



Rent Stabilization Board

RENT STABILIZATION BOARD Regular Meeting Minutes - *Approved*

**Berkeley Unified School District Board Room
1231 Addison Street**

**Thursday, January 16, 2020
7:00 p.m.**

Broadcast Live on KPFB – 89.3 and BTV Cable Channel 33
Live Webcasting at www.cityofberkeley.info/rent

1. **Roll call** – Chair Laverde called the meeting to order at 7:21 p.m.
Aimee Mueller called roll.
Commissioners present: Alpert, Chang, Laverde, Mendonca, Poblet, Selawsky (arrived at 7:28 p.m.), Simon-Weisberg (arrived at 8:07 p.m.), Soto-Vigil, Tregub.
Staff present: Brown, Darrow (in audience and closed session), Kelekian, Mueller, Siegel (in audience and closed session).
2. **Approval of Agenda** – M/S/C (Soto-Vigil/Alpert) MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING CHANGES: MOVE CONSENT ITEM 4.b. TO THE FIRST ACTION ITEM HEARD, ADJOURN MEETING IN HONOR AND MEMORY OF WHITNEY DOTSON, FORMER EBRPD DIRECTOR, AND THE FOUR HOMELESS MOTHERS EVICTED AFTER A PROLONGED FIGHT TO LIVE IN A VACANT HOUSE IN OAKLAND. Voice vote. Carried: 7-0-0-2. ABSENT: Selawsky, Simon-Weisberg.
3. **Public Forum** – There were no speakers.
4. **CONSENT ITEMS**

Consent item 4.b. was moved to the first action item heard by an earlier vote of the Board.

- a. Approval of the December 19th regular meeting minutes

M/S/C (Tregub/Alpert) MOVE ITEM 4.a. ONLY. Voice vote. Carried: 7-0-0-2.
ABSENT: Selawsky, Simon-Weisberg.

- b. Proposed 2020 Committee Assignments List (Chair Laverde) – HEARD AS THE FIRST ACTION ITEM PER AN EARLIER VOTE OF THE BOARD.

M/S/C (Laverde/Tregub) APPOINT COMMISSIONER MENDONCA TO THE COMMITTEES ON WHICH COMMISSIONER MURPHY SERVED FOR ONE MONTH – I.E., THE EVICTION/SECTION 8 AND OUTREACH COMMITTEES – AND RETURN WITH A REVISED 2020 COMMITTEE ASSIGNMENTS LIST FOR THE FEBRUARY BOARD MEETING. Voice vote. Carried: 9-0-0-0.

5. **SPECIAL PRESENTATION on the 2020 Census by Alessia Simmonds, Outreach Manager for the Alameda County Complete Count Committee** - Ms. Simmonds presented to and took questions from the Board.

6. **APPEAL** – Case No. RWN-1645 (1326 Oxford Street)

No parties present.

M/S/C (Soto-Vigil/Tregub) MOTION TO UPHOLD THE HEARING EXAMINER’S DECISION. Voice vote. Carried: 8-0-0-0-1. RECUSED: Selawsky*

*Commissioner Selawsky recused himself because his son previously represented the Respondent.

7. **APPEAL** – Case No. IRD-145 (1921 Delaware St, #5) – Decision on Remand

Parties present:

Stanley Mukabi, Respondent

Alana Grice Conner, attorney for Appellant

Julie Theron on behalf of Appellant

M/S/C (Selawsky/Laverde) MOTION TO REVERSE THE HEARING EXAMINER’S DECISION. Roll call vote. YES: Alpert, Chang, Poblet, Selawsky, Tregub, Laverde; NO: Soto-Vigil; ABSTAIN: Mendonca, Simon-Weisberg; ABSENT: None. Carried: 6-1-2-0.

8. **ACTION ITEMS**

Consent item 4.b. was heard as the first action item per an earlier vote of the Board.

