

Remote Rent Board Meeting Minutes - Held Via Zoom

August 28, 2024

II. Roll Call - 0:00:06

Christopher "Buddy" Moore, Tenant, District 3 - Chair
Philip Mathieu, Tenant, District 5 - Vice Chair (Absent)
Anne-Laure Razat, Tenant, At-Large
Matthew Walker, Tenant, District 2
Matthew Lax, Tenant, District 1
Caleb Roebuck, Tenant, District 4 (Absent)
Kristen Carreras, Landlord, At-Large

Staff present:

Dylan Orr, Rental Registration Coordinator
Adam O'Connor, Rental Registration Inspector
Benjamin Plante, Esq., Counsel for the Rent Board
Amy McNally, Associate Corporation Counsel

III. Approval of Minutes - 0:02:44

a. July 24, 2024 Minutes - See 0:03:18

b. August 5, 2024 (Special Meeting) Minutes - See 0:03:18

0:03:18 - Matt Walker moves to approve both sets of minutes as written. Seconded by Kristen Carreras. (5-0; Roebuck and Mathieu absent) The motion passes.

IV. Communication

a. Memo regarding 36 Sawyer St - See 1:48:57

b. Written Public Comment - See 1:52:50

V. Unfinished Business - 0:04:25

a. Tenant Rights Appeal - 0:04:30

Appellant: Jamie Devins & Evan Long, 44 Dirigo St, Unit #2, Portland, ME 04102

Property Owners: James Lannon, 1530 Congress St, Portland, ME 04102

Julie Contreras-Lannon, 172 Bradley St, Portland, ME 04102

Property Address: 44 Dirigo St, Portland, ME 04102

CBL: 188-A-009-001

0:07:01 - The landlord, James Lannon, provides a statement regarding an email that was entered into the public record during the previous meeting.

No public comment received.

0:30:32 - Anne-Laure Razat moves based on evidence presented and the facts of the complaint, the Board finds that the May 2024 notice to vacate and the subsequent documents, email correspondence from the landlord to the tenant in July and August 2024 were not retaliatory actions. Seconded by Kristen Carreras. (5-0; Roebuck and Mathieu absent) The motion passes.

0:40:58 - Matthew Walker moves to assign a \$300 fine for violations of sections 6-238(b) and 6-238(c) and a \$500 fine for violation of section 6-238(d). Seconded by Matthew Lax. (5-0; Roebuck and Mathieu absent) The motion passes.

0:54:30 - Matthew Lax moves the board to assess a fine of \$350 for failure to register in 2022 and a fine of \$450 for failure to register for the subsequent year of 2023 as they were both full years and at the point of 2023 the landlord should have been fully aware this was a requirement. Seconded by Matthew Walker. (4-1; Carreras votes no, Roebuck and Mathieu absent). The motion passes.

0:57:12 - Anne-Laure Razat moves to assess a \$200 fine to the landlords for providing a rent increase notice that did not comply with section 6-243(b) requirements. Seconded by Kristen Carreras. (5-0; Roebuck and Mathieu absent). The motion passes.

1:05:40 - Christopher "Buddy" Moore moves to not apply any fines for the violation of section 6-234(f).

1:11:45 - Christopher "Buddy" Moore withdraws their previous motion.

1:13:18 - Anne-Laure Razat moves to assess a \$200 fine to the landlords for providing a rent increase notice from October 2023 to the tenants that did not comply with section 6-243(d) requirements. Seconded by Matthew Lax. (5-0; Roebuck and Mathieu absent). The motion passes.

b. Schedule Rent Increase Appeal Hearing for 59 State St & 655 Congress St -
1:17:43

1:18:16 - Matthew Walker is recused.

1:22:57 - Christopher "Buddy" Moore moves to schedule a special meeting for September 18, 2024. Seconded by Matthew Lax. (4-0; Walker recused, Roebuck and Mathieu absent). The motion passes.

c. Changes to Rent Board Rules & Procedures - 1:24:47

1:24:47 through 1:47:54 - Board members discuss proposed changes to rules and procedures. No motions are made during this item.

