



CITY OF SANTA MONICA RENT CONTROL BOARD
REGULAR MEETING MINUTES
Council Chamber, 1685 Main Street
Thursday, February 9, 2017

1. CALL TO ORDER

Chairperson Duron called the regular Rent Control Board meeting to order at 6:00 p.m. with Commissioner Torosis absent.

ROLL CALL

Members Present: Nicole Phillis
Chairperson Steve Duron
Todd Flora
Vice-Chairperson Anastasia Foster
Caroline Torosis (Arrived at 6:10 p.m.)

Others Present: Tracy Condon, Executive Director
Stephen Lewis, General Counsel
Amy Regalado, Hearings Manager
Neil Wessel, Public Information Manager
Rebecca Sherman, Senior Litigation Attorney
Hakhamanesh Mortezaie, Staff Attorney
Lonnie Guinn, Board Secretary

2. RECESS TO CLOSED SESSION

1. *Conference with Labor Negotiator – Personnel (Government Code 54957.6)*
 - a. *City Negotiator* Tracy Condon
 - b. *Employee Organization* Employees Action Committee (EAC)
Managers

There was no one present to address the Board on this item. The Board recessed to closed session at 6:01 p.m. with Commissioner Torosis absent.

3. RECONVENE TO OPEN SESSION

The open meeting reconvened at 7:00 p.m. with all members present. Chairperson Duron led the assemblage in the Pledge of Allegiance.

4. REPORT OF CLOSED SESSION

General Counsel Lewis announced that no reportable action was taken on the first item. Executive Director Condon reported that the Board authorized a 1.5% cost of living adjustment for the managers and allowed the General Counsel and Hearings Department Manager to work from home with some discretion.

5. APPROVAL OF THE MINUTES: January 12, 2017

Commissioner Phillis, seconded by Commissioner Flora, moved to approve the minutes of the regular Board meeting of January 12, 2017 with an amendment to correct the spelling of Gert Basson's name under Item 14A. The motion was approved

unanimously by voice vote.

6. SPECIAL AGENDA ITEMS

Executive Director Condon made several announcements.

The Agency's seminar on owning rent-controlled property in Santa Monica will be held March 7th, 9:30 a.m., in the Main Library Multi-Purpose Room.

The City recently hired Ayde Gonzalez as the Neighborhood Preservation Coordinator to coordinate efforts between Building & Safety and Code Enforcement on construction work in occupied buildings.

The City Council will be considering a seismic safety ordinance at the Tuesday, February 14 Council Meeting.

A request for proposal to hire a consultant to analyze Ellis withdrawals in Santa Monica, as recommended by the Rent Control Board, was recently sent out. The City hopes to hire a consultant by May.

7. PUBLIC COMMENT

The following members of the public addressed the Board on rent control-related issues: Eileen Carry, Michael Millman, Elizabeth Vagner and J. L. Jacobson.

10. JURISDICTIONAL ITEMS

A. Exemptions – Owner Occupancy

1) E-1744: 2225 Montana Avenue, Applicant – C. Chen

Applicant requests an exemption of a three-unit or less property based upon owner-occupancy pursuant to Section 1801(c)(4) of the Rent Control Law. The hearing officer recommends that the Board deny the exemption.

Commissioner Torosis, seconded by Commissioner Phillis, moved that the Board not accept a late submission from the appellant and waive the reading of a staff report. The motion was approved unanimously by voice vote.

The following members of the public were present to address the Board: Chow Chen (owner) and Nicholas Gross (tenant). Commissioner Phillis, seconded by Vice-Chairperson Foster, moved to deny the exemption and amend the findings of facts and conclusions of law as recommended in the staff report. The motion was approved by the following roll call vote:

AYES: Commissioners Flora, Phillis, Torosis, Vice-Chairperson Foster,
Chairperson Duron

NOES: None

ABSENT: None

2) 1745: 422 Ashland Avenue, Applicant – A. Dello Russo

Applicant seeks an owner-occupancy exemption for a property with three or fewer units, under Charter Section 1801(c)(4). Recommendation: Grant.

