

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

**Regular Meeting
June 9, 2016
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, Jessie Warner.

2. ROLL CALL

MEMBER	STATUS	PRESENT	ABSENT	EXCUSED
Beverly Williams	Homeowner	X		
Edward Lai	Homeowner Alt	X		
Ramona Chang	Landlord	X		
Tyfahra Singleton	Tenant			X
Jessie Warner	Homeowner	X		
Noah Frigault	Tenant			X
Karen Friedman	Landlord	X		
Ubaldo Fernandez	Tenant	X		

Staff Present

Richard Illgen	Deputy City Attorney
Connie Taylor	Rent Adjustment Program Manager

3. CONSENT ITEMS

i. Approval of consent items:

E. Lai made motion to approve draft minutes as revised for May 26, 2016, and draft decisions in cases: T14-0135 and T14-0527. R. Chang seconded. The Board voted as follows:

AYE: E. Lai; R. Chang; J. Warner; B. Williams
NAY: 0
ABSTAINED: K. Friedman; U. Fernandez

The motion carried.

4. OPEN FORUM

No speakers.

5. NEW BUSINESS

- i. Appeal Hearing in case:
 - a. T15-0016; Nand, LLC v. Tenants

Appearances:

Tenant Representative

Martina Cucullu Lim

Landlord/ Landlord Representative

Cesely Smith
Michael Sheppard

Rebuttal

Cesely Smith
Michael Sheppard
Martina Cucullu Lim

Board Discussion

After Board discussion and questions to both parties, K. Friedman made a motion to affirm the Hearing Officer's decision based upon the Hearing Officer's rationale. R. Chang seconded. The Board voted as follows:

AYE: R. Chang; K. Friedman
NAY: U. Fernandez; J. Warner; B. Williams; E. Lai
ABSTAINED: 0

The motion failed.

U. Fernandez made a motion to remand the decision back to the Hearing Officer to determine if the building's entire square footage includes the deck. If the square footage includes the deck, the decision is affirmed. If the deck was not included in the building's square footage, the Hearing Officer needs to recalculate the square footage to include the deck based on information in the existing record. If additional information is needed, the Hearing Officer can decide to hold further proceedings to augment the record. E. Lai seconded. The Board voted as follows:

AYE: U. Fernandez; E. Lai; R. Chang; J. Warner; B. Williams

NAY: K. Friedman

ABSTAINED: 0

The motion carried.

- b. T15-0229; Haley v. Golden State Ventures
- T15-0230; Cruz v. Golden State Ventures
- T15-0337; Cruz v. Golden State Ventures
- T15-0336; Cruz v. Golden State Ventures

Appearances:

Landlord Representative

Daniel Bornstein

Tenant/Tenant Representative

Tal Klement

James Vann

Rebuttal

Daniel Bornstein

Tal Klement

Arlen Chou

Board Discussion

After discussion and questions to both parties, J. Warner made a motion to affirm the Hearing Officer's decision based on the facts provided. E. Lai seconded. The Board voted as follows:

AYE: U. Fernandez; E. Lai; B. Williams; J. Warner; K. Friedman

NAY: R. Chang

ABSTAINED: 0

The motion carried.

6. SCHEDULING AND REPORTS

1. Discussion and Possible Action on 2 versus 3 Minutes for Speakers on Public Comment.

OPEN FORUM

Speakers:

James Vann

B. Williams made motion to change time for Open Forum comments from 2 minutes to 1 to 3 minutes at the discretion of the Chair. U. Fernandez seconded. The Board voted as follows:

AYE: U. Fernandez; E. Lai; B. Williams; J. Warner; K. Friedman; R. Chang

NAY: 0

ABSTAINED: 0

The motion carried.

2. Update Regarding Rent Moratorium

Deputy City Attorney, Richard Illgen gave an update on rent moratorium.

7. ADJOURNMENT

E. Lai made a motion to adjourn. B. Williams seconded. The meeting was adjourned by consensus at 9:00 p.m.