

**Rent Stabilization Commission
City of West Hollywood
Thursday, October 12, 2017 @ 7:00 PM
West Hollywood Park Public Meeting Room – Council Chambers
625 North San Vicente Boulevard**

Minutes

CALL TO ORDER: Chair Kurpies called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE: Chair Kurpies led the Pledge of Allegiance.

ROLL CALL: Commission Secretary Laura Schoonover took roll call.

PRESENT: Chair Josh Kurpies, Vice Chair Rob Bergstein, Commissioner Garrett Charity, Commissioner Richard Maggio, Commissioner Agassi Topchian, Commissioner Margaret Buckles, and Commissioner David Gregoire.

ABSENT: None

STAFF PRESENT: Acting Rent Stabilization and Housing Manager Gloria Aviles, Code Compliance Supervisor Dan Mick, Commission Secretary Laura Schoonover.

APPROVAL OF AGENDA:

A motion was made by Commissioner Charity to approve the agenda for the October 12, 2017 meeting. Commissioner Maggio seconded the motion. The motion was approved.

APPROVAL OF MINUTES:

A motion was made by Vice Chair Bergstein to approve the minutes of the September 28, 2017 meeting as amended. The motion was seconded by Commissioner Charity. The motion was approved .

DIRECTOR'S/MANAGER'S REPORT:

Acting Rent Stabilization and Housing Manager Gloria Aviles reviewed the Look Ahead calendar and announced the Disability Advisory Board will be hosting an awards ceremony on Wednesday October 25. She also announced the Health and Wellness event taking place Tuesday October 17 at Plummer Park.

NEW BUSINESS:

Amendment to the Rent Stabilization Ordinance – Code Compliance Supervisor Dan Mick provided a report on a proposed amendment to Section 17.52.010 “Grounds for Termination” of the Rent Stabilization Ordinance, protecting tenants from eviction for a first violation of the City’s proposed home sharing ordinance.

After the presentation staff answered questions from the Commission.

Commissioner Charity asked for clarification on first violations as opposed to subsequent violations and what the remedies would be for repeated violations.

Chair Kurpies asked for details on how current short term rental violations are pursued by Code Compliance.

Commissioner Topchian asked for clarification on the number of days that a host may rent their unit on a short term basis.

Commissioner Buckles requested clarification on how violations on the maximum number of days would be pursued. She inquired about how a host would go about registering for a business license with the City so that they could offer their unit as a short term rental and what penalty would occur if a host violated this requirement.

Commissioner Topchian asked how many citations have already been issued for short term rental violations. He also asked about the number of Code Compliance officers that are currently assigned to monitor and enforce violations of short term rentals.

Commissioner Maggio requested clarification on what type of home business' are allowed within the City. He also asked about how Transient occupancy tax evasion violations will be handled.

PUBLIC COMMENT:

Write in public comment received from David Warren of West Hollywood.

Kevin Brunke of Los Angeles spoke in favor of home sharing and asked that the number of days a host can offer their residence be extended beyond 90 days.

Loren Lewis of West Hollywood spoke in favor of home sharing and the economic benefits to West Hollywood residents and requested the number of days a host can offer their residence be extended beyond 90 days.

Donald Elmlad of West Hollywood spoke in favor of requiring guests to follow the same rules set forth in the lease with the tenant (host).

Brad Keistler of West Hollywood spoke in favor of allowing short term rentals and requested the number of days a host can offer their residence be extended beyond 90 days.

Lenny Denaro of West Hollywood spoke in favor of allowing short term rentals and requested the number of days a host can offer their residence be extended beyond 90 days.

Alan Harden of West Hollywood asked about why home sharing is considered a negative thing and why does it need to be regulated? He asked for clarification about the tax implications. He also expressed concern about the cost and the process of registering to be a host. He also stated that there should be no limit on the number of days a unit or space may be used for home sharing.

John Keitel of West Hollywood spoke against the amendment to the ordinance. In particular, he disagreed with the requirement that the host needs to be on site and needs to get permission from their landlord.

