

CITY OF SANTA MONICA
REGULAR RENT CONTROL BOARD MEETING
1685 Main Street
THURSDAY, January 13, 2011 – 6:00 P.M.
AGENDA

1. CALL TO ORDER
2. RECESS TO CLOSED SESSION
Personnel (a list of items to be discussed is posted 72 hours before the meeting on bulletin boards on Council Chamber door and outside Rent Control office)
RECONVENE TO OPEN SESSION – Open meeting begins at 7:00 p.m.
ROLL CALL – PLEDGE OF ALLEGIANCE
3. APPROVAL OF THE MINUTES: November 4, 2010 and December 9, 2010
4. SPECIAL AGENDA ITEM
6. CONSENT CALENDAR (Public discussion is permitted)
 - A. Appeals
 - 1) J-0007: 1064 Stanford St., Appellant – S. Galloway (Trustee), E. O’Connell (TT)
Landlord and tenant appeal the hearing officer’s decision denying registration of a unit not registered previously.
 - 2) D-4523: 1017 Euclid St, #6, Appellant – S. Behnam (LL)
Landlord appeals hearing officer decision that granted a rent decrease.
7. JURISDICTIONAL ITEMS (Public discussion is permitted)
 - B. Exemptions – Owner Occupancy
 - 1) 1607: 408 Hill St., Applicant – Martinez
 - 2) 1608: 942 20th St., Applicant – Simon
 - 3) 1609: 1914 22nd St., Applicant – Solano
 - 4) 1612: 1301 Arizona Ave., Applicant – Wen
 - 5) 1613: 2234 Delaware Ave., Applicant – Siu
Applicants request an exemption of a three-unit or less property based upon owner-occupancy pursuant to section 1801(c)(4) of the Rent Control Law.
Recommendations: Grant
8. PUBLIC HEARING
 - A. [Proposed Regulation 8066 providing for final Board action on excess rent complaints within 120 days of the filing of the complaint.](#)
9. ADMINISTRATIVE ITEM
 - A. Annual selection of Chairperson and Vice-Chairperson
13. REQUESTS TO SPEAK - (Requests from members of the public to speak to the Board on any issue of general interest to the community)
14. REPORT OF CLOSED SESSION
15. ADJOURNMENT

Next Regular RCB meeting – February 10, 2011
7:00 p.m., Council Chamber

The Council Chamber is wheelchair accessible. If you need any disability-related accommodations, please contact Glenda Jacobs at (310) 458-8751 at least three days prior to the meeting. This document is available in alternate format upon request.

Rent Control Board meetings are aired live on CityTV cable channel 16. Any documents produced by the Santa Monica Rent Control Agency and distributed to a majority of the Rent Control Board regarding any item on this agenda will be made available during normal business hours at the Rent Control counter located at City Hall, 1685 Main Street, Room 202, Santa Monica.

SANTA MONICA RENT CONTROL BOARD
REGULAR MEETING MINUTES
January 13, 2011

1. CALL TO ORDER

Commissioner Korade-Wilson called the Rent Control Board meeting to order at 6:00 p.m. and recessed to closed session.

2. RECESS TO CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation

- a. Embassy LLC et al. v. City of Santa Monica et al.
LASC Case No. BS119080

California Government Code Section 54956.9

At 6:50 p.m., the closed session recessed and the open meeting reconvened at 7:01 p.m. followed by the roll call and pledge of allegiance.

2. ROLL CALL

Members Present: Christopher Braun
Todd Flora
Marilyn Korade-Wilson
Robert Kronovet
William Winslow

Others Present: Tracy Condon, Administrator
Michaelyn Jones, General Counsel
Amy Regalado, Staff Attorney
Hakha Mortezaie, Staff Attorney
Christy Engels, Lead Hearing Officer
Stephen Lewis, Public Information Mgr.
Glenda Jacobs, Board Secretary

3. APPROVAL OF THE MINUTES: November 4, 2010 and December 9, 2010

Because Commissioners Flora and Winslow were not elected to the Board until after the November 4, 2010 meeting, they were ineligible to vote on those minutes. Commissioner Korade-Wilson polled Commissioners Kronovet and Braun for any additions or corrections to the minutes of November 4, 2010. Being none, Commissioner Kronovet, seconded by Commissioner Braun, moved to adopt the minutes of November 4, 2010. The motion passed in a 3-0 voice vote.

Commissioner Korade-Wilson polled the Board for any additions or corrections to the minutes of December 9, 2010. Hearing none, Commissioner Winslow, seconded by Commissioner Braun, moved to adopt the minutes of December 9, 2010. The minutes were adopted in a unanimous voice vote. Commissioner Kronovet did not attend the meeting so his vote is not counted. Nonetheless, a majority of the Board members present at the December 9, 2010 meeting voted to approve the minutes.

