

**Rent Stabilization Commission  
City of West Hollywood  
Thursday, February 9, 2012 @ 7:00 PM  
West Hollywood Park Public Meeting Room – Council Chambers  
625 North San Vicente Boulevard**

**Minutes**

**CALL TO ORDER:** Chair Sanes called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE:** Vice Chair Gregoire led the Pledge.

**ROLL CALL:** Commission Secretary Deborah Meadows took roll call.

**PRESENT:** Commissioners Chuck Henry, Eric Thompson, and Agassi Topchian, Vice Chair David Gregoire, and Chair Gail Sanes

**ABSENT:** None

**STAFF PRESENT:** RSH Director Allyne Winderman, Rent Stabilization Manager Elizabeth Savage, Legal Counsel Alison Regan, and Commission Secretary Deborah Meadows.

**APPROVAL OF AGENDA:**

Motion made by Vice Chair Gregoire and seconded by Commissioner Topchian to approve the February 9, 2012 meeting agenda. Motion approved by consensus.

**APPROVAL OF MINUTES:**

Motion made by Commissioner Henry and seconded by Commissioner Topchian to approve the January 26, 2012 meeting minutes. Motion approved by consensus.

**PUBLIC COMMENTS:** None

**DIRECTOR'S REPORT:** None

**COMMISSION COMMENTS:** None

**APPEALS:**

**a. D-3596 1301 Havenhurst Drive, Unit 213**

Legal Counsel Alison Regan provided a case summary and analysis of the appeal as provided in the staff report. Staff recommended that the Commission affirm the hearing examiner's decision regarding exterior painting and the inclusion of the other tenants in a common-area rent adjustment application.

There were no speakers for this hearing.

After a public discussion among the Commission regarding the appeal, Commissioner Henry made a motion to adopt Resolution 12-395, affirming the Hearing Examiner's decision in D-3596. Vice Chair Gregoire seconded the motion and a roll call vote was taken. The motion passed (5-0-0).

**b. D-3606 1123 Larrabee Street**

Legal Counsel Alison Regan provided a case summary and analysis of the appeal as provided in the staff report. Staff recommended that the Commission affirm the hearing examiner's decision which determined that the Maximum Allowable Rent (MAR) is \$1400 and reverse the determination that the initial rent is \$1400. The initial rent is \$1500.

The Commission heard from Paul Steinke, the property owner, and Molly Lancaster, the tenant. After hearing from both parties, Chair Sanes closed the oral argument portion of the hearing.

Commissioner Thompson advised that he had a prior acquaintance with Paul Steinke, the property owner, but this would not affect his decision in any way. After a public discussion among the Commission regarding the appeal, Commissioner Henry made a motion to adopt Resolution 12-396, affirming the Hearing Examiner's decision that the MAR is \$1400, reversing the hearing examiner's decision regarding the initial rent changing it from \$1400 to \$1500, and remanding those issues labeled as "common area" back to the hearing examiner for further development of the record to determine if these issues impact tenants other than the tenant who filed the rent decrease application. Vice Chair Gregoire seconded the motion and a roll call vote was taken. The motion passed (5-0-0).

**c. D-3608 1240 N. Flores Street, Unit 8**

Legal Counsel Alison Regan provided a case summary and analysis of the appeal as provided in the staff report. Staff recommended that the Commission affirm the hearing examiner's decision to award rent decreases for the failure to repair the living room ceiling and failure to paint the building's exterior in accordance with maintenance standards. Staff recommended that the Commission reverse the hearing examiner's decision on the issue of the window screens. Additionally, Staff recommended that the 6-month bar to filing a subsequent rent adjustment application on the issue of the window screens be waived.

The Commission heard from Bob Khakshooy, property owner representative. Mr. Khakshooy's request to present evidence not presented to the hearing examiner was denied due to the Commission determination that with due diligence this evidence could have been presented during the hearing with the hearing examiner. After Mr. Khakshooy's presentation, Chair Sanes closed the oral argument portion of the hearing.

After a public discussion among the Commission regarding the appeal, Commissioner Topchian made a motion to adopt Resolution 12-397, affirming-in-part and reversing-in-part the hearing examiner's decision in D-3608. The resolution also waives the 6-month bar to filing a subsequent rent adjustment application on the issue of the window screens. Commissioner Henry seconded the motion and a roll call vote was taken. The motion passed (5-0-0).

**NEW BUSINESS:** None

**UNFINISHED BUSINESS:** None

**CHAIR'S REPORT:** None

**PUBLIC COMMENTS:** None

**COMMISSION COMMENTS:**

The Commissioners expressed their sadness at the departure of Director Winderman and wished her well in her future endeavors. They also thanked her for her commitment, support, and leadership.

**STAFF COMMENTS:**

Ms. Winderman thanked the Commission and praised them for their dedication and the thought and care they put into each case decision. She also thanked her staff.

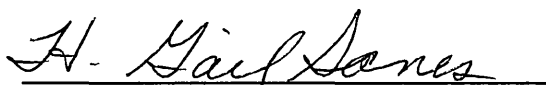
**ADJOURNMENT:**

There being no further business, Chair Sanes adjourned the Rent Stabilization Commission meeting at 8:45 p.m.

These minutes were taken and submitted by Deborah Meadows, Commission Secretary.

Adopted this 22<sup>nd</sup> day of March 2012

ATTEST:

  
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H. Gail Sanes, Chair

  
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Secretary