1:47:56 - Amy McNally presents 36 Sawyer St memo from agenda item IV.a.

1:52:08 - Christopher "Buddy" Moore acknowledges written public comment from agenda item IV.b.

1:54:00 through 2:05:27 - The Board takes a recess.

VI. New Business - 2:05:32

2:10:38 - Christopher "Buddy" Moore moves to table items VI.a., VI.b., and VI.c. to the September 25, 2024 meeting and directs the applicant to fill out the provided PDF file and spreadsheet supplied by the Rent Board. Seconded by Kristen Carreras.

2:29:10 - Christopher "Buddy" Moore withdraws the previous motion.

a. Rent Increase Application - 2:39:12

Owner: BJB Realty LLC, 175 Lancaster St Ste 209, Portland ME 04101

Representative: BJB Realty LLC, 175 Lancaster St Ste 209, Portland ME 04101

Address: 231 State St

CBL: 046-A-010-001

2:54:09 - Anne-Laure Razat moves to table the application to the September 25, 2024 meeting with the expectation that the application resubmit with the requested changes. Seconded by Matthew Walker. (5-0; Roebuck and Mathieu absent). The motion passes.

b. Rent Increase Application - 2:55:32

Owner: BJB Realty LLC, 175 Lancaster St Ste 209, Portland ME 04101

Representative: BJB Realty LLC, 175 Lancaster St Ste 209, Portland ME 04101

Address: 221 Woodford St

CBL: 130-E-001-001

3:05:40 - Anne-Laure Razat moves to table the application to the September 25, 2024 meeting with the expectation that the application resubmit with the requested changes. Seconded by Matthew Lax. (5-0; Roebuck and Mathieu absent). The motion passes.

c. Rent Increase Application - 3:06:35

Owner: BJB Realty LLC, 175 Lancaster St Ste 209, Portland ME 04101

Representative: BJB Realty LLC, 175 Lancaster St Ste 209, Portland ME 04101

Address: 124 Emery St

CBL: 062-C-009-001

3:12:12 - Anne-Laure Razat moves to table the application to the September 25, 2024 meeting with the expectation that the application resubmit with the requested changes. Seconded by Kristen Carreras. (5-0; Roebuck and Mathieu absent). The motion passes.

d. Rent Increase Application - 3:16:00

Owner: Evan Kumagae and Emily Kumagae, 175 Soper Rd, Durham, ME 04222

Address: 23 Pembroke St

CBL: 428-B-006-001

3:27:02 - The landlords, Evan Kumagae and Emily Kumagae, present the application.

3:35:16 - Emily Rose provides public comment.

4:05:50 - Christopher "Buddy" Moore moves due to the costs laid out in the application, the Board finds the application qualifies as a major renovation or major reconfiguration. Seconded by Matthew Lax. (5-0; Roebuck and Mathieu absent). The motion passes.

4:37:21 - Anne-Laure Razat moves to set the base rent for all three units to \$3,293.89 per month dependent on aforementioned conditions of approval relating to renovation completion and supported documentation being provided. Seconded by Kristen Carreras.

4:38:50 - Anne-Laure Razat amends the previous motion to add the conditions of approval to

1. The landlord cannot charge tenants the base rent increases authorized above until
 - a. The landlord has completed renovations and
 - b. The landlord presents further documentation to the rent board such as receipts, invoices, and payments etc. verifying the landlord's actual cost to renovate units 1, 2, and
3. The landlord must come back to the board once renovations are complete with documentation verifying the construction costs to improve all three units.
2. The board reserves the right to adjust the base rent increase to all three units if the landlord's construction costs are less than or exceed the anticipated \$477,371 to renovate all three units.
3. The landlord must be required to submit a new application for base rent increase if the construction costs exceed 20% of the estimated cost to renovate the three units.

Seconded by Christopher "Buddy" Moore. (5-0; Roebuck and Mathieu absent). The motion passes.

VII. Adjourn

4:41:11 - Anne-Laure Razat moves to adjourn. Seconded by Kristen Carreras. (5-0; Roebuck and Mathieu absent). The motion passes.