- a. From Board Members, Executive Director and Committees

- (1) Recommendation that the Board oppose the current version of Senate Bill 50 [Weiner] (Chair Laverde, Commissioner Poblet & Vice-Chair Simon-Weisberg)

M/S/C (Selawsky/Alpert) ADOPT THE RECOMMENDATION WITH THE FOLLOWING CHANGES: ADD THE AGREED-UPON LANGUAGE PROPOSED BY COMMISSIONER TREGUB; ***Friendly amendment by Soto-Vigil (accepted)***: INVITE THE TWO LOCAL AUTHORS TO SPEAK TO THE RENT BOARD ON WHY THEY HAVE CO-SPONSORED SENATE BILL 50; ***Friendly amendment by Alpert (accepted)***: INCLUDE ASSEMBLY MEMBER BUFFY WICKS AS A RECIPIENT OF THE LETTER. Roll call vote. YES: Alpert, Mendonca, Poblet, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: Chang; ABSTAIN: None; ABSENT: None. Carried: 8-1-0-0.

9. **INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES**

ALL ITEMS BELOW WERE MENTIONED OR BRIEFLY DISCUSSED. UNDERLINED ITEMS HAVE ADDITIONAL COMMENTS OR INFORMATION.

a. Reports from Board Members/Staff

- (1) Commissioner attendance at Board and Committee Meetings through the 4th Quarter of 2019 (Executive Director)
- (2) Update on recent and upcoming Rent Board outreach events – *Verbal* (Executive Director)
- (3) January 9, 2020 City of Berkeley press release titled, “NEW AFFORDABLE HOMES FOR SALE IN BERKELEY! APPLY NOW!” (Executive Director)
- (4) December 20, 2019 *MSN.com* article by Emily DeRuy titled, “Here’s how much rent has gone up in the Bay Area since 2010” (Executive Director)
<http://www.msn.com/en-us/money/realestate/heres-how-much-rent-has-gone-up-in-the-bay-area-since-2010/ar-BBYcPs9?ocid=iehp>
- (5) December 26, 2019 *The New York Times* opinion piece by Mara Gay titled, “Evictions Are Down in New York. Thank the Voters.” (Executive Director)
<https://www.nytimes.com/2019/12/26/opinion/new-york-evictions.html?action=click&module=Opinion&pgtype=Homepage>
- (6) January 4, 2020 *San Francisco Chronicle* article by Kathleen Pender titled, “What landlords and tenants need to know about California’s new rent-control law” (Chair Laverde)
<https://www.sfchronicle.com/business/networth/article/What-landlords-and-tenants-need-to-know-about-14948399.php>
- (7) Report back on City Manager’s Information Session on the Strategic Plan (Vice-Chair Simon-Weisberg)
Vice-Chair Simon-Weisberg provided an overview of the City’s Strategic Plan Information Session she attended earlier this evening.

10. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget and Personnel
- b. Eviction/Section 8/Foreclosure
- c. Habitable & Sustainable Housing (HASH)
- d. IRA, AGA and Registration
- e. Outreach
- f. 4 x 4 Joint Committee on Housing: City Council/Rent Board – Chair Laverde provided an update on the Committee’s next scheduled meeting and agenda topics.
- 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

At 10:43 p.m. the Board adjourned to reconvene in closed session.

CLOSED SESSION: Pursuant to California Government Code Section 54956.9(d)(1), the Board convened in closed session for an update on litigation:

- *Marowitz v. Berkeley Rent Stabilization Board, et al.* (Alameda County Superior Court Case RG19042977)
- *NCR Properties v. City of Berkeley, et al.* (Alameda County Superior Court Case RG19024268)
- *Berkeley Rental Housing Coalition v. City of Berkeley Rent Stabilization Board* (Alameda County Superior Court Case RG19018001)
- *Nanak Foundation Trust v. City of Berkeley Rent Stabilization Board* (Alameda County Superior Court Case RG19047960)
- *S. K. Ghoshal, et al. v. City of Berkeley Rent Stabilization Board* (Alameda County Superior Court Case RG19038051)

AT THE CONCLUSION OF THE CLOSED SESSION, CHAIR LAVERDE ANNOUNCED THAT THE BOARD TOOK TWO VOTES TO ADVISE STAFF ON PENDING LITIGATION.

11. ADJOURNMENT –The meeting adjourned at 11:27 p.m. in honor and memory of Whitney Dotson, former EBRPD Director, and the four homeless mothers evicted after a prolonged fight to live in a vacant house in Oakland.