Andy Deri of West Hollywood spoke in favor of limited restrictions on short term rentals

Andrea D. of West Hollywood spoke in favor of short term rentals and requested the number of days a host can offer their residence be extended beyond 90 days.

Joe Gray of West Hollywood spoke in favor of short term rentals and requested the number of days a host can offer their residence be extended beyond 90 days.

Maggie of West Hollywood spoke in favor of short term rentals but she disagreed with the requirement in the proposed amendment that the host needs to be on site.

COMMISSIONER DISCUSSION:

A lengthy discussion ensued that consisted of several comments and concerns, including:

Commissioner Topchian asked for clarification about lease restrictions and whether a properly registered host could be evicted if they don't have permission from their landlord. He clarified that short term rentals where the host is not present on the property would still be illegal regardless of whether or not this amendment is adopted. He expressed concern about the limited number of Code Enforcement officers that are currently assigned to short term rental inspections and asked how the City plans to carry out enforcement. He also expressed concerns about safety and security issues related to allowing short-term rentals in our community.

Chair Kurpies asked for clarification regarding zoning ordinance violations and whether that could lead to an eviction or be limited to a warning or citation.

Commissioner Gregoire commented on the 90 day limit. He asked, if a tenant's lease includes a clause prohibiting sub leases could the landlord serve a 3 day notice immediately, or would the landlord have to go through the Code Violation process? He also expressed concern that if a landlord granted permission to a tenant to allow for short-term rentals that would now be considered a housing service and should the landlord revoke that permission it may result in a rent reduction.

Commissioner Maggio commented that he was in favor of home sharing but expressed concern over potential eviction and housing units being removed from the market.

Chair Kurpies asked for clarification on section 5.66.070 (3) (4) of the proposed amendment. He also asked why a 90-day limit was decided upon.

Commissioner Buckles expressed concern about what the process would be if a landlord revoked permission.

Vice Chair Bergstein objected to section 5.66.010 (6) that would require that the host be on site for a minimum of 4 hours within every 24-hour period. He asked for a clearer definition regarding 5.66.020 (2). He expressed concern regarding 5.66.030 (1.a.) requiring that the

address be verified by using state issued identification. Regarding 5.66.050 (2) he suggested that the City have a penalty for violating this section. He expressed concern regarding 17.52.010 (ii) that states home sharing will not be considered sub-leasing and guests will not have rights under the Rent Stabilization Ordinance. He also suggested that landlords should have the right to opt out of a prior approval of allowing for short term hosted housing.

UNFINISHED BUSINESS:

- a. Liaison Appointments - The Commission will review its appointments and appoint liaisons to boards and commissions.

After a brief discussion, a motion was made by Commissioner Gregoire to accept Commissioner Charity as liaison to the Business License Commission and the Transportation Commission; Vice Chair Bergstein as liaison to the Human Services Commission and the Planning Commission; Commissioner Buckles as liaison to the Public Safety Commission. The motion was seconded by Vice Chair Bergstein and passed by the Commission.

ADJOURNMENT:

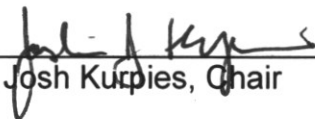
The meeting was adjourned at 9:26 p.m. The next regular meeting of the Rent Stabilization Commission will be held at 7:00 p.m. on October 26, 2017 in the West Hollywood Park Public Meeting Room – Council Chambers.

These minutes were submitted by Laura Schoonover, Commission Secretary and approved by a motion of the Rent Stabilization Commission on this 26th day of October, 2017.

A copy of the audio recording of this meeting can be obtained from the City Clerk's office upon request. You may also view a video of this meeting at <http://www.weho.org/weho-tv/other-city-meetings>

(Disclaimer: Staff records the meetings for the sole purpose of composing the official meeting minutes; therefore the audio recordings are not of commercial quality.)

ATTEST:



Josh Kurpies, Chair



Commission Secretary