



CITY OF SANTA MONICA RENT CONTROL BOARD
REGULAR MEETING MINUTES
Council Chamber, City Hall, 1685 Main Street
Thursday, March 14, 2019

1. CALL TO ORDER

Chairperson Torosis called the regular Rent Control Board meeting to order at 7:02 p.m. with Vice-Chairperson Phillis and Commissioner Sultan absent.

ROLL CALL

Members Present: Chairperson Caroline Torosis
Steve Duron
Anastasia Foster

Members Absent: Vice-Chairperson Nicole Phillis
Naomi Sultan

Others Present: Tracy Condon, Executive Director
Stephen Lewis, General Counsel
Lynn Naliboff, Hearings Department Manager
Dan Costello, Public Information Manager
Hakhamanesh Mortezaie, Staff Attorney
Lonnie Guinn, Board Secretary

Chairperson Torosis led the assemblage in the Pledge of Allegiance.

5. APPROVAL OF THE MINUTES: February 14, 2019

Commissioner Foster, seconded by Chairperson Torosis, moved to approve the minutes of the regular Board meeting of February 14, 2019. The motion was approved by voice vote with Vice-Chairperson Phillis and Commissioner Sultan absent.

6. SPECIAL AGENDA ITEMS

Executive Director Condon made a pair of announcements.

The Rent Control Board hosted a successful seminar, "Owning Rental Property in Santa Monica," on March 6, 2019, at the Main Library.

The annual Fair Housing Workshop will be held on April 23, 2019, 9 a.m., at the Main Library. The event is co-sponsored by the Rent Control Board, Santa Monicans for Renters' Rights, City Attorney's Office, Apartment Association of Greater Los Angeles and ACTION Apartment Association. Registration details are available on the Rent Control website.

7. PUBLIC COMMENT

There were no members of the public present to address the Board on matters not on the current agenda.

9. CONSENT CALENDAR

A. *Property owners ENA1 LLC and ENA10 LLC have submitted a claim for damages against the Board, as required by the Government Claims Act as a predicate to suing the Board for damages. The claims by the two entities, both controlled by the same individual, assert damages totaling \$150,000 per month. Recommendation: Reject.*

No members of the public were present to address the Board on this item. Commissioner Foster, seconded by Chairperson Torosis, moved to approve the consent item as submitted by staff. The motion was approved by the following roll call vote:

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

10. JURISDICTIONAL ITEMS

A. *Exemption – Owner Occupancy*

1) 1787: 424 Ocean Park Boulevard, Applicant – R. Kolodziej

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

Staff Attorney Mortezaie summarized the staff report. No members of the public were present to address the Board on this item. Commissioner Duron, seconded by Commissioner Foster, moved to grant the exemption as presented by staff. The motion was approved by the following roll call vote:

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

2) 1788: 1809 Euclid Street, Applicant – S. Herron

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

3) 1789: 927 16th Street, Applicant – A. Jennings

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.2 and 10A.3. Commissioner Foster, seconded by Chairperson Torosis, moved to grant exemptions 1788 and 1789 as presented by staff. The motion was approved by the following roll call vote:

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

B. Appeal

1) D-5098 (untimely): 1124 15th Street, Unit E, Appellant – Diversified

Property Management on behalf of H. Hsieh and S. Xu, Trustees of Hsieh Family Trust (Landlord)

Landlord appeals hearing officer's decision granting a rent decrease for a reduction in housing services.

Commissioner Foster, seconded by Chairperson Torosis, moved to reject the appeal as being untimely. The motion was approved by the following roll call vote:

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

12. ADMINISTRATIVE ITEMS

A. The Board will consider whether to hold a public hearing on the adoption of new regulations specifying that a rent decrease due to the loss or reduction of a housing service or failure to perform required maintenance shall account for such loss or reduction occurring before the decision is issued.

General Counsel Lewis summarized the staff report. The following members of the public were present to address the Board on this item: J. L. Jacobson and Daniel Wescott. After discussion, the Board directed staff to come back to the April 11 Board meeting with possible regulations on this matter for a public hearing.

B. 2018 Annual Report: Consolidated report includes status of controlled rental housing, impact of market rent vacancy increases, impact of the Ellis Act and departmental overviews.

Public Information Manager Costello gave a presentation on the 2018 Santa Monica Rent Control Annual Report. There were no members of the public present to address the Board on this item. After discussion and questions, the Board thanked Mr. Costello and staff for their work on the report and directed staff to forward the report to the City Council and other members of City leadership.

C. A resolution of the Rent Control Board of the City of Santa Monica urging the City Council to (1) impose a moratorium on the development of new projects on sites in the Pico Neighborhood that previously had been occupied by rent controlled units until (a) the City Council completes its evaluation of possible zoning restrictions on properties from which units were withdrawn from the market under the Ellis Act; and (b) the City Council completes its adoption of a Pico Neighborhood Plan; and (2) consider increasing affordable-housing in-lieu fees for projects that replace rent-controlled housing.

The following member of the public was present to address the Board on this item: Ellis Raskin. Commissioner Foster, seconded by Commissioner Duron, moved to adopt the resolution as presented by staff. The motion was approved by the following roll call vote:

AYES: Commissioners Duron, Foster, Chairperson Torosis
NOES: None

ABSENT: Vice-Chairperson Phillis, Commissioner Sultan

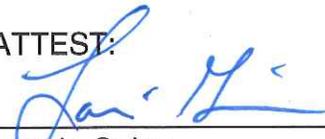
D. Mid-Year Budget Report for Fiscal Year 2018/2019.

Executive Director Condon summarized the staff report. There were no members of the public present to address the Board on this item. No action was taken on this informational item.

16. ADJOURNMENT

Commissioner Foster, seconded by Chairperson Torosis, moved to adjourn at 9:21 p.m. with Vice-Chairperson Phillis and Commissioner Sultan absent.

ATTEST:



Lonnie Guinn
Secretary

APPROVED:



Caroline Torosis
Chair