4. SPECIAL AGENDA ITEMS

Administrator Tracy Condon updated the Board on the Agency's public outreach efforts. She announced that the Public Information Department has 90 friends on Facebook and that the free apartment listing service for owners and tenants is generating interest from the public. The listings are being forwarded to Ken Edwards, Wise and soon the Main Library for posting. She also announced that the 2010 Ellis Report would be presented at the next Board meeting on February 10th and that the Market Rate Vacancy Increase Report along with the Annual Report will also be presented this Spring. Commissioner Korade-Wilson personally congratulated Public Information Manager Stephen Lewis on his outstanding service since joining the Agency.

6. CONSENT CALENDAR

A. Appeals

- 1) J-0007: 1064 Stanford St., Appellant – S. Galloway (Trustee) & E. O'Connell (TT)
Landlord and tenant appeal hearing officer's decision denying registration of a unit not registered previously.

Staff Attorney Amy Regalado presented a summary of the staff report. Gary Clouse, tenant representative, Chris Harding, owner representative, Juli Balenger and Richard Horton addressed the Board. Following a lengthy discussion, Commissioner Kronovet moved to reverse the hearing officer decision and to allow the unit to be registered. The motion died for lack of a second. In a substitute motion, Commissioner Winslow, seconded by Commissioner Flora, moved to adopt the staff recommendation to deny the appeal of the hearing officer's decisions on remand denying registration of the unit. The motion passed in a 4-1 roll call vote. Commissioner Kronovet voted no.

- 2) D-4523: 1017 Euclid St., #6, Appellant – S. Behnam (LL)
Landlord appeals hearing officer decision that granted a rent decrease.

Staff Attorney Hakha Mortezaie presented a summary of the staff report. Saman Behnam, owner, addressed the Board. After a discussion, Commissioner Flora moved to adopt the staff's recommendation. The motion died for lack of a second. In a substitute motion, Commissioner Winslow, seconded by Commissioner Korade-Wilson, moved to adopt the staff recommendation with a modification to eliminate the \$40 decrease for the security gates (main walkway). The motion passed in a 3-2 roll call vote. Commissioners Kronovet and Braun voted no.

7. JURISDICTIONAL ITEMS (Public discussion is permitted)

B. Exemptions – Owner Occupancy

- 1) 1607: 408 Hill St., Applicant – Martinez
- 2) 1608: 942 20th St., Applicant – Simon
- 3) 1609: 1914 22nd St., Applicant – Solano
- 4) 1612: 1301 Arizona Ave., Applicant – Wen
- 5) 1613: 2234 Delaware Ave., Applicant – Siu

Applicants request an exemption of a three-unit or less property based upon owner-occupancy pursuant to section 1801(c)(4) of the Rent Control Law.
Recommendations: Grant

Commissioner Korade-Wilson, seconded by Commissioner Kronovet moved to adopt the staff reports and grant the exemption applications listed above on the basis of owner-occupancy, three or fewer units. The motion unanimously passed in a roll call vote.

8. PUBLIC HEARING

A. Proposed Regulation 8066 providing for final Board action on excess rent complaints within 120 days of the filing of the complaint.

Staff Attorney Regalado presented a summary of the proposed regulation. The following persons addressed the Board: J.L. Jacobson, Wes Wellman, Elaine Golden-Gealer and Daniel Davidsohn. Following a discussion, Commissioner Kronovet moved to omit “unless good cause is shown” from the proposed regulation. The motion died for lack of a second. Commissioner Winslow, seconded by Commissioner Flora, moved to adopt the staff recommendation for proposed Regulation 8066. The motion unanimously passed in a roll call vote.

9. ADMINISTRATIVE ITEM

A. Annual Selection of Chairperson and Vice-Chairperson

After brief comments, Commissioner Winslow, seconded by Commissioner Korade-Wilson nominated Commissioner Braun for Chairperson. The motion unanimously passed in a roll call vote. Commissioner Winslow, seconded by Commissioner Braun, nominated Commissioner Korade-Wilson for Vice-Chair. The motion unanimously passed in a roll call vote.

13. REQUESTS TO SPEAK

The following persons addressed the Board: J.L. Jacobson.

14. REPORT OF CLOSED SESSION

The Board declined to settle the case and the Board further authorized counsel to enter into a joint defense agreement with the city.

15. ADJOURNMENT

At 10:00 p.m. Commissioner Korade-Wilson adjourned the meeting.