No members of the public were present to address the Board. Commissioner Flora, seconded by Commissioner Phillis, moved to grant the exemption. The motion was approved by the following roll call vote:

AYES: Commissioners Flora, Phillis, Torosis, Vice-Chairperson Foster,
Chairperson Duron

NOES: None

ABSENT: None

Commissioner Torosis left the dais at 7:40 p.m.

B. Appeal

1) M-0937/M-0939 (Consolidated): 1041 20th Street, Appellant – 1041 20th Street LLC

Appeal of excess rent decision.

General Counsel Lewis summarized the staff report. The following member of the public was present to address the Board: Don Woods (owner rep). Commissioner Phillis, seconded by Commissioner Flora, moved to deny the appeal. The motion was approved by the following roll call vote:

AYES: Commissioners Flora, Phillis, Vice-Chairperson Foster, Chairperson Duron

NOES: None

ABSENT: Commissioner Torosis

11. PUBLIC HEARING

A. *Amendment to Regulation 13002, respecting registration of controlled units, by adding a new subdivision (g) requiring landlords to provide information about the rent control law as mandated by Charter Section 1803(g) and a new subdivision (h) specifying that landlords who fail to comply with registration requirements cannot impose annual general adjustments; and amendment to Regulation 3035, subdivision (b), by adding a new paragraph 8 specifying that landlords may not impose annual general adjustments until they have complied with the requirement to provide tenants information about the rent control law, as specified.*

General Counsel Lewis summarized the staff report. The following members of the public were present to address the Board: Daniel Davidsohn, Michael Millman, J. L. Jacobson, Joe Baur and Lori Brown. After discussion, Commissioner Phillis, seconded by Vice-Chairperson Foster, moved to amend Regulations 13002 and 3035 as recommended in the staff report in the alternative recommendation, setting the effective date for the new regulations for July, 2017 and directing staff to engage in an educational campaign about the new regulations until that effective date. The motion was approved by the following roll call vote:

AYES: Commissioners Flora, Phillis, Vice-Chairperson Foster, Chairperson Duron

NOES: None

ABSENT: Commissioner Torosis

14. BOARD DISCUSSION ITEMS

A. *Commissioner Flora suggests the Board send a recommendation to the City Council that it outlaw Ratio Utility Billing Systems for all rental properties in Santa Monica.*

General Counsel Lewis summarized the staff report. The following members of the public were present to address the Board: Daniel Davidsohn, J. L. Jacobson, Lori Brown, Don Woods, Michael Millman and Robin Ossenbeck. After discussion, the Board directed staff to communicate to the City Council a recommendation that the Council enact an ordinance forbidding the practice of RUBS billing in Santa Monica.

B. *Request of Commissioners Phillis and Torosis that the Rent Control Board discuss endorsement of Measure H which appears on the March 7th, 2017 ballot for Los Angeles County voters. Funding from Measure H, a 1/4 cent sales tax for 10 years,*

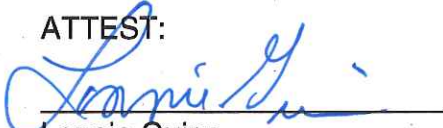
would be dedicated in part to rental subsidies for homeless children, families, foster youth, veterans, battered women, seniors, disabled individuals, and other homeless adults. Support for this measure advances the Rent Control Board's purpose of promoting "public health and welfare of Santa Monica tenants, especially the poor, minorities, students, young families, and senior citizens" through controlled stability in rental housing while allowing a reasonable return.

Commissioner Phillis led the discussion on this item. After discussion, Vice-Chairperson Foster, seconded by Commissioner Phillis, moved to endorse and support Measure H on the LA County Ballot on March 7, 2017. The motion was approved unanimously by voice vote with Commissioner Torosis absent.

16. ADJOURNMENT

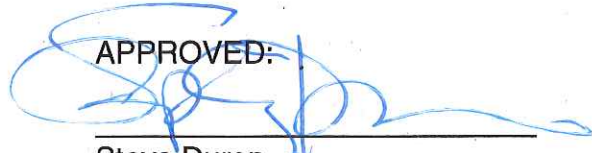
Commissioner Phillis, seconded by Vice-Chairperson Foster, moved to adjourn at 9:09 p.m. The motion was approved by voice vote with Commissioner Torosis absent.

ATTEST:



Lonnie Guinn
Secretary

APPROVED:



Steve Duron
Chair