

**Rent Stabilization Commission
City of West Hollywood
Thursday, June 14, 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 7:06 p.m.

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

ROLL CALL: Commission Secretary Tom Trevor took roll call.

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

ABSENT: There were no absences.

OATH OF OFFICE: West Hollywood City Clerk Yvonne Quarker administered the Oath of Office to Commissioner Karen O'Keefe.

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

APPROVAL OF AGENDA: A motion was made by Commissioner Gregoire to approve the agenda for the June 14, 2018 meeting. Commissioner Charity seconded the motion. The motion was approved.

APPROVAL OF MINUTES: A motion was made by Vice Chair Bergstein to approve the minutes of the May 10, 2018 meeting. The motion was seconded by Commissioner Maggio. The motion was approved, with Commissioner O'Keefe abstaining.

PUBLIC COMMENTS: Stephanie Harker, West Hollywood, congratulated Commissioner O'Keefe on her appointment and thanked the Commission and staff on its hard work. She added that she is happy to see that people are turning out to speak on seismic retrofitting.

DIRECTOR'S/MANAGER'S REPORT: Rent Stabilization and Housing Manager Peter Noonan reviewed the Look Ahead calendar. He stated that a third cost sharing meeting would be held on Saturday, June 16, and that the study session scheduled for July 26 would need to be moved to August.

COMMISSIONER COMMENTS: Commissioner Maggio said he had attended a meeting of the New Renter Alliance.

Commissioner Gregoire stated he was pleased to see so many people in attendance at the Commission meeting.

Commissioner Topchian announced he had attended the two previous cost sharing meetings.

Vice Chair Bergstein welcomed Commissioner O'Keefe and acknowledged former Commissioner Harker.

Chair Kurpies welcomed Commissioner O'Keefe to the Commission.

APPEAL:

D-4295

1137 ½ N. Vista Street
(Rent Reduction)

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

Ramzi Essaid, West Hollywood, tenant, spoke on the appeal.

Following Commission deliberation, a motion was made by Vice Chair Bergstein to adopt Resolution 18-522, affirming-in-part and reversing-in-part the hearing examiner's decision in D-4295. The motion was seconded by Commissioner Maggio. The motion was approved by a vote of 6-0-0.

D-4252CD

836 N. Westbourne Drive, #208
(Rent Reduction)

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

Rod Kratovil, West Hollywood, tenant, spoke on the appeal.

Elliot Wachtel, Encino, spoke on the appeal.

Following Commission deliberation, a motion was made by Commissioner Charity to adopt Resolution 18-523, affirming the hearing examiner's decision and waiving the six month waiting period for filing a new decrease application on the issue of the heating in the bedroom. The motion was seconded by Commissioner Topchian. The motion was approved by a vote of 6-0-0.

Chair Kurpies and Commissioner O'Keefe recused themselves from the Unfinished Business item of the meeting.

Chair Kurpies called a recess at 8:13 p.m.

Vice Chair Bergstein called the meeting back to order at 8:18 p.m.

UNFINISHED BUSINESS: Landlord/Tenant Cost Sharing for Seismic Retrofitting. Manager Noonan provided the Commission a summary of public input from the recent community outreach events held in May, as well as results from an online survey. The website for the public to learn more about the process is www.weho.org/seismic.

PUBLIC COMMENT:

Marilyn Nelson, West Hollywood, spoke on the item.

Derek Woolley, West Hollywood, spoke on the item.

Eric Larson, West Hollywood, spoke on the item.

Britt Saans, West Hollywood, spoke on the item.

Victor Omelczenko, West Hollywood, spoke on the item.

David Mermelstein, West Hollywood, spoke on the item.

Reuven Zach, West Hollywood, spoke on the item.

Lisa Dinsmoor, West Hollywood, spoke on the item.

COMMISSION DISCUSSION:

Commissioner Gregoire asked for clarification from staff on what action was expected from the Commission. He believes the City should continue to explore the topic, particularly hardship exemptions and how those should be defined. He finds the NOI process to be administratively burdensome. He said expressed the wish that the cost share option would only apply to “mom-and-pop” landlords so that the pass through would make more sense to the community. He wants information on what the community is open to as far as hardship waivers.

Commissioner Charity was concerned about having a pass through without any justification. The upward rent process already has a justification. He is concerned that we are moving away from spirit of the RSO. He has reservations about per-unit increases, because a studio is different than a three bedroom. He would like to see a time frame developed for the serving of pass through notices. He suggested that 90 days would be a better time frame. He feels that some contribution by the City would be appreciated by the community. He believes the landlord should have justification for a pass through. He would like to see the process kept palatable to landlords so they won't seek to Ellis their properties.

Commissioner Topchian said he was concerned about long term tenants and how they will be affected and prefers a pass through over the NOI. He supports the staff recommendation, but he wants more information on the hardship exemption, including broadening categories (term of tenancy, length of exemption). He emphasized that cost sharing would not end rent control and the difference between NOI and pass through.

Commissioner Maggio feels that the topic needs to be refined. He suggested a pool concept, where all renters would pay something that would decrease the overall amount each would have to pay.

Vice Chair Bergstein said he was not prepared to vote on recommendation to council and that there was still another public meeting ahead. He reported on the well-attended meeting at Plummer Park and that more tenants understood the difference between the NOI and a

pass through. He appreciated the heartfelt comments from landlords. He is in favor of hardship exemption that a tenant would qualify for annually. He finds the NOI process cumbersome and untenable. He wants to see more landlords and managers in attendance at the community outreach events.

Commissioner Gregoire made a motion to the Commission that it recommend the draft proposal be disseminated to the community for further input and feedback, and that this feedback be summarized and presented to the Commission at a future meeting. The motion was seconded by Commissioner Charity. The motion was approved by a vote of 5-0-0.

PUBLIC COMMENTS: Victor Omelczenko, West Hollywood, expressed gratitude that an additional meeting on cost sharing will be held and that additional soft-story structures need to be identified.

COMMISSIONER COMMENTS: Chair Kurpies provided updates on three tenant-related bills that recently failed in the state assembly: AB2925 would have required a landlord to provide a reason to evict a tenant, AB2364 would have modified the Costa Hawkins Act, and AB2343 would have extended tenants' time to answer eviction notices.

Vice Chair Bergstein commented about Commissioners and members of the public bringing items before the commission. He pointed out that inclusionary/HUD housing and buildings constructed after 1979 are not covered by the RSO, and issues in those buildings need to be addressed directly by the appropriate municipal agency (code enforcement, etc.).

STAFF COMMENTS: Manager Noonan informed the Commission that he would away for the June 28 meeting, and that Gloria Aviles will be staffing that meeting.

ADJOURNMENT:

The meeting was adjourned at 9:56 p.m. The next regular meeting of the Rent Stabilization Commission will be held at 7:00 p.m. on June 28, 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 28th day of June 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