

**CITY OF OAKLAND  
HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD**

**Regular Meeting  
January 9, 2014  
7:00 p.m.  
City Hall, Hearing Room #1  
One Frank H. Ogawa Plaza, Oakland, CA**

MINUTES

1. CALL TO ORDER

The HRRRB was called to order at 7:10 p.m. by Board Chair, Michael Bowie

2. ROLL CALL

MEMBER	STATUS	PRESENT	ABSENT	EXCUSED
Noah Frigault	Tenant	X		
Beverly Williams	Homeowner	X		
Linda Lonay	Landlord	X		
Edward Lai	Homeowner	X		
Craig Castellanet	Tenant			X
Benjamin Scott	Landlord	X		
Michael Bowie	Homeowner	X		

Staff Present

Richard Illgen, Deputy City Attorney  
Elias Ferran, Deputy City Attorney  
Connie Taylor, Rent Adjustment Program Manager

3. CONSENT ITEMS

i. Approval of minutes, December 12, 2013

Page 5 was missing from the Board packet. E. Lai made motion to table the item until the next meeting. M. Bowie seconded.

The motion was approved by consensus.

ii. a. Approval of draft decision in E13-0001; Sheenhan v. Zboray

N. Frigault made motion to approve draft decision. B. Williams seconded. The Board Voted as follows:

MEMBER	STATUS	AYE	NAY	ABSTAINED
Noah Frigault	Tenant	X		
Benjamin Scott	Landlord		X	
Michael Bowie	Homeowner	X		
Beverly Williams	Homeowner	X		
Linda Lonay	Landlord		X	
Edward Lai	Homeowner			X

The motion passed.

b. Approval of draft decision in T13-0068; Rumualdo v. Hamid

B. Williams made a motion to approve draft decision. M. Bowie seconded. The Board voted as follows:

MEMBER	STATUS	AYE	NAY	ABSTAINED
Noah Frigault	Tenant	X		
Benjamin Scott	Landlord	X		
Michael Bowie	Homeowner	X		
Beverly Williams	Homeowner	X		
Linda Lonay	Landlord	X		
Edward Lai	Homeowner			X

The motion passed.

#### 4. OPEN FORUM

Clifford Fried  
James Vann

#### 5. NEW BUSINESS

1. Appeal Hearing in case:

a. T13-0083; Bissell et al v. Kreuzer

Appearances:

Landlord Appellant's Representative

Clifford Fried

Tenant

Michael Bissell

Rebuttal

Rebuttal offered by both parties

Board Discussion

After discussion and questions to both parties, E. Lai made a motion to affirm the underlying decision with the understanding that the decision isn't precedent as to the character of the building and if there are any other issues between the landlord and tenants, the parties are free to bring any evidence regarding exemption that they deem appropriate. B. Williams seconded.

Linda Lonay submitted a substitute motion to remand the decision to reopen the hearing to permit parties to present new evidence to determine jurisdiction. B. Scott seconded. The Board voted as follows:

MEMBER	STATUS	AYE	NAY	ABSTAINED
Noah Frigault	Tenant		X	
Benjamin Scott	Landlord	X		
Michael Bowie	Homeowner			X
Beverly Williams	Homeowner		X	
Linda Lonay	Landlord	X		
Edward Lai	Homeowner		X	

The motion failed.

The Board then voted as follows on the first motion made by E. Lai.:

MEMBER	STATUS	AYE	NAY	ABSTAINED
Noah Frigault	Tenant	X		
Benjamin Scott	Landlord		X	
Michael Bowie	Homeowner			X
Beverly Williams	Homeowner	X		
Edward Lai	Homeowner	X		
Linda Lonay	Landlord		X	

The motion carried.

Tenant member Craig Castellanet arrived at 8:15 p.m.

Appeal Hearing in case:

b. T13-0093; Mackey v. Ahmetspahic  
Appearances:

Landlord

Mehmed Ahmetspahic

Tenant

Zakiya Mackey

Rebuttal

Both parties offered rebuttal.

Board Discussion

After questions to both parties and Board discussion, M. Bowie made motion to affirm the decision. C. Castellanet second.

The motion was approved by consensus.

Appeal Hearing in case:

c. T13-0138; Rax v. Eng

Appearances

Tenant

Gerald Rax

Landlord Representative

Tesfatsion Menna

Rebuttal

Both parties offered rebuttal.

Board Discussion

After questions to parties and Board discussion, B. Williams made a motion to affirm the decision. L. Lonay seconded.

The motion was passed by consensus.

- ii. Review of Rent Adjustment Annual Report for Fiscal Year 2012-2013

Connie Taylor, Rent Adjustment Manager, presented overview of the Rent Adjustment Annual Report.

- 7. SCHEDULING AND REPORTS

- 1. Standing Committee meeting to be scheduled for February 27, 2013.

- 8. ADJOURNMENT

E. Lai made motion to adjourn. B. Williams seconded. The meeting was adjourned by consensus at 9:05 p.m.