

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

**Regular Meeting
September 11, 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
Tyfahra Singleton	Tenant	X		
Beverly Williams	Homeowner	X		
Edward Lai	Homeowner	X		
Benjamin Scott	Landlord	X		
Noah Frigault	Tenant	X		
Ramona Chang	Landlord	X		

Staff Present

Richard Illgen	Deputy City Attorney
Connie Taylor	Rent Adjustment Program Manager

3. CONSENT ITEMS

i. Approval of Minutes for July 24, 2014

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

ii. Approval of draft decision in

a. Case T13-0279 & T13-0283, Falcon et al v. Bostrum

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

- b. Cases T12-0301 through T12-0307; Cervantes v. Taplin et al.

E. Lai made motion to approve draft decisions. N. Frigault seconded. The motion was approved by consensus.

4. OPEN FORUM

Brian Geiser
James Vann
Greg McConnell

5. OLD BUSINESS

- i. Michelsen et al v. Sherman

- a. Memorandum
- b. Draft Decision
- c. Dissent

Michael Bowie arrived at 7:30 p.m.

OPEN FORUM (i. item #5)

Greg McConnell
Martina Cucullu Lim

After Board discussion, E. Lai made motion until next Board meeting giving all parties an opportunity to respond, and to determine if due process has been met. T. Singleton seconded. The Board voted as follows:

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

The motion carried.

6. NEW BUSINESS

- i. Appeal Hearing in case:
 - a. T12-0331 & T13-0286; Dunn v. Ivey

Appearances

Tenant Representative

Craig Martin

Landlord Representative

Analisa Anthony

Rebuttal

Both parties offered rebuttal

Board Discussion

After Board discussion and questions to landlord and tenant representatives, B. Scott moved to affirm the Hearing Officer's decision. M. Bowie seconded. The Board voted as follows:

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

Edward Lai, homeowner recused himself.

The motion carried.

- i. Appeal Hearing in cases:
 - b. T13-0320; Kruzich et al . v. Conrad
T13-0336; Mazzarello v. Conrad

Appearances

Landlord Representative

Gregory McConnell stated that the parties reached an agreement. He will submit a written request to withdraw the appeal.

7. OLD BUSINESS

ii. Discussion and Possible Action on Definition of Deferred Maintenance

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		
Ramona Chang	Landlord	X		

OPEN FORUM (ii. Item #5)

James Vann
Donna Warnock
Brian Geiser
Susan Shaker

Board Discussion

After Board discussion, E. Lai made motion to adopt the definition of deferred maintenance stated on page 59,: “Costs for work or portion of work that could have been avoided by the landlord’s exercise of reasonable diligence in making timely repairs,” and incorporate Section 10.1 and 10.1.2 on page 63. 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	
Ramona Chang	Landlord			X

The motion failed.

8. ADJOURNMENT

E. Lai made motion to adjourn. B. Williams seconded. The meeting was adjourned by consensus at 10:00 p.m.