



CITY OF SANTA MONICA RENT CONTROL BOARD
REGULAR MEETING MINUTES
Council Chamber, City Hall, 1685 Main Street
Thursday, May 9, 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 absent.

ROLL CALL

Members Present: Chairperson Caroline Torosis
Vice-Chairperson Nicole Phillis (arrived 7:19 p.m.)
Steve Duron
Anastasia Foster
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
Laima Noseworthy, Budget Coordinator
Lonnie Guinn, Board Secretary

Chairperson Torosis led the assemblage in the Pledge of Allegiance.

5. APPROVAL OF THE MINUTES: April 11, 2019

Commissioner Foster, seconded by Commissioner Duron, moved to approve the minutes of the regular Board meeting of April 11, 2019. The motion was approved by voice vote with Vice-Chairperson Phillis absent.

By consensus of the Board, Item 12D was moved to the Consent Calendar.

6. SPECIAL AGENDA ITEMS

Executive Director Condon made a couple of announcements.

Two successful workshops were held recently. The Fair Housing Workshop was held on April 23, 2019. The event was co-sponsored by the Rent Control Board, City Attorney's Office, Apartment Association of Greater Los Angeles, Santa Monicans for Renters' Rights and ACTION Apartment Association. The Rent Control tenant seminar, "Learn the Basics of the Rent Control Law," was held on May 8, 2019.

The next Rent Control sponsored seminar will be held on July 15, 2019, 6:30 p.m. at the Main Library. The topic will be calculating the annual rent increase. Those interested can sign up by calling or emailing the Rent Control Agency.

7. PUBLIC COMMENT

There were two members of the public present to address the Board on matters not on the current agenda: Elaine Golden-Gealer and Jay Johnson.

Vice-Chairperson Phillis arrived at 7:19 p.m.

9. CONSENT CALENDAR

A. *A resolution of the Rent Control Board of the City of Santa Monica in support of AB 36, respecting the application of local rent-control laws to single-family homes and new construction; AB 1481, respecting just cause for eviction; AB 1482, respecting rent gouging; AB 329, respecting discrimination against sources of income used to pay rent; AB 1399, respecting clarification of the Ellis Act; and SB 18, respecting legal assistance for tenants facing eviction.*

There were no members of the public present to address the Board on this item. Commissioner Foster, seconded by Chairperson Torosis, moved to approve the item on the consent calendar. The motion was approved by voice vote with all members present.

10. JURISDICTIONAL ITEMS

A. Appeal

1) *U-0095, U-0097, U-0098, U0099, U-0100: 2921 Arizona Avenue, Units 2, 4, 8 and 10, Appellant – Bright Star Holdings, LLC (Owner) by J. L. Jacobson (Authorized Representative)*

Landlord appeals rent decreases awarded for construction-related impacts.

Item 10A.1 was continued to the June 13, 2019 Board meeting.

B. Removals

1) *458R-C: 1137 3rd Street, Unit H, Applicant – T. Hacker (Owner)*

Applicant seeks a removal permit claiming a unit is neither habitable nor capable of being made so in an economically feasible manner.

Recommendation: Grant.

Staff Attorney Mortezaie summarized the staff report. The following member of the public addressed the Board on this item: Mojdeh Memarzadeh (owner representative). After discussion, Commissioner Foster, seconded by Commissioner Duron, moved to grant the removal permit. The motion was approved by the following roll call vote:

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

NOES: None

ABSENT: None

2) *459R-C: 1045 Ocean Avenue, Unit 18, Applicant – Aikawa USA Inc. (Owner)*

Applicant seeks a removal permit claiming a unit is neither habitable nor capable of being made so in an economically feasible manner.

Recommendation: Grant.

Staff Attorney Mortezaie summarized the staff report. There were no

members of the public present to address the Board on this item. Commissioner Foster, seconded by Commissioner Duron, moved to grant the removal permit. The motion was approved by the following roll call vote:

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

12. ADMINISTRATIVE ITEMS

A. *Announcement of 2019 Annual General Adjustment and Consideration of Imposing a Dollar Amount Ceiling to the 2019 General Adjustment.*

Executive Director Condon summarized the staff report. There were no members of the public present to address the Board on this item. After discussion, Commissioner Foster, seconded by Chairperson Torosis, moved to set the item for public hearing at the June 13, 2019 meeting. The motion was approved by voice vote with all members present.

B. *Fiscal Year 2018/2019 Third Quarter Budget Report.*

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.

C. *Presentation of Fiscal Year 2019/2020 Proposed Operating Budget.*

Executive Director Condon summarized the staff report. There were no members of the public present to address the Board on this item. After discussion and questions to staff, Chairperson Torosis, seconded by Commissioner Foster, moved to set the item for public hearing and adoption at the June 13, 2019 meeting. The motion was approved by voice vote with all members present.

D. *A resolution of the Rent Control Board of the City of Santa Monica in support of AB 36, respecting the application of local rent-control laws to single-family homes and new construction; AB 1481, respecting just cause for eviction; AB 1482, respecting rent gouging; AB 329, respecting discrimination against sources of income used to pay rent; AB 1399, respecting clarification of the Ellis Act; and SB 18, respecting legal assistance for tenants facing eviction.*

Item 12D was moved to the consent calendar.

E. *A resolution of the Rent Control Board of the City of Santa Monica urging the City Council to amend the Municipal Code to (1) ensure that building or technical permits are not issued to permit non-necessary work in tenant-occupied units without the tenant's consent; and (2) prevent the reconfiguration of units that are currently controlled, or that have been subject to control and may again be subject to control, in such a way that a unit is eliminated or reconfigured in a way that makes the unit more easily converted for rental to separate households.*

General Counsel Lewis summarized the staff report. There was one member of the public present to address the Board on this item: William Karrala.

Commissioner Foster, seconded by Chairperson Torosis, moved to approve the resolution as presented by staff. The motion was approved by the following roll call vote:

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

14. BOARD DISCUSSION ITEM

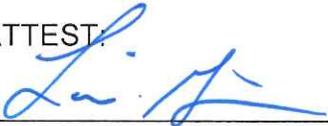
A. *Request of Vice-Chairperson Phillis that the Board consider adopting regulations and/or making a recommendation to City Council to (1) preclude municipal code land use violations from being used as a basis for evicting rent controlled tenants and (2) specifically provide that tenants (not just building owners) can seek and obtain variances from such violations on the basis of their possession.*

Commissioner Phillis introduced the item. There were no members of the public present to address the Board on this item. After discussion, the Board asked staff to return to a future meeting with options for the Board in order to further address this item.

16. ADJOURNMENT

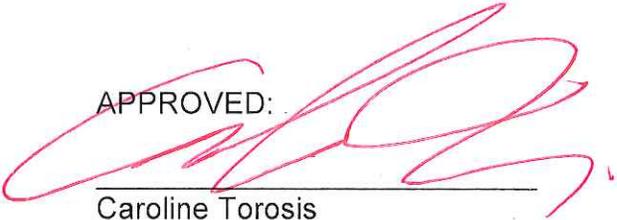
Commissioner Foster, seconded by Commissioner Duron, moved to adjourn at 8:28 p.m. The motion was approved by voice vote with all members present.

ATTEST:



Lonnie Guinn
Secretary

APPROVED:



Caroline Torosis
Chair