

SANTA MONICA RENT CONTROL BOARD  
REGULAR MEETING MINUTES  
August 6, 2009

1. CALL TO ORDER

Commissioner Korade-Wilson called the Rent Control Board meeting to order at 7:00 p.m. followed by the pledge of allegiance.

2. ROLL CALL

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

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

3. APPROVAL OF THE MINUTES: July 23, 2009

Commissioner Kennedy, seconded by Commissioner Mollica, moved to adopt the minutes of July 23, 2009. The motion passed unanimously in a roll call vote.

4. SPECIAL AGENDA ITEM

Administrator Tracy Condon welcomed Commissioner Korade-Wilson as the new chairperson. Commissioner Korade-Wilson read a passage from the Nineteenth Amendment of the U.S. Constitution in honor of former Commissioner Koury.

6. CONSENT CALENDAR

A. Appeals

- 1) D-4438: 2614 Kansas Ave., Unit E, Appellants – N. Chari (LL) & L. Moscona (TT)  
Landlord and tenant appeal hearing officer decision granting a rent decrease.

Staff Attorney Amy Regalado presented a summary of the staff report. Neeraj Chari, owner, addressed the Board.

Following a discussion, Commissioner Kronovet, seconded by Commissioner Kennedy, moved to adopt staff recommendation to reverse the hearing officer's decision for the malfunctioning toilet and grant a \$20 decrease for that item and to also deny the tenant's appeal as to the lighting issues, garage door and the mailbox and to affirm the hearing officer's decision in all other respects. The motion passed unanimously in a roll call vote.

- 2) D-4442: 423 Ocean Ave, Unit 429-12, Appellant – S. Chen (LL)  
Landlord appeals hearing officer decision granting a rent decrease.

Staff Attorney Keith Kresge presented a summary of the staff report. Paul Badie, tenant, Joseph Bernhard, owner representative, and Shawn Chen, owner, addressed the Board.

After a discussion, Commissioner Kennedy, seconded by Commissioner Mollica, moved to adopt staff recommendation to deny the appeal and affirm the hearing officer's decision which granted rent decreases totaling \$395. The motion passed in a 3-1 roll call vote. Commissioner Kronovet voted no.

7. JURISDICTIONAL ITEM

C. Removal

- 1) 431R-C: 2336 Virginia Ave., Unit E-2, Applicant – Varon Living Trust by R. Kumert (Rep.)

Applicant seeks removal permit claiming unit is uninhabitable and cannot be made habitable. Recommendation: Grant

Staff Attorney Kresge presented a brief summary of the staff report. Commissioner Kronovet, seconded by Commissioner Kennedy, moved to grant the removal application on the grounds that the unit is uninhabitable and cannot be made habitable under section 1803(t)(2)(i) of the Rent Control Law. The motion passed unanimously in a roll call vote.

9. ADMINISTRATIVE ITEM

- A. Recommendation to declare a vacancy on the Rent Control Board and discuss procedures for appointment of a commissioner.

Administrator Tracy Condon presented a summary of the procedures for appointment. Following a discussion, Commissioner Kennedy, seconded by Commissioner Mollica, moved to declare the seat vacant. The motion passed unanimously in a roll call vote.

Upon further discussion, Commissioner Kronovet, seconded by Commissioner Kennedy, moved to accept the draft application form as written and set a 5 minute time limit for applicants to speak before the Board at the next meeting. The motion passed unanimously in a roll call vote. The Board also directed staff to publish a notice in the Daily Press and on the Rent Control website inviting applications. The new appointment will be chosen at the next Board meeting on September 3, 2009.

13. REQUESTS TO SPEAK

The following person addressed the Board: Michael Alonzo.

At 8:08 p.m. the open meeting was recessed to closed session.

14. RECESS TO CLOSED SESSION

Personnel (a list of items to be discussed is posted 72 hours before the meeting on bulletin boards on Council Chamber door and outside Rent Control office)

1. Conference with Labor Negotiator – Personnel

a) City Negotiator: Tracy Condon

Employee Organizations: Managers

REPORT OF CLOSED SESSION

The Board adjusted the managers' salaries by granting a cost of living adjustment. The Board also agreed to pay up to \$200 per month for a period of three years to reimburse management retirees for medical expenses.

15. ADJOURNMENT

At 9:15 p.m. Commissioner Korade-Wilson adjourned the meeting in recognition of Commissioner Koury's service to the community.