



Rent Stabilization Board

RENT STABILIZATION BOARD Regular Meeting Minutes – *Approved*

LOCATION CHANGE:

**Berkeley City College
Auditorium, Basement Level**

2050 Center Street, Downtown Berkeley

Broadcast Live on KPFB – 89.3 and BTV Cable Channel 33

Live Webcasting at www.cityofberkeley.info/rent

Monday, October 15, 2018

7:00 p.m.

1. **Roll call** – Chair Selawsky called the meeting to order at 7:10 p.m. Aimee Mueller called roll.
Present: Chang, Laverde, Poblet, Simon-Weisberg, Soto-Vigil, Townley, Tregub (arrived 7:12 p.m.), Selawsky.
Absent: Murphy.
Staff present: Brown, Kelekian, Law (in audience), Mueller.
2. **Approval of Agenda** – M/S/C (Soto-Vigil/Poblet) MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING CHANGES: MOVE ITEM 5.b. TO ACTION, MOVE ITEMS 6.a.(1) AND 6.a.(2) TO CONSENT, AND MOVE ALL MINISTERIAL WAIVERS TO CONSENT. Voice vote. Carried: 8-0-0-1. Absent: Murphy.
3. **Public Forum** – There were no speakers.
4. **Special Order of Business: Honorary Resolution for Chanée Franklin Minor, former Division Manager of the Rent Board's Public Information and Registration Units**

Charles Franklin spoke about his daughter. Ms. Franklin Minor's grandmother was also present. Ms. Franklin Minor expressed her appreciation to the Board and staff for the mentorship and opportunities she received during her tenure at the Berkeley Rent Board. Commissioners thanked Ms. Franklin Minor for her years of service to Berkeley property owners and tenants.

M/S/C (Tregub/Poblet) MOTION TO APPROVE RESOLUTION 18-22 IN APPRECIATION OF CHANÉE FRANKLIN MINOR. Roll call vote. YES: Chang, Laverde, Poblet, Simon-Weisberg, Soto-Vigil, Townley, Tregub, Selawsky; NO: None; ABSTAIN: None; ABSENT: Murphy. Carried: 8-0-0-1.

5. **CONSENT ITEMS**

Consent item 5.b. was moved to Action, and Action items 6.a.(1), 6.a.(2), and all Ministerial Waivers were moved to Consent by an earlier vote of the board.

- a. Approval of the September 17th meeting minutes

M/S/C (Soto-Vigil/Laverde) MOTION TO APPROVE ITEM 5.a., ACTION ITEMS 6.a.(1) AND 6.a.(2), AND ALL MINISTERIAL WAIVERS AS WRITTEN. Voice vote. Carried: 8-0-0-1. Absent: Murphy.

ITEM 5.b. WAS MOVED TO ACTION BY AN EARLIER VOTE OF THE BOARD.

- b. Recommendation to adopt proposed amendments to Regulation 608 [Emergency Regulations and Orders of Repeal] – *Second reading* (IRA/AGA/Habitability Committee & Executive Director)

M/S/C (Laverde/Soto-Vigil) MOTION TO APPROVE ITEM 5.b. AS WRITTEN. Roll call vote. YES: Chang, Laverde, Poblet, Simon-Weisberg, Soto-Vigil, Townley, Tregub, Selawsky; NO: None; ABSTAIN: None; ABSENT: Murphy. Carried: 8-0-0-1.

6. ACTION ITEMS

Consent item 5.b. was moved to Action, and Action items 6.a.(1), 6.a.(2), and all Ministerial Waivers were moved to Consent by an earlier vote of the Board.

