

**Rent Stabilization Commission
City of West Hollywood
Thursday, August 9, 2018 @ 7:00 PM
West Hollywood Park Public Meeting Room – Council Chambers
625 North San Vicente Boulevard**

Minutes

CALL TO ORDER: Chair Charity called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: Commissioner O’Keefe led the Pledge of Allegiance.

ROLL CALL: Commission Secretary Tom Trevor took roll call.

PRESENT: Commissioner Josh Kurpies, Commissioner Rob Bergstein, Commissioner Karen O’Keefe, Commissioner Richard Maggio, Commissioner Agassi Topchian, Vice Chair David Gregoire, Chair Garrett Charity.

ABSENT: There were no absences.

STAFF PRESENT: Rent Stabilization and Housing Information Coordinator Anwar Zraikat, Legal Counsel to the Commission Alison Regan, Commission Secretary Tom Trevor.

APPROVAL OF AGENDA: A motion was made by Commissioner Topchian to approve the agenda for the August 9, 2018 meeting. Commissioner Kurpies seconded the motion. The motion was approved.

APPROVAL OF MINUTES: A motion was made by Vice Chair Gregoire to approve the minutes of the July 26, 2018 meeting as amended. The motion was seconded by Commissioner Maggio. The motion was approved.

PUBLIC COMMENTS: There were no public comments.

DIRECTOR’S/MANAGER’S REPORT: Rent Stabilization and Housing Information Coordinator Anwar Zraikat reviewed the Look Ahead calendar. The August 23rd meeting has been reserved for the annual study session.

COMMISSIONER COMMENTS: Commissioner Kurpies asked when the seismic retrofit item would be presented to the City Council.

Commissioner Maggio said he was pleased to see sizable turnouts at local National Night Out events in West Hollywood.

APPEAL:

D-4318

7969 W. Norton Avenue #12

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

Leah Clement, landlord representative, spoke on the appeal.

Zeke Farrow, West Hollywood, tenant, spoke on the appeal.

Following Commission deliberation, a motion was made by Commissioner Topchian to adopt Resolution 18-529, affirming the hearing examiner's decision in D-4318. The motion was seconded by Commissioner Bergstein. The motion was approved by a vote of 6-1-0, with Commissioner O'Keefe voting no.

D-4325

1035 N. Hayworth Avenue #206

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

James Leovy, landlord representative, spoke on the appeal.

Barbara Linares, West Hollywood, tenant, spoke on the appeal.

Following Commission deliberation, a motion was made by Commissioner Kurpies to adopt Resolution 18-530, reversing and remanding the hearing examiner's decision in D-4325. On remand the hearing examiner should consider the appropriate application of the limitations period under 17.44.040. The revised resolution should strike language indicating "Ms. Linares is not entitled to a refund of any overcharges collected between 2004 and March 2015." The motion was seconded by Commissioner Topchian. The motion was approved by a vote of 7-0-0.

PUBLIC COMMENTS: There were no public comments.

COMMISSIONER COMMENTS: Commissioner Bergstein said the Apartment Owners Association of Greater Los Angeles is reforming its West Hollywood chapter and is having its first meeting on September 27, which he will be attending. He encouraged West Hollywood property owners to attend. He expressed his concern that it was not easy to find Rent Stabilization forms on the City's website and encouraged staff to continue to look at ways to make the information more readily accessible. He also asked that the public keep those affected by California wildfires in their thoughts.

Commissioner Topchian asked about the status of a report on the buy-out agreement revision to the RSO.

Commissioner Kurpies expressed his desire for more information about the rent registration process. Following Commission discussion, a motion was made by Commissioner Kurpies to have a discussion item regarding the rent re-registration process placed on the September 27 agenda so that the Commission may fully understand the importance of the re-registration process and the significance and implications of potential changes to the Rent Stabilization Ordinance. The motion was seconded by Commissioner O'Keefe. The motion failed by a vote of 2-5-0 (ayes: Kurpies, O'Keefe; noes: Bergstein, Maggio, Topchian, Gregoire, Charity).

Commissioner Kurpies asked for staff to provide information on how the City would enforce the RSO following a natural disaster. He also spoke about Costa Hawkins and Proposition 10.

Vice Chair Bergstein made a motion to ask staff to return to the Commission on September 13 with a date that would best work for a presentation of a report on the unit re-registration form/process. Chair Charity seconded the motion. The motion passed 6-1-0, with Vice Chair Gregoire voting no.

Commissioner O’Keefe said she would like in future to discuss the issue of burden of proof. By consensus, it was agreed that the next time a case involving a burden of proof is presented, staff will provide the Commission with a legal memo or staff report to give proper context to the subject.

Commissioner Maggio recommended discussing the burden of proof topic at the study session.

Vice Chair Gregoire stated that he believes the burden of proof is settled law in the City of West Hollywood in regards to the RSO.

Chair Charity thanked Commissioners Kurpies and O’Keefe for introducing topics that led to fruitful discussion.

STAFF COMMENTS: There were no comments from staff.

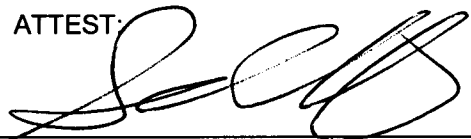
ADJOURNMENT:

The meeting was adjourned at 8:45 p.m. The next regular meeting of the Rent Stabilization Commission will be held at 7:00 p.m. on August 23, 2018 in the West Hollywood Park Public Meeting Room – Council Chambers.

These minutes were submitted by Celeste Barrino, Commission Secretary, and approved by a motion of the Rent Stabilization Commission on this 13th day of September 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:



Garrett Charity, Chair



Commission Secretary