

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

**Regular Meeting
March 13, 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 7:02 p.m. by Board Chair, Michael Bowie

2. ROLL CALL

MEMBER	STATUS	PRESENT	ABSENT	EXCUSED
Tyfahra Singleton	Tenant	X		
Beverly Williams	Homeowner	X		
Michael Bowie	Homeowner	X		
Edward Lai	Homeowner	X		
Benjamin Scott	Landlord	X		
Noah Frigault	Tenant	X		

Staff Present

Richard Illgen	Deputy City Attorney
Connie Taylor	Rent Adjustment Program Manager

3. CONSENT ITEMS

i. Approval of Minutes for February 27, 2014

E. Lai made motion to approve minutes with revisions. N. Frigault seconded. The motion was approved by consensus.

B. Williams made substitute motion to bring draft minutes for February 27, 2014, to next Board meeting for review. N. Frigault seconded. The motion was approved by consensus.

ii. Approval of draft decision in

a. Case T13-0175

B. Williams made motion to approve draft decision in case T13-0175. N. Frigault seconded. The Board voted as follows:

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

The motion carried.

b. Consolidated cases: T13-0288 & T13-0296

N. Frigault made motion to approve the draft decisions. E. Lai seconded. The Board voted as follows:

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

The motion carried.

4. REPORT ON CLOSED SESSION

Deputy City Attorney reported that no action had been taken in closed session.

5. OPEN FORUM

James Vann (item 7 on the Agenda)

6. NEW BUSINESS

i. Appeal Hearing in case:

a. T13-0133; Alvarez et al v. Garcia

Appearances

Landlord Representative

Chelsea Wellman

Landlord

Edward Garcia

Tenant Representative

Derek Schoonmarker

Rebuttal

Both parties offered rebuttal

Board Discussion

After Board discussion and questions to both landlord and tenant representatives, E. Lai moved to affirm the Hearing Officer’s decision. N. Frigault seconded. The Board voted as follows:

MEMBER	STATUS	AYE	NAY	ABSTAINED
Tyfahra Singleton	Tenant		X	
Beverly Williams	Homeowner	X		
Edward Lai	Homeowner	X		
M. Bowie	Homeowner	X		
Benjamin Scott	Landlord	X		
Noah Frigault	Tenant	X		

The motion carried.

- i. Appeal Hearing in case:
 - b. T13-0156; Johnson v.Sridhar Equities

Appearances

Tenant Appellant

Tiffany Johnson

Landlord Representative

Carol Santos

Rebuttal

Both Parties offered rebuttal

Board Discussion

After Board discussed the matter and posed questions to both parties, T. Singleton made motion to remand the decision to Hearing Officer to reconsider amount allocated for decreased services. No seconded.

T. Singleton withdrew the motion.

B. Scott made motion to affirm the Hearing Officer's decision. B. Williams seconded.

N. Frigault made a substitute motion to reverse the decision for clear error because there was no electricity rendering the unit uninhabitable and the tenant should not pay rent on An uninhabitable unit. T. Singleton seconded. The Board voted as follows:

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

The motion failed.

The Board voted on B. Scott's motion to affirm the Hearing Officer's decision; B. Williams seconded. The Board voted as follows:

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

The motion failed. No further motions were introduced; the hearing decision is therefore affirmed.

At 9:05, a two minute break was called.

ROLL CALL

MEMBER	STATUS	PRESENT	ABSENT	EXCUSED
Noah Frigault	Tenant	X		
Tyfahra Singleton	Tenant	X		
Edward Lai	Homeowner	X		
Michael Bowie	Homeowner	X		
Beverly Williams	Homeowner	X		
Benjamin Scott	Landlord	X		

- i. Appeal Hearing in case:
 - b. T13-0174; Rose v. Henderson

Appearances

Landlord Appellant

Irma D. Henderson

Tenant

Mary Ann Rose

Rebuttal

Both parties offered rebuttal.

Board Discussion

After Board discussion and questions to both parties, B. Scott made motion to affirm the hearing decision. M. Bowie seconded. The motion carried by consensus.

- ii. Election of New Board Officers
 - B. Williams made motion to nominate E. Lai as Board Chair. B. Scott seconded. E. Lai accepted the nomination. The motion was passed by consensus.
 - M. Bowie made motion to nominate B. Williams as Board Co-Chair. E. Lai seconded. B. Williams accepted the nomination. The motion was passed by consensus.
- iii. Referrals to Standing Committee
 - 1. Report on Retrofits
 - 2. Revise Just Cause Regulations

Noah Frigault made motion to refer seismic retrofits and the revision of Just Cause Regulation regarding illegal units to the Standing Committee. T. Singleton seconded. The motion was passed by consensus.

7. OLD BUSINESS

Appoint Member to Standing Committee

E. Lai made motion to nominate B. Scott as landlord member to the Standing Committee. N. Frigault seconded. Mr. Scott accepted the nomination. The motion was passed by consensus.

8. SCHEDULING AND REPORTS

9. ADJOURNMENT

E. Lai made motion to adjourn. B. Scott seconded. The meeting was adjourned by consensus at 9:55 p.m.