- a. From Board Members, Executive Director and Committees

- (1) Recommendation that the Board adopt Resolution 18-20 confirming the 2019 Annual General Adjustment (AGA) of **2.5%** and ordering that the 2019 AGA be published as Regulation 1141 (IRA/AGA/Registration Committee and Executive Director) – THIS ITEM WAS MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.
- (2) Recommendation that the Board adopt Resolution 18-21 to publish that the relocation assistance payments set forth in Berkeley Municipal Code sections 13.76.130.A.9.g. (Owner Move-In) and 13.77.055.A (Ellis Act) shall increase by 3.9% effective January 1, 2019 (IRA/AGA/Registration Committee and Executive Director) – THIS ITEM WAS MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.
- (3) Recommendation to schedule a Special Meeting of the Rent Board prior to the regularly-scheduled November Board meeting (Executive Director)

M/S/C (Soto-Vigil/Laverde) MOTION TO SCHEDULE A SPECIAL MEETING FOR FRIDAY, NOVEMBER 9, 2018 AT 6:00 P.M. TO FOCUS ON THE REPEAL OR ADOPTION OF REGULATIONS IN THE EVENT THAT COSTA-HAWKINS IS REPEALED IN THE NOVEMBER 6, 2018 ELECTION. Roll call vote. YES: Chang, Laverde, Poblet, Simon-Weisberg, Soto-Vigil, Townley, Tregub, Selawsky; NO: None; ABSTAIN: None; ABSENT: Murphy. Carried: 8-0-0-1.

- Commissioner Townley indicated that he may not be able to attend this meeting.

- Commissioner Soto-Vigil indicated that he will be out of town and will need to participate in the meeting via teleconference.
- (4) Request that the staff publish on the Rent Board’s website compiled research on the effects/impacts of vacancy decontrol in lieu of holding a workshop as previously requested by the Board (Vice-Chair Laverde and Executive Director)

M/S/C (Laverde/Townley) MOTION TO APPROVE ITEM AS WRITTEN. Roll call vote. YES: Chang, Laverde, Poblet, Simon-Weisberg, Soto-Vigil, Townley, Tregub, Selawsky; NO: None; ABSTAIN: None; ABSENT: Murphy. Carried: 8-0-0-1.

- (5) Proposal to approve staff recommendations on the following requests for Ministerial and Discretionary waivers, as well as \$294,194 in 60-Day waivers of late registration penalties (Executive Director)

ALL MINISTERIAL WAIVERS WERE MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.

Ministerial Waivers

<u>Waiver No.</u>	<u>Property Address</u>
4728	1907 Parker Street
4729	1818 Alcatraz Avenue
4743	1529 Tyler Street
4744	2433 Warring Street
4751	1712 10th Street

Discretionary Waivers

<u>Waiver No.</u>	<u>Property Address</u>
4731	1113 Cowper Street
4733	3411 Adeline Street
4735	2533 Chilton Way
4742	1808 Prince Street
4747	1141 Hearst Avenue
4756	1737 Addison Street

Waiver Percentage	Number of Properties	Amount Waived	Amount Collected
100%	145	\$177,750	\$0
90%	102	\$84,279	\$9,364
75%	43	\$27,376	\$9,390
55%	18	\$4,588	\$3,757
30%	3	\$201	\$469
TOTAL	311	\$294,194	\$22,980

M/S/C (Tregub/Townley) MOVE ALL DISCRETIONARY WAIVERS AS WRITTEN.
Roll call vote. YES: Chang, Laverde, Poblet, Simon-Weisberg, Soto-Vigil, Townley,
Tregub, Selawsky; NO: None; ABSTAIN: None; ABSENT: Murphy. Carried: 8-0-0-1.

7. INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES

**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 the Rent Board Staffing Model – *Verbal* (Executive Director) – The Executive Director updated the Board on offers made for two temporary positions.
- (2) Commissioner attendance at Board and Committee Meetings through September 30, 2018 (Executive Director)
- (3) Short-term Rental applications update (Executive Director) – The Board requested that staff include data for the prior month along with the data for the current month so that they can assess changes.
- (4) Rent Board postcard to Berkeley property owners regarding registering new tenancies (Executive Director)
- (5) Rent Board Tenants’ Rights Workshop postcard sent to units with tenancies that began on/after January 1, 2018 (Executive Director)
- (6) Rent Board’s Fall Newsletter to all Berkeley property owners and tenants (Executive Director)
- (7) Update on recent Rent Board outreach events – *Verbal* (Executive Director)
- (8) Rent Board “Tip of the Month” for October 2018 – *Earthquake Preparedness* (Executive Director)
- (9) 2018 Haas Institute Policy Brief titled, “Opening the Door for Rent Control: Toward a Comprehensive Approach to Protecting California’s Renters” by Nicole Montojo, Stephen Barton, and Eli Moore (Executive Director)
<https://haasinstitute.berkeley.edu/opening-door-rent-control>
- (10) September 2018 report by the California Budget & Policy Center titled, “New Census Figures Show That California Has 7.5 Million Residents Living in Poverty – More Than Any Other State” (Executive Director)
<https://calbudgetcenter.org/resources/new-census-figures-show-that-california-has-7-5-million-residents-living-in-poverty-more-than-any-other-state/>
- (11) October 2018 study by the UCLA Luskin Center for History and Policy by Alisa Belinkoff Katz titled, “*People Are Simply Unable to Pay the Rent*” – *What History Tells Us About Rent Control in Los Angeles* (Executive Director)

<http://luskincenter.history.ucla.edu/wp-content/uploads/sites/66/2018/09/People-Are-Simply-Unable-to-Pay-the-Rent.pdf>

- (12) October 2018 study by the USC Dornsife Program for Environmental and Regional Equity by Manuel Pastor, Ph.D, Vanessa Carter, MA, and Maya Abood, MA, titled, “Rent Matters: What are the Impacts of Rent Stabilization Measures?” (Executive Director) <https://dornsife.usc.edu/pere/rent-matters>
- (13) September 19, 2018 *SFChronicle.com* article by Kimberly Veklerov titled, “Housing prices are resegregating the Bay Area, UC Berkeley study finds” (Executive Director) – Chair Selawsky spoke briefly about this article.
<https://www.sfchronicle.com/bayareahousingcrisis/article/Housing-prices-are-re-segregating-the-Bay-Area-13239870.php>
- (14) September 27, 2018 *East Bay Times.com* article by Katy Murphy titled, “Rent control: What we can learn from Berkeley and Santa Monica” (Executive Director) <https://www.eastbaytimes.com/2018/09/27/california-and-rent-control-what-we-can-learn-from-berkeley-and-santa-monica/>
- (15) September 30, 2018 *SFGate.com* article by Otis R. Taylor Jr. titled, “So, you got an eviction notice and have a few weeks to find an apartment ...” (Executive Director) <https://www.sfgate.com/bayarea/otisrtaylorjr/article/So-you-got-an-eviction-notice-and-have-a-few-13270312.php?t=0870bd5d26>
- (16) October 5, 2018 *Chicago Reader.com* article by Maya Dukmasova titled, “Landlords for rent control? You heard that right” (Executive Director) <https://www.chicagoreader.com/Bleader/archives/2018/10/05/landlords-for-rent-control-you-heard-that-right>

8. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget and Personnel
- b. Eviction/Section 8/Foreclosure – Committee Chair Poblet announced that the Committee’s next meeting is on November 13.
- c. Habitable & Sustainable Housing (HASH) – Committee Chair Laverde reported that the Committee meeting date is being rescheduled due to a speaker cancellation.
- d. IRA, AGA and Registration – Committee Chair Simon-Weisberg reported that the Committee’s next meeting is yet to be scheduled.
 - (1) October 9th agenda
- e. Outreach – Commissioner Chang reported that the Committee met today and discussed landlord and tenant surveys.

(1) October 15th agenda

- f. 4 x 4 Joint Committee on Housing: City Council/Rent Board
- 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

9. **ADJOURNMENT** – Prior to adjourning the public meeting, Chair Selawsky announced that the Board would reconvene in Closed Session at the Rent Board Law Library at 2001 Center Street, 2nd Floor, Berkeley. Chair Selawsky adjourned the public meeting at 8:20 p.m.

CLOSED SESSION – Pursuant to California Government Code Section 54956.8, the Board discussed:

UPDATE FROM REAL PROPERTY NEGOTIATOR
Renewal of Lease at 2125 Milvia Street

Upon the conclusion of the closed session, Chair Selawsky announced that the Board created an Ad Hoc Committee on Real Property Negotiations to discuss real property negotiations in future closed session meetings.