

**Rent Stabilization Commission
City of West Hollywood
Thursday, August 23, 2012 @ 7:00 PM
West Hollywood Park Public Meeting Room – Council Chambers
625 North San Vicente Boulevard**

Minutes

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

PLEDGE OF ALLEGIANCE: Commissioner Gregoire led the Pledge.

ROLL CALL: Acting Commission Secretary Eva Wieland took roll call.

PRESENT: Chair David Gregoire, Vice Chair Henry, Commissioner Richard Maggio, Commissioner Agassi Topchian, and Commissioner Gail Sanes

ABSENT: None

STAFF PRESENT: Department of Human Services and Rent Stabilization Director Sam Baxter, RSH Manager Elizabeth Savage, Legal Counsel Alison Regan, acting Commission Secretary Eva Wieland, Commission Secretary Laura Schoonover

APPROVAL OF AGENDA:

Motion made by Commissioner Topchian and seconded by Commissioner Sanes to approve the August 23, 2012 meeting agenda. Motion approved by consensus.

APPROVAL OF MINUTES:

Motion made by Commissioner Maggio and seconded by Commissioner Topchian to approve the August 9, 2012 meeting minutes. Motion approved by consensus.

PUBLIC COMMENTS: None

DIRECTOR'S REPORT:

Rent Stabilization and Housing Manager Elizabeth Savage spoke regarding the "Dissolution of Redevelopment: What is the Process, What is All That Terminology?" seminar that Rent Stabilization and Housing will be hosting at Plummer Park on September 20, 2012. Ms. Savage advised that those interested in attending can contact Commission Secretary Laura Schoonover at 323-848-6323 to RSVP.

Ms. Savage reviewed the current “Look Ahead” schedule with the Commission. Noting that there are no appeals scheduled for the month of September, the next scheduled Rent Stabilization Commission meeting will be on October 11, 2012 at which time there will be one appeal and a presentation reviewing the curriculum for the upcoming educational classes.

COMMISSION COMMENTS: None

APPEALS:

**A. D-3673 1240 N. Flores #5
(MAR Determination)**

Alison Regan, Legal Counsel, provided a case summary and analysis of the appeal as provided in the staff report. Staff recommended that the Commission deny the appeal and affirm the hearing examiner’s decision.

At the meeting, the Commission heard from the landlord representative, Jonathan Khakshooy on behalf of Parviz & Abraham Khakshooy, and from the tenant, Brandon Brawner. After hearing from each party, Chair Gregoire closed the oral argument portion of the hearing.

After a public discussion among the Commission regarding the appeal, a motion was made by Commissioner Maggio to adopt Resolution 12-410 to affirm the hearing examiner’s decision in D-3673. Vice Chair Henry seconded the motion and a roll call vote was taken. The motion passed (5-0-0).

UNFINISHED BUSINESS: None

NEW BUSINESS: None

CHAIR’S REPORT: None

PUBLIC COMMENTS: None

COMMISSION COMMENTS:

Commissioner Sanes spoke of how the landlord may not have been aware of the law, but noted that being unaware of the law does not excuse a failure to abide by it.

Commissioner Topchian spoke regarding Costa Hawkins being a difficult law to understand and asked Ms. Savage about providing some literature regarding it. Ms. Regan commented on the Rent Stabilization and Housing staff’s required caution in interpreting state law.

Commissioner Maggio inquired about whether or not we could provide examples of when Costa Hawkins might apply to a situation. Ms. Regan responded that referrals to Bet Tzedek would apply to situations where the landlord or tenant needed legal interpretation.

Commissioner Topchian inquired about whether general information could be provided as to which West Hollywood properties were subject to Costa Hawkins and could we provide a frequently asked question information guide. Ms. Savage responded that Rent Stabilization and Housing does already offer that.

Commissioner Sanes asked whether or not much of that information was already provided in the orange Rent Stabilization Guide. Ms. Savage noted that the delineations of time are in the orange Rent Stabilization Guide. Ms. Savage also reiterated that Rent Stabilization and Housing does have legal referral services available.

Commissioner Henry stated that the Commission does not have a way of knowing what the condition of this individual unit is and is therefore unable to determine what the fair current market rate should be.

Commissioner Maggio inquired about the next scheduled Rent Stabilization Commission meeting. Ms. Savage confirmed that the next meeting would be October 11, 2012

STAFF COMMENTS: Ms. Savage noted that the Rent Stabilization and Housing Division could be reached Monday through Thursday from 8:00 am to 5:00 pm and every Friday from 8:00 am to 4:30 pm. The Division phone number is 323-848-6450

ADJOURNMENT:

There being no further business, Chair Gregoire adjourned the Rent Stabilization Commission meeting at 7:52 p.m. The next regular meeting of the Rent Stabilization Commission will be held on October 11, 2012 in the West Hollywood Park Public Meeting Room – Council Chambers.

These minutes were taken and submitted by Laura Schoonover, Commission Secretary.

Adopted this 11th day of October 2012

ATTEST:



David Gregoire, Chair



Secretary