



CITY OF SANTA MONICA RENT CONTROL BOARD  
REGULAR MEETING MINUTES  
Council Chamber, 1685 Main Street  
Thursday, July 13, 2017

1. CALL TO ORDER

Vice-Chairperson Foster called the regular Rent Control Board meeting to order at 6:13 p.m. with Commissioner Phillis and Chairperson Duron absent.

ROLL CALL

Members Present: Vice-Chairperson Anastasia Foster  
Todd Flora  
Nicole Phillis (Arrived at 7:00 p.m.)  
Caroline Torosis

Members Absent: Chairperson Steve Duron

Others Present: Tracy Condon, Executive Director  
Stephen Lewis, General Counsel  
Amy Regalado, Hearings Manager  
Daniel Costello, Acting Public Information Manager  
Hakhamanesh Mortezaie, Staff Attorney  
Lonnie Guinn, Board Secretary

2. RECESS TO CLOSED SESSION

1. *Conference with Legal Counsel – Pending Litigation (Government Code Section 54956.9)*

One item

*SMRCB v. 108 Allston Street Limited Partnership (LASC Case No. SC 125218)*

There was no one present to address the Board on this item. The Board recessed to closed session at 6:14 p.m. with Commissioner Phillis and Chairperson Duron absent.

3. RECONVENE TO OPEN SESSION

Vice-Chairperson Foster reconvened the open meeting at 7:03 p.m. with Chairperson Duron absent. Vice-Chairperson Foster led the assemblage in the Pledge of Allegiance.

4. REPORT OF CLOSED SESSION

General Counsel Lewis announced that there was no reportable action from the closed session.

5. APPROVAL OF THE MINUTES: June 8, 2017

Commissioner Torosis, seconded by Commissioner Flora, moved to approve the minutes of the regular Board meeting of June 8, 2017. The motion was approved unanimously by voice vote with Chairperson Duron absent.

6. SPECIAL AGENDA ITEMS

Executive Director Condon made several announcements.

The Agency's summer mailing should have been received by owners and tenants of rent-controlled units. Owners were reminded to submit payment of their registration fees by August 1 in order to pass through half of the registration fee to the tenants.

The Agency will host the annual seminar "Calculating and Noticing the 2017 Annual Rent Increase" at the Main Library on July 18, 2017, 6:30 p.m.

A handout was distributed to the Board from an individual that will be speaking during public comment.

7. PUBLIC COMMENT

The following members of the public addressed the Board on rent control-related issues not agendaized: Elaine Golden-Gealer and Esther Schiller (smoke free advocate).

10. JURISDICTIONAL ITEMS

A. Exemptions – Owner-Occupancy

1) E-1752: 1814 18<sup>th</sup> Street, Applicant – P. Singh

*Applicant seeks an owner-occupancy exemption for a property with three or fewer units, under Charter Section 1801(c)(4). The hearing officer recommends that the Board grant the exemption.*

2) 1754: 1144 11<sup>th</sup> Street, Applicant – S. Fong

*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 on Items 10A.1 or 10A.2. Commissioner Flora, seconded by Commissioner Phillis, moved to grant both owner-occupancy exemptions as recommended by staff. The motion was approved by the following roll call vote:

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

NOES: None

ABSENT: Chairperson Duron

B. Exemption – Single Family Dwelling

1) 1815-384: 1101 Marine Street, Applicant – A. Gomez

*Applicant requests an exemption of a single-family home pursuant to Section 1815 of the Rent Control Law. Recommendation: Grant.*

Staff Attorney Mortezaie summarized the staff report. No members of the public were present to address the Board. After brief discussion, Commissioner

Flora, seconded by Commissioner Torosis, moved to grant the exemption as recommended by staff. The motion was approved by the following roll call vote:

AYES: Commissioners Flora, Phillis, Torosis, Vice-Chairperson Foster  
NOES: None  
ABSENT: Chairperson Duron

### C. Appeals

- 1) M-0941: 1454 12<sup>th</sup> Street, Unit E, Appellant – J. Aurthur (Sublessor)  
*Appeal of hearing officer's decision determining that master tenant charged subtenant excess rent.*

Staff Attorney Mortezaie summarized the staff report. No members of the public were present to address the Board. After discussion, Commissioner Phillis, seconded by Commissioner Flora, moved to deny the appeal and affirm the hearing officer's decision as recommended by staff. The motion was approved by the following roll call vote:

AYES: Commissioners Flora, Phillis, Torosis, Vice-Chairperson Foster  
NOES: None  
ABSENT: Chairperson Duron

- 2) D-4918: 125 Washington Avenue, Unit A, Appellants – J. McCreight and M. McCreight (Tenants)  
*Appeal of hearing officer's conclusion that lost housing service warranting a rent decrease was floor covering (carpet). Tenant argues that housing service was exposed and finished hardwood floor.*

Staff Attorney Mortezaie summarized the staff report. The following members of the public were present to address the Board: Michael McCreight (tenant) and Jay Jarmakani (landlord).

After discussion, Commissioner Flora, seconded by Commissioner Phillis, moved to deny the appeal and affirm the hearing officer's decision as recommended by staff. The motion was approved by the following roll call vote:

AYES: Commissioners Flora, Phillis, Torosis, Vice-Chairperson Foster  
NOES: None  
ABSENT: Chairperson Duron

- 3) D-4930: 1448 Princeton Street, Unit 2, Appellant – R. Wade (Tenant)  
*Tenant appeals denial of rent decreases for some of the conditions raised in her petition.*

Staff Attorney Mortezaie summarized the staff report. The following member of the public was present to address the Board: Robin Wade (tenant).

Commissioner Flora left the dais at 8:20 p.m.

After discussion, Commissioner Phillis, seconded by Commissioner Torosis, moved to deny the appeal and affirm the hearing officer's decision as recommended by staff. The motion was approved by the following roll call vote:

AYES: Commissioners Phillis, Torosis, Vice-Chairperson Foster  
NOES: None  
ABSENT: Commissioner Flora, Chairperson Duron

Commissioner Flora returned to the dais at 8:23 p.m.

11. PUBLIC HEARING

A. *Proposed amendments to Rent Control Board Regulation 4400 respecting construction-related rent decreases.*

General Counsel Lewis summarized the staff report. There were no members of the public present to address the Board. After discussion, the Board continued the item to the August 10, 2017 Board meeting to resume discussion of the proposed amendments and directed staff to address some concerns.

12. ADMINISTRATIVE ITEM

A. *Revised Hearing Officer I and Hearing Officer II Job Specifications.*

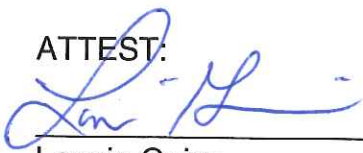
Hearings Manager Regalado summarized the staff report. Commissioner Phillis, seconded by Commissioner Torosis, moved to approve the Hearing Officer I and Hearing Officer II specifications with a modification to make a mediation certification a desirable qualification and to keep the job posting window open as long as fiscally responsible to attract more qualified candidates. The motion was approved by the following roll call vote:

AYES: Commissioners Flora, Phillis, Torosis, Vice-Chairperson Foster  
NOES: None  
ABSENT: Chairperson Duron

16. ADJOURNMENT

Commissioner Flora, seconded by Commissioner Phillis, moved to adjourn at 9:15 p.m. The motion was approved unanimously by voice vote with Chairperson Duron absent.

ATTEST:



Lonnie Guinn  
Secretary

APPROVED:



Steve Duron  
Chair