

Remote Rent Board Meeting Minutes - Held Via Zoom

Wednesday, November 30, 2022

II. Roll Call - 00:00:20

Elliott Simpson, Tenant, District 3 - Chair
Barbara Vestal, Landlord, At-Large - Vice Chair
Amir Familmohammadi, Tenant, District 1
Hilary Glaus, Tenant, District 2
Ian McCracken, Landlord, District 4
Philip Mathieu, Tenant, District 5
Elias Kann, Tenant, At-Large

Staff present:

Zachary Lenhert Licensing & Housing Safety Manager

III. Minutes - 00:00:50

The Vice Chair makes a motion to approve the minutes as written, seconded by Amir. Vote: 7-0

IV. Communications - 00:02:09

- A. Please note: Written public comment must be received via email
(rentboard@portlandmaine.gov) by 12pm the day before the scheduled meeting.
Please make sure that the subject line reads "Written Public Comment".**

B. Written Public Comment

Only one written public comment was received from a member of the public. The Chair did address the second concern within the comment submitted with input of other Board members. No action was taken on this item.

00:05:47 - The Chair discussed an item that was not on the agenda. A review of the Annual Rent Board Report that went before the City Council.

This was on the November 21, 2022 City Council agenda. The Chair spoke briefly about the report, outlining the list from the table of contents. A question was received from one of the councilors and a comment was made regarding the graphs. No action was taken for this item.

C. Question C - An Act to Protect Tenants in Portland - 00:08:42

Per the Chair, no action is needed for this item. However, the Board can discuss this topic.

- The forms will need to be updated
 - Changes for the MNOI
 - Provide definitions directly from the ordinance for Renovation and Fair Rate of Return
 - Suggested to edit from the revised drafts that Barbara did, but did not get posted online
 - Sec 6-263: Jurisdiction and Authority. Power to amend rules and regulations as needed
- Potential additional staff for the revisions of the new ordinance
- Paragraph by paragraph review of the new ordinance with someone from Corporation Counsel. Questions should be finalized before the new forms are drafted
 - Mediation process - new: training?
 - No more than 2 Board members as it would constitute a public meeting
 - New tenant - voluntarily/non-voluntarily
 - Sec 6-151 (f) - New tenant is not included in what you need to report. When can a Landlord take the increase for a new tenant, at time of move-in or the next year
 - Penalties - what the Board can impose, no real guidelines
 - Number 3 on page 23 - the effective date of when things take place
 - A special meeting may be created if the Wednesday night meeting doesn't work with Corporation Counsel to discuss this matters
 - Rent increases taking effect on or after January 1, 2023 need to comply with the new ordinance - needs to speak with Corporation Counsel ASAP.

00:33:38 - Zachary Lenhart with the Housing Safety Office mentioned that we have been in contact with Corporation Counsel regarding the upcoming changes for Landlords and that a letter will be mailed out shortly. He did share the letter on his screen for the Board to view.

This letter has some of the most important changes but does not include all of them

Every long-term rental license will receive this letter.

The FAQ will reflect the changes.

00:46:30 - Elias makes a motion that the Chair & Vice Chair in consultation with Corporation Counsel to schedule a special meeting with an Executive Session between now and the next Rent Board meeting. Seconded by the Vice Chair. Vote: 7-0

V. Unfinished Business

There are no agenda items to be discussed

VI. New Business

There are no agenda items to be discussed

VII. Adjourn

01:03:44 - Philip made a motion to adjourn, seconded by the Vice Chair. Vote: 7-0



Dear Property Owner or Landlord,

On November 8, 2022, Portland voters passed a citizen initiative entitled, *An Act to Protect Tenants in Portland* (Question C), which affects your rights and responsibilities as a landlord. The purpose of this letter is to notify you of some of the changes in Question C that may require your immediate attention and action, including:

- Rental registrations that are not received by the City of Portland by January 15 shall be subject to a late fee of \$50 per unit.
- Rental registrations that are not received by the City of Portland by February 15 shall be subject to a late fee of \$200 per unit.
- No rent increases taking effect on or after January 1, 2023 may reflect a tax rate rent adjustment. This additional amount by which a Landlord may increase rent has been repealed as a result of Question C's passage.
- For all rent increases taking effect on or after January 1, 2023, a Landlord shall give 90 days' written notice.
- A Rental Unit in a building containing only two, three, or four dwelling units that is occupied by a Landlord who is not the property owner is no longer exempt from the Rent Control and Tenant Protections Ordinance.
- Any notice to tenants to increase rent on or after January 1, 2023 must include:
 - The date on which the tenancy began;
 - The date on which the rent will be increased;
 - Any remaining Banked Rent that has not been included in the current rent increase; and
 - The appropriate justifications for such a rent increase.

Notices that do not include the above requirements, including those notices that have already been sent, are void.

To review all of the changes made by Question C, please visit www.portlandmaine.gov/CAQ. This letter is not intended to be, and the City cannot provide you with, legal advice about Question C. If you require additional information or guidance, we recommend that you speak with an attorney.

We understand these changes may cause some challenges for you during the 2023 registration process. City staff are grateful for your patience and understanding as we work to implement these new requirements, review rental registrations, and provide you with whatever information we can to make this process easier.

Please contact rentcontrol@portlandmaine.gov with any questions.

