Tenant 101 Webinar
  - b. Sept. 30<sup>th</sup> Landlord 101 Webinar
- (2) Update on the annual registration process and amnesty program to forgive penalties for COVID-related non-payment of registration fees – Verbal (Acting Executive Director)
- (3) Corrected Commissioner attendance at Board and Committee meetings through the second quarter of 2020 (Acting Executive Director)
- (4) Text of AB 3088, Chiu [Tenancy: rental payment default: mortgage forbearance: state of emergency: COVID-19.]  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB3088](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB3088) (Commissioner Tregub)
- (5) August 26, 2020 *The Daily Californian* article by Veronica Roseborough titled, “Berkeley Tenants Union addresses UC Berkeley class registration hold policy” (Commissioner Tregub)  
<https://www.dailycal.org/2020/08/26/berkeley-tenants-union-addresses-uc-berkeley-class-registration-hold-policy/>

- (6) August 31, 2020 *The Daily Californian* article by Kate Finman titled, “Berkeley rent board removes disincentives for lowering rent, responds to state emergency” (Commissioner Tregub)  
<https://www.dailycal.org/2020/08/31/berkeley-rent-board-removes-disincentives-for-lowering-rent-responds-to-state-emergency/>
- (7) September 4, 2020 *GlobeSt.com* article by Grace Winters, Dina Tecimer and Delilah Clay titled, “A Closer Look at California’s AB 3088” (Commissioner Tregub)  
<https://www.globest.com/2020/09/04/a-closer-look-at-californias-ab-3088/?slreturn=20200810190821>

## **8. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS**

- a. Budget and Personnel – Committee Chair Tregub reported the last meeting was cancelled and confirmed that the next meeting will be at the regularly scheduled time.
- b. Eviction/Section 8/Foreclosure – Commissioner Simon-Weisberg said the Committee lost its chair, but should meet soon.
- c. Habitable & Sustainable Housing (HASH) – Committee Chair Chang reported that the Committee has decided not to meet again for the remainder of the year.
- d. IRA, AGA and Registration – Committee Chair Simon-Weisberg said the Board just discussed the Committee’s latest work.
  - (1) August 24<sup>th</sup> agenda
  - (2) September 8<sup>th</sup> agenda
- e. Outreach – Committee Chair Chang said the Committee will meet in early October and encouraged everyone to complete the 2020 Census.
- f. 4 x 4 Joint Committee on Housing: City Council/Rent Board – Chair Laverde reported that the Committee will meet on September 23 to discuss a number of issues.
- g. Ad Hoc Committee on Technology Issues
- h. Updates and Announcements regarding future Special Meetings
- i. Discussion of items for possible placement on future agenda

## **9. CLOSED SESSION:** The Board adjourned to reconvene in closed session at 8:43 p.m.

- a. Pursuant to California Government Code Sections 54957(b) and 54956.9(d), the Board convened in closed session to consider confidential personnel matters and potential litigation.
- b. Pursuant to California Government Code Section 54956.9(d)(1), the Board also convened in closed session for an update on litigation:
  - NCR Properties, LLC v. City of Berkeley Rent Stabilization Board (Alameda County Superior Court Case # RG19024268)

Upon their return at 10:09 p.m., the Chair announced that the Board took no reportable action.

10. **ACTION ITEM**: Discussion and possible action to adopt Resolution 20-18 authorizing the Acting Executive Director to enter into a contract with the Centre for Organization Effectiveness to facilitate strategic support in relation to an executive transition process (Chair Laverde & Vice-Chair Simon-Weisberg)

M/S/C (Alpert/Tregub) MOTION TO ADOPT RESOLUTION 20-18 AS WRITTEN.  
YES: Alpert, Chang, Mendonca, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None;  
ABSTAIN: None; ABSTAIN: Selawsky. Carried: 7-0-0-1.

11. **ADJOURNMENT** – M/S/C (Tregub/Laverde) ADJOURN THE MEETING IN HONOR OF DAVID MUNDSTOCK, PROGRESSIVE POLITICAL ACTIVIST. YES: Alpert, Chang, Mendonca, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSTAIN: None; ABSENT: Selawsky. Carried: 7-0-0-1.

The meeting adjourned at 10:14 p.m.