

Minutes

Remote Rent Board Meeting - Held Via Zoom
Wednesday, May 26, 2021

Start time: 5:00pm

II. ROLL CALL (7)

Austin Sims, Homeowner, District 5 - Chair Pro Tem
Barbara Vestal, Landlord, At-Large - Vice Chair Pro Tem
Christopher "Buddy" Moore, Tenant, District 1
Michelle Dunham, Landlord, District 2
Elliott Simpson, Tenant, District 3
Ian McCracken, Landlord, District 4
Elias Kann, Tenant, At-Large

Staff present (4)

Anne Torregrossa, Corporation Counsel
Jessica Hanscombe, Director of Permitting & Inspections
Zachary Lenhert, Licensing & Housing Safety Manager
Katlyn Sawyer, Licensing & Registration Coordinator

III. MINUTES

Austin Sims moved to accept Minutes from previous meeting with no amendments
2nd by Elliott Simpson
Vote: 7-0

IV. PROPOSAL FROM CHAIR PRO TEM

Austin Sims presents his proposal to the Board.

After Board discussion, Austin Sims chose to table the adoption of Rule 23 to come back to at a later time.

However, he would like the Board to follow these guidelines going forward:

- The Board members who drafted the document to go through its entirety prior to comment
- During commenting, Board members try not to repeat points already mentioned

No vote was taken.

V. REVIEW MEMO FROM STAFF

A memo that was provided to the Board from Anne Torregrossa was not published to the agenda. It was discussed that this document be posted on the website. No vote was taken.

In regards to the memo that was posted about Housing Safety -

- Zachary Lenhert explained the See Click Fix online program that people can use to make complaints about trash, junk vehicles, etc.
- It was also noted that complaints that might have the potential to go before the Board, would not be made online but rather via phone or email
- No other questions were asked by the Board

VI. REVISED LANDLORD INTAKE FORM

A. DRAFT LANDLORD RENT INCREASE APPLICATION

Barbara Vestal addressed the Board in regards to this document.

Several changes have been made to this form

- Wording has been changed from "Property Owner" to "Landlord" as referenced in the ordinance
- The CBL (Chart, Block, and Lot) has been added
- The section below Accommodations where it speaks of exemptions - all exemptions have been added
- This form was separated from Other Relief - so it is only speaking in terms of Rent Increases
- Consolidation relief has been taken out of the equation
- Added a Note under "If seeking a rent increase, please identify the basis..."

Anne Torregrossa expressed her concerns

- The definition of housing service costs
- That market rate is not the same as a fair rate of return
- To use the language of the ordinance for the form

Barbara Vestal made a motion to amend and strike the words "fair market" before rent and "as indicative of a fair rate of return" after similar building in the text below Additional Rent Board Approved Increase.

-The sentence would then read:

"...and/or a unique relationship between Landlord and a current and/or a prior Tenant such that the Base Rent charged as of June 1, 2020 was unusually low and not an accurate reflection of the rent which would be charged for a unit...or charged by others for comparable units in a similar building.

-2nd by Michelle Dunham

Other Board members had points to discuss before a roll call vote was taken.

Austin Sims proposed that the Board retain the bolded words with mention to its place in the ordinance "Additional Rent Board Approved Increase: Any additional increase...(6-234 (b)(5)(d))" and strike all text thereafter. That this form can be amended as cases are presented before the Board.

-2nd by Elliott Simpson

-Vote: 7-0

Elias Kann made a motion to finalize the document until after the Executive Session

-2nd by Austin Sims

-Vote: 7-0

B. DRAFT LANDLORD OTHER RELIEF APPLICATION

Barbara Vestal addressed the Board.

Similar changes were made to this form as the previous agenda item

-Property Owner was changed to Landlord

-CBL was added

-Clarifies this form is to request relief other than a rent increase. If a rent increase is desired, a Landlord would have to use the other form

Signatures required of both tenant and owner

Austin Sims made a motion to table this document, not the discussion, until after the Executive Session.

-2nd by Elias Kann

-Vote: 7-0

VII. HIGHER-LEVEL BOARD ORGANIZING RULES AND PROCEDURES

Elliott Simpson addressed the Board.

Austin Sims made a suggestion for Article III, Section 2 to state "at least three (3) full business days' notice is given to each member". This is having to add "full" between three (3) and business.

-Barbara and Elliott accepted this to be revised.

Barbara and Elliott reviewed Anne's suggestions with the Board in regards to Article IV.

-b would be approval of minutes. "Report of decisions of the previous meeting" will be struck.

-c needs to detail what is meant by communications

communications from the Housing Safety office or written comments received prior to the meeting, including from the public

-consent agenda will remain as a placeholder temporarily

Barbara and Elliott will be revising Article V

- Require notice given by electronic mail at least seven (7) days in advance of a hearing
- The forms need to be revised to ask for an email address
- 5. will be deleted

Anne Torregrossa made some suggestions to the Board

- Most other Boards hear issues that have wide interest beyond the property in which they are sitting
 - For example: A conditional use request will define how the property is used and will have an impact on the neighbors. Or the outside appearance will have an impact on neighbors and historic preservation
- The Rent Board's jurisdiction is either a dispute between two parties or a request by one party to raise their rent
 - In the case of a dispute between two parties, the Board should decide if they want public comment (not required to take it) and if so, how will the Board limit or control that (public commenting multiple times).
 - For example, if a tenant has a witness, that person would not fall under public comment
 - In the case of a Landlord requesting a rent increase, the public may not have any interest in it, however, the tenant it would be affecting might and noticing them
- The Board needs to determine how decisions will be made and drafted
 - Having good decision forms
 - For example: the ZBA's decision forms lay out all the various pieces of the ordinance that they need to find in order to grant or deny conditional use or variance. The Secretary records the findings as people are making motions.
 - The Board has a discussion about their findings and discusses which way the Board is going to go.
 - For example: the Board agrees on a rent increase, the Board agrees to deny a tenant's application. Somebody is charged with writing the decision as the Board has articulated it. At the next meeting, the Board makes any changes to that proposed decision and votes on it. The dissenting report can happen as well.

Elias Kann made a motion to reschedule the Executive Session to the next meeting or a special meeting

Elliott Simpson made a motion to finish the current item, table the Tenant Intake Form for the next meeting, go over Agenda item IX for comment, and to schedule a meeting for June 7 2021 at 5pm.

- 2nd by Ian McCracken
- Vote: 7-0

Ian McCracken left the meeting at 7:59pm

Elliott Simpson proposes to end the discussion of this agenda item. Him and Barbara will make the edits as discussed throughout the meeting. This will be on the agenda for the next meeting.

VIII. REVISED TENANT INTAKE FORM

Tabled for next meeting on 6/7/21

IX. RULES & EVIDENTIARY REQUIREMENTS SPECIFICALLY PERTAINING TO REMIT OF RENT BOARD

Christopher "Buddy" Moore presented the form to the Board.

Feedback was given from Board members to be revised for the next meeting in regards to public comment and interested parties.

X. EXECUTIVE SESSION

Tabled for next meeting on 6/7/21

XI. ADJOURN

*Agenda for next meeting on Monday, June 7. 2021

Roll Call

Minutes

Tenant Intake Form

Landlord Intake Form

Higher-level Board Organizing Rules and Procedures

Rules & Evidentiary Requirements Specifically Pertaining to Remit of Rent Board

Executive Session

Adjourn

Deadline for agenda items to be submitted to Housing Safety office is Wednesday, June 2 at end of business day (4:30pm)

Austin Sims moved to adjourn

-Vote: 6-0

Ian McCracken absent

Meeting end time: 8:34pm