



CITY OF SANTA MONICA RENT CONTROL BOARD
*SPECIAL MEETING MINUTES
Via Teleconference
Thursday, June 11, 2020

*This was a special meeting due to being a teleconference.

1. CALL TO ORDER

Chairperson Phillis called the special Rent Control Board meeting to order at 7:08 p.m. with all members present.

ROLL CALL

Members Present: Chairperson Nicole Phillis
Vice-Chairperson Naomi Sultan
Steve Duron
Anastasia Foster
Caroline Torosis

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 Office Coordinator
Lonnie Guinn, Board Secretary

5. APPROVAL OF THE MINUTES: May 21, 2020

Commissioner Torosis, seconded by Commissioner Foster, moved to approve the minutes of the special teleconference Board meeting of May 21, 2020. The motion was approved by the following roll call vote:

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

NOES: None

ABSENT: None

6. SPECIAL AGENDA ITEMS

There were no special agenda items announced.

7. PUBLIC COMMENT

No members of the public requested to address the Board on this item.

10. JURISDICTIONAL ITEMS

A. Appeals

1) *N-0274: 1321 Harvard Street, Unit 1, Appellants – C. Tschekaloff and K. Tschekaloff, managers, on behalf of D. Tschekaloff (Landlord)*

Landlord appeals hearing officer's decision denying landlord's petition to find

tenants not in occupancy of their unit under Regulation 3304.

Staff Attorney Mortezaie summarized the staff report. The following members of the public addressed the Board on this item: Kevan and Caley Tschekaloff (appellant representatives), Courtney Winfree (tenant) and Tim Ferris (tenant). After discussion, Commissioner Duron, seconded by Commissioner Torosis, moved to deny the appeal and affirm the hearing officer's decision. The motion was approved by the following roll call vote:

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

NOES: None

ABSENT: None

2) *D-5216: 1045 Ocean Avenue, Unit 12, Appellant – G. Bongartz (Tenant)*
Tenant appeals hearing officer's denial of rent decreases for alleged reductions in housing services.

Staff Attorney Mortezaie summarized the staff report. The following members of the public addressed the Board on this item: Gary Bongartz (appellant) and Tom Tramontin (owner representative). After discussion, Commissioner Foster, seconded by Chair Phillis, moved to deny the appeal and affirm the hearing officer's decision. The motion was approved by the following roll call vote:

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

NOES: None

ABSENT: None

11. PUBLIC HEARINGS

A. *Consideration of imposing a \$32 ceiling on the 2020 annual general adjustment of 1.4%.*

General Counsel Lewis summarized the staff report. No members of the public requested to speak on this item. After discussion, Commissioner Torosis, seconded by Chair Phillis, moved to adopt Resolution 20-002, announcing the 1.4% general adjustment for 2020 and imposing a \$32 ceiling as presented in Exhibit B of the staff report. The motion was approved by the following roll call vote:

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

NOES: None

ABSENT: None

B. *Consideration and Adoption of the Rent Control Board FY 2020/2021 Operating Budget.*

Executive Director Condon summarized the staff report. No members of the public requested to speak on this item. After discussion, Commissioner Foster, seconded by Commissioner Duron, moved to adopt the Rent Control Board Fiscal Year 2020-2021 operating budget as presented by staff. The motion was approved by the following roll call vote:

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

C. *Consideration of whether to amend Regulation 11200 subdivision (d) paragraph (1) to clarify that a "business day" is any day that the Board is staffed and conducting business, regardless of whether City Hall is open to the public; and paragraph (7) to provide for the deferment of registration fee payments with respect to units occupied by tenants who were unable to pay rent due to a loss of income occasioned by COVID 19.*

Commissioner Torosis, seconded by Commissioner Foster, moved to remove consideration of amending Regulation 11200(d)(7) from this agenda item. The motion was approved by the following roll call vote:

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

General Counsel Lewis summarized the portion of the staff report relevant to amending Regulation 11200(d)(1). No members of the public requested to speak on this item. Commissioner Foster, seconded by Commissioner Duron, moved to amend Regulation 11200(d)(1) as presented by staff, clarifying that a business day is any day that the Board is staffed and conducting business, regardless of whether City Hall is open to the public. The motion was approved by the following roll call vote:

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

12. ADMINISTRATIVE ITEM

A. *Brian Augusta, the Rent Control Board's advocate and representative in Sacramento, will present a Legislative Report for the 2019/2020 Regular session of the California Legislature.*

Mr. Augusta made a presentation on the highlights of the current session of the California Legislative that are of interest to the Rent Control Board. After questions and comments to Mr. Augusta, the Board thanked him for his appearance. No action was taken on this informational item.

Commissioner Torosis, seconded by Chair Phillis, moved to direct staff to prepare a letter reflecting the Board's support of AB 1436 which is before the legislature. The motion was approved by the following roll call vote:

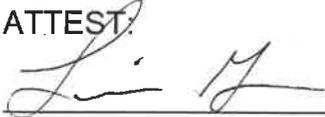
AYES: Commissioners Duron, Foster, Torosis, Vice-Chairperson Sultan,
Chairperson Phillis
NOES: None
ABSENT: None

16. ADJOURNMENT

Chair Phillis, seconded by Commissioner Foster, moved to adjourn the meeting at 9:10 p.m. in recognition of Don Roark, father of Commissioner Foster, who passed away on May 31st. The motion was approved by the following roll call vote:

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

ATTEST:



Lonnie Guinn
Secretary

APPROVED:

s/Nicole Phillis

Nicole Phillis
Chair