

SANTA MONICA RENT CONTROL BOARD
REGULAR MEETING MINUTES
February 12, 2009

1. CALL TO ORDER

Commissioner Koury called the Rent Control Board meeting to order at 7:01 p.m. followed by the pledge of allegiance. Commissioner Koury read a passage from the Thirteenth Amendment of the U.S. Constitution.

2. ROLL CALL

Members Present: Jennifer Kennedy
Marilyn Korade-Wilson
Joel Koury
Robert Kronovet
Zelia Mollica

Others Present: Tracy Condon, Administrator
Michaelyn Jones, General Counsel
Marcia Zimmer, Hearings Dept. Mgr.
Keith Kresge, Staff Attorney
Glenda Jacobs, Board Secretary

3. APPROVAL OF THE MINUTES: January 8, 2009

Commissioner Korade-Wilson, seconded by Commissioner Kennedy, moved to adopt the minutes of January 8, 2009. The motion passed unanimously in a roll call vote.

4. SPECIAL AGENDA ITEM

Administrator Condon announced that at the applicant's request, agenda item 7C-1: 428R-C, 1305 2nd Street, Units 1B and 2B, is being continued to the meeting of March 12, 2009. She also announced that the agency is holding a seminar for new owners on March 3rd in the evening and anyone interested in attending should call the office at (310) 458-8751.

7. JURISDICTIONAL ITEMS

B. Exemptions – Owner Occupancy

1) 1569: 701 Marine St., Applicant – Tease

Applicant requests an exemption of a three-unit or less property based upon owner-occupancy pursuant to section 1801(c)(4) of the Rent Control Law.

Recommendation: Grant

Hearings Manager Marcia Zimmer presented a summary of the staff report. Following a discussion, Commissioner Korade-Wilson, seconded by Commissioner Kronovet, moved to grant exemption 1569 pursuant to section 1801(c)(4) of the Rent Control Law. The motion unanimously passed in a roll call vote.

- 2) 1570: 426 Ashland Ave., Applicant – Ortiz
Applicant requests an exemption of a three-unit or less property based upon owner-occupancy pursuant to section 1801(c)(4) of the Rent Control Law.
Recommendation: Grant

Ms. Zimmer presented a summary of the staff report. After questions to staff, Commissioner Kronovet, seconded by Commissioner Mollica, moved to grant exemption 1570 pursuant to section 1801(c)(4) of the Rent Control Law. The motion unanimously passed in a roll call vote.

C. Removal

- 1) 428R-C: 1305 2nd St., Units 1B and 2B, Applicant – F. Brownell
Continued to March 12, 2009
Owner seeks removal permit claiming two units are uninhabitable and cannot be made habitable in an economically feasible manner. Recommendation: Grant
- 2) 429R-C: 2817 3rd St., Units D and Upper, Applicant – K. Golay
Owner seeks removal permit claiming two bootleg units are uninhabitable and cannot be made habitable in an economically feasible manner.
Recommendation: Grant

Staff Attorney Keith Kresge presented a summary of the staff report. Following questions to staff and the applicant by the Board, Commissioner Korade-Wilson, seconded by Commissioner Kennedy, moved to grant the removal permit on the grounds that the two units are uninhabitable and cannot be made habitable in any manner. The motion unanimously passed in a roll call vote.

9. ADMINISTRATIVE ITEMS

A. City Council Passage of Smoking Ordinance in Multi-Unit Common Areas.

General Counsel Michaelyn Jones presented a summary of the smoking ordinance recently adopted by the City Council. Following a discussion, General Counsel offered to draft proposed regulations reinforcing the tenant's eviction protections in relation to the City's smoking ordinance. Commissioner Koury, seconded by Commissioner Kennedy, moved to have Ms. Jones draft the proposed regulations. The motion unanimously passed in a roll call vote.

After further discussion, Commissioner Koury, seconded by Commissioner Korade-Wilson, moved to direct staff to present their oral resolution to the City Council to amend the Ordinance to include wording that an offender could only be sued for one cause of action per incident. The motion unanimously passed in a roll call vote.

11. BOARD DISCUSSION ITEM

A. Encourage Water Conservation by Tenants – Commissioner Kronovet.

Commissioner Kronovet discussed water conservation. The Board discussed ways to encourage water conservation and their suggestions included continuing to put articles in the newsletter and placing a link from the Rent Control website to the City's water conservation site. It was also agreed to invite the City's water conservation specialist to speak at a future Board meeting.

13. REQUESTS TO SPEAK

The following persons addressed the Board: J.L. Jacobson.

15. ADJOURNMENT

At 8:26 p.m. Commissioner Koury adjourned the meeting.