

**Rent Stabilization Commission
City of West Hollywood
Thursday, February 22, 2018 @ 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 7:08 p.m.

PLEDGE OF ALLEGIANCE: Commissioner Maggio led the Pledge of Allegiance.

ROLL CALL: Commission Secretary Tom Trevor took roll call.

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

ABSENT:

STAFF PRESENT: Rent Stabilization and Housing Manager Peter Noonan, Legal Counsel to the Commission Alison Regan, Staff Attorney Jonathan Holub, Commission Secretary Tom Trevor.

APPROVAL OF AGENDA: A motion was made by Commissioner Topchian to approve the agenda for the February 22, 2018 meeting. Commissioner Gregoire seconded the motion. The motion was approved.

APPROVAL OF MINUTES: A motion was made by Vice Chair Bergstein to approve the minutes of the January 25, 2018 meeting. The motion was seconded by Commissioner Charity. The motion was approved, with Commissioner Gregoire abstaining.

PUBLIC COMMENTS: Yola Dore, West Hollywood, introduced herself as the alternate liaison to the Commission from the Disabilities Advisory Board.

DIRECTOR'S/MANAGER'S REPORT: Rent Stabilization and Housing Manager Peter Noonan reviewed the Look Ahead calendar, including a Special Meeting on March 22. After a discussion, the Commission indicated that there was a lack of quorum for the March 22, 2018 meeting and the meeting was canceled due to lack of a quorum.

COMMISSIONER COMMENTS: Chair Kurpies asked about the posting of onsite manager hours.

Vice Chair Bergstein asked about re-registration forms and how they may pertain to owner/relative occupancies. The Vice Chair followed-up with a question about service animals creating a nuisance and if these animals are held to the same standard as other pets. The Vice Chair also inquired about fee rebates.

Commissioner Topchian said he had attended the recent Building Blocks educational series and was pleased both by the organization of the workshops and at the attendance.

Commissioner Charity also commended the Building Blocks workshops.

APPEAL:

D-4243CD

1344 N. Harper Avenue
(Rent Reduction)

Legal Counsel Alison Regan provided a case summary and analysis of the appeal as provided in the staff report.

Gaea Arnold, Los Angeles, representative for the landlord, spoke on the appeal.

No tenant or tenant representative was present.

Following Commission deliberation, a motion was made by Commissioner Maggio to adopt Resolution 18-514, reversing the hearing examiner's decision. The motion was seconded by Commissioner Buckles. The motion was approved.

NEW BUSINESS:

- A. TENANT HABITABILITY: Staff Attorney Jonathan Holub presented a report asking the Commission to recommend to the City Council that it amend the Rent Stabilization Ordinance adding a new chapter mandating that certain construction at rent stabilized properties require the landlord produce and abide by a tenant habitability plan maintaining certain standards for habitability on the property prior to being issued building permits.

Commissioner Maggio asked if staff will provide guidance if there are questions about tenant habitability plans.

Commissioner Charity asked how small-scale repairs would be impacted by a tenant habitability plan.

Commissioner Topchian expressed concerns about how the plan would support alternate tenant parking/storage, when construction makes regular parking and storage areas unusable.

Commissioner Gregoire clarified concerns about alternate tenant parking/storage expressed by Commissioner Topchian, and suggested those items could be required mitigation measures based on the scope of work as determined by the Rent Stabilization Department.

Commissioner Buckles recommended development of a procedure that would allow a tenant to provide feedback earlier in the tenant habitability process.

Vice Chair Bergstein asked for clarification on restrictions on weatherproofing and verification that the landlord has adequate resources to relocate tenants.

Commissioner Topchian asked for clarification on funding for tenant relocation.

Chair Kurpies said he was happy staff is moving forward with this item and planning ahead; he shared concerns with other Commissioners regarding parking/storage and involving tenants earlier in the habitability plan creation process.

Commissioner Gregoire made a motion to recommend to the City Council that it adopt: "An ordinance of the City Council of the City of West Hollywood adding a new chapter 17.30 to Title 17 of the West Hollywood Municipal Code requiring a tenant habitability plan during construction." The motion was seconded by Commissioner Charity and approved.

- B. **TENANT BUYOUT AGREEMENTS**: Legal Counsel to the Commission Alison Regan presented a report on an amendment adding a new section and definition to the Rent Stabilization Ordinance enacting regulatory protections for tenants presented with buyout agreements by their landlords.

Commissioner Gregoire asked for clarification regarding the tenant's acknowledgement of the agreement.

Commissioner Topchian recommended an emphasis be placed on informing tenants about relocation fees. He suggested that the agreement be in the tenant's primary language.

Chair Kurpies asked if a 30 day notice was standard, and asked that more emphasis be placed in the required notice statement on the statement that the tenant can refuse the buyout agreement. Chair Kurpies would ask for the City's relocation fees to be included at top of agreements and that the statement include that the fees adjust annually. The Chair has no preference on a 10 day notice.

Vice Chair Bergstein said a buyout agreement is beneficial to landlords and provides a solid framework. He stated the voluntary aspect of any buyout agreement cannot be stressed enough.

Commissioner Maggio made a motion to recommend to the City Council that it adopt: "An Ordinance amending section 17.08.010 and adding a new section 17.52.140 to the West Hollywood Municipal Code relating to disclosure and filing requirements for buyout agreements." The motion was seconded by Commissioner Topchian and approved.

AD HOC SUBCOMMITTEE UPDATE: Vice Chair Bergstein provided an update on a recent subcommittee meeting. The Vice Chair thanked Sgt. John Claus for offering a meeting space at the Sheriff's station.

COMMISSIONER COMMENTS: Commissioner Charity thanked staff for the presentations.

Commissioner Topchian thanked staff for the presentations.

Chair Kurpies commended Legal Counsel Regan on her testimony in Sacramento regarding Costa-Hawkins.

Vice Chair Bergstein thanked former commission secretary Laura Schoonover for her service to the commission, and wished her well in her new position at the City.

Chair Kurpies thanked Laura Schoonover for her work as commission secretary.

STAFF COMMENTS:

Rent Stabilization Manager Peter Noonan informed the Commission that community engagement meetings pertaining to the RSO upward rent adjustment application for seismic retrofitting will be held on Saturday, February 24 and Tuesday, February 27, 2018.

Mr. Noonan clarified that residents 62 and older, disabled, or extremely low income are eligible for the City's fee rebate, and that approximately 400 residents receive rebates annually.

Mr. Noonan said new tenancies must be registered, including family members, to be in full compliance with the Rent Stabilization Ordinance.

Mr. Noonan stated that Code Compliance is the City agency to contact for more information on service animals.

ADJOURNMENT:

The meeting was adjourned at 8:43 p.m. The next regular meeting of the Rent Stabilization Commission will be held at 7:00 p.m. on March 8, 2018 in the West Hollywood Park Public Meeting Room – Council Chambers.

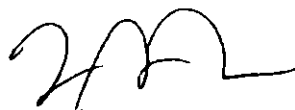
These minutes were submitted by Tom Trevor, Commission Secretary and approved by a motion of the Rent Stabilization Commission on this 8th day of March 2018.

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