

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

**Regular Meeting
July 24, 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 7:05 p.m. by Board Chair, Edward Lai

2. ROLL CALL

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

Staff Present

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

3. CONSENT ITEMS

- ii. Approval of draft decision in cases:
 - a. L13-0054; Michelsen et al v. Sherman

N. Frigault made motion to postpone approval of draft decision in Michelsen et al. v. Sherman until a dissent of the decision is filed. T. Singleton seconded. The Board voted as follows:

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

The motion carried.

b. T13-0353; Hochberg v. Chen

E. Lai made motion to approve draft decision. N. Frigault seconded.

The motion was approved by consensus.

c. Consolidated cases:
T13-0232; Wilkins v. Salma
T13-0233; Holmes v. Salma
T13-0234; Zavada v. Salma
T13-0235; Pooley v. Salma
T13-0236; Hayes v. Salma
T13-0237; Gonzales v. Salma

N. Frigault made a motion to approve the draft decisions. M. Bowie seconded. The Board voted as follows:

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

The motion carried.

4. OPEN FORUM

Brian Gieser
James Vann

5. NEW BUSINESS

i. Appeal Hearing in Consolidated Cases:

- a. T12-0301; Cervantes v. Taplin
T12-0302; Hernandez v. Taplin
T12-0303; Higareda v. Taplin
T12-0304; Lupian v. Taplin
T12-0305; Medina v. Taplin
T12-0306; Rameriz v. Taplin
T12-0307; Zepada v. Taplin

Appearances:

Tenant Representative

Derek Schoonmaker

Landlord Representative

Liz Hart

Rebuttal

Derek Schoonmaker

Liz Hart

Russ Taplin

Board Discussion

After Board discussion and questions to both parties, B. Scott made a motion to remand the decision to Staff for recalculation in Lupian and Zepeda cases and to affirm the habitability issues in the hearing decision. M. Bowie seconded.

T. Singleton asked to divide the vote between the question of recalculation and habitability issues. N. Frigault seconded. Board Chair E. Lai agreed to divide the vote.

First part of motion: to remand the decision to Staff for recalculations of units 304 and 307.

The motion passed by Consensus.

Second part of motion: to affirm the underlying decision on habitability. The Board voted as follows:

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

The motion carried.

- b. Consolidated cases:
T13-0279; Falcon v. Bostrom
T13-0283; Garcia v. Bostrom

Appearances:

Tenant Appellants

Jennifer Falcon
Tristan Garcia

Landlord

Dennis Bostrom

Rebuttal

Jennifer Falcon
Tristan Garcia
Dennis Bostrom

Board Discussion

After discussion and questions to all parties, M. Bowie made motion to affirm the Hearing Officer's decision. B. Scott seconded.

After further discussion, M. Bowie withdrew his motion.

N. Frigault made motion to remand the decision to the Hearing Officer to reconsider issues, limited to the stucco and the walkway, based on evidence already submitted.

The motion was approved by consensus.

6. OPEN FORM (on Item # 5)

Donna Warnock
Brian Gieser
James Vann
Clifford Fried

7. OLD BUSINESS

Discussion and Possible Action on Definition of Deferred Maintenance

Board Discussion

After Board discussion, N. Frigault makes motion to approve the original Option B for deferred maintenance. No seconded.

The motion failed. The issue was tabled until the next meeting.

8. ADJOURNMENT

B. Williams made motion to adjourn. E. Lai seconded. The meeting was adjourned by consensus at 10:05 p.m.