

**RENT STABILIZATION COMMISSION  
CITY OF WEST HOLLYWOOD  
THURSDAY, JULY 23, 2020  
TELECONFERENCE**

**MINUTES**

1. **CALL TO ORDER:** Chair Bergstein called the meeting to order at 7:01 p.m.
2. **PLEDGE OF ALLEGIANCE:** The Commission said the Pledge of Allegiance.
3. **ROLL CALL:** Rent Stabilization Commission Secretary Roger Vinalon Jr. took roll call.

**PRESENT:** Commissioner Garrett Charity, Commissioner Josh Kurpies, Commissioner Richard Maggio, Commissioner Kellan Martz, Commissioner Karen O'Keefe, Vice Chair Agassi Topchian, Chair Robert Bergstein.

**STAFF PRESENT:** Acting Rent Stabilization and Housing Manager Gloria Aviles, Legal Counsel to the Commission Alison Regan, Rent Stabilization Commission Secretary Roger Vinalon Jr., Strategic Initiatives Manager and Acting Human Services and Rent Stabilization Department Director, Corri Planck, and City Clerk, Yvonne Quarker.

4. **APPROVAL OF AGENDA**  
Item IX.2 removed with case D-4515 appeal withdrawn.

**ACTION:** Approve the Agenda of July 23, 2020 as amended. **Motion by Commissioner Maggio to approve the July 23, 2020 Agenda, seconded by Commissioner Martz and approved.**

5. **APPROVAL OF THE MINUTES**

**ACTION:** Approve the minutes of July 9, 2020. **Motion by Vice Chair Topchian, seconded by Commissioner Martz, and approved.**

6. **PUBLIC COMMENT:** None.

7. **MANAGER REPORT:** Acting Rent Stabilization and Housing Manager Gloria Aviles reviewed the Look Ahead Calendar. City Council approved an extension of the eviction moratorium through September 30, 2020 and rent increases are prohibited until 60 days after the local emergency is lifted. Ms. Aviles also provided data on rental assistance program.

Chair Bergstein requested clarification on if landlords can notice rent increases 30 days after the eviction moratorium ends. Ms. Aviles advised rent increases are not linked to the moratorium, but to the local emergency declaration, which

has no scheduled end date. She confirmed rent increases can be noticed 30 days after the local emergency has passed.

Commissioner O’Keefe asked if City Council increased the number of times a resident can apply for rental assistance to three. Strategic Initiatives Manager and Acting Human Services and Rent Stabilization Department Director Corri Planck confirmed.

Vice Chair Topchian asked clarification questions on the rental assistance program. Ms. Planck stated the funds are paid directly to the landlord or management company, the cap is \$1,000, and a third grant has been supported.

- 8. COMMISSION COMMENTS:** Chair Bergstein mentioned the August 3, 2020 City Council agenda will include a smoke-free housing City ordinance draft and proposed that the meeting be adjourned in memory of Jeff Skorneck.

**9. APPEAL:**

D-4503

1009 Havenhurst Drive

Legal Counsel to the Commission provided a case summary and analysis of the appeal as provided in the staff report.

Vice Chair Topchian asked for clarification on the heaters in the unit. Legal Counsel confirmed there were two heaters before one was removed.

Chair Bergstein asked if the landlord is required to repaint with the same paint that existed upon tenancy. Legal Counsel stated the standard is to repaint with comparable quality. Chair Bergstein asked if the tenant and landlord could arrange to install higher quality paint with costs covered by the tenant. Legal Counsel confirmed.

Sehar Stephan Sepehrnia, property owner, spoke on the appeal.

Rowly Dennis, tenant, spoke on the appeal.

Following deliberation, a motion was made by Commissioner O’Keefe to adopt Resolution RSC 20-574, affirming the Hearing Examiner’s decision with the additional finding that the removal of the living room heater constitutes a substantial reduction of a housing service. The motion was seconded by Commissioner Kurpies. The motion was approved by a vote of 7-0-0.

**10. NEW BUSINESS:** Reorganization of the Chair and Vice-Chair

City Clerk Yvonne Quarker provided information on the election process for Chair and Vice Chair of the Rent Stabilization Commission. According to the

Commission's by-laws approved by City Council, the Commissioners are free to nominate the next most senior member as Chair or Vice Chair, but are not precluded from nominating any other member. To move to a rotation based on seniority with no discretion, the Commission must set an agenda item to recommend City Council amend the by-laws and approve it by majority vote.

Section 3.3 of the by-laws also state the Chair or Vice Chair may be nominated and re-elected for an additional 12-month term after serving less than nine months due to extenuating circumstances. With canceled meetings from March through May 2020 due to the COVID-19 pandemic, this section applies to the Rent Stabilization Commission Chair and Vice Chair.

Commissioner Kurpies asked if a re-elected Chair could serve as Chair for less than one year, with the Vice Chair serving as Chair for the remainder of the 12-month term. Ms. Quarker advised the new term must be one year according to the by-laws.

Chair Bergstein mentioned Vice Chair Topchian previously took over as Chair for less than one year due to extenuating circumstances, but was re-elected for a full year term. He also indicated the Chairpersonship could not be extended a partial year based on rescheduled 2020 City Council elections.

Commissioner Maggio recalled the Commission has generally rotated chairships based on seniority and prefers this practice to remain impartial.

Commissioner Martz asserted that extending and later removing a member as Chair would be compliant with the by-laws and opposed amending them to institute a rotation strictly by seniority.

Commissioner O'Keefe favored an informal rotation and opposed amending the by-laws. She also favored allowing each commissioner an opportunity to be Chair or Vice Chair before a commissioner repeats as Chair or Vice Chair.

Commissioner Kurpies supported following the by-laws, but did not favor extending the current Chair's term an additional year in fairness to members who have yet to serve as Chair.

Commissioner Charity did not favor a formal rotation and inferred the next informal rotation would make Vice Chair Topchian Chair and Commissioner O'Keefe Vice Chair.

Commissioner Martz proposed keeping an informal rotation based on seniority and favored extending Chair Bergstein's term for a partial year.

Chair Bergstein proposed setting an agenda item to discuss amending the by-laws to establish a chairperson rotation by seniority.

City Clerk maintained a rotation by seniority is not required and that the current election be for a year term. She also advised all commissioners vote and not recuse themselves.

Vice Chair favored an informal rotation by seniority.

**ACTION:** Election of Chair. **Chair Bergstein was nominated by Commissioner O’Keefe and elected with a vote of 6-0, with abstention by Commissioner Maggio.**

Election of Vice Chair. **Vice Chair Topchian was nominated by Commissioner Kurpies and elected with a vote of 7-0.**

**Motion by Commissioner Charity to agendize an item within three months to discuss Chair and Vice Chair rotations, seconded by Commissioner Maggio. Motion fails by a vote of 3-4.**

**11.PUBLIC COMMENT:** None.

**12.COMMISSION COMMENTS:** Commissioner Martz thanked Councilmember Heilman for adjourning the July 20, 2020 City Council meeting in honor of his father.

Commissioner Maggio extended his sympathies to Commissioner Martz on the loss of his father and motioned to adjourn the meeting in honor of his father, seconded by Chair Bergstein.

**13.STAFF COMMENTS:** Legal Counsel mentioned tenants will be required to provide documentation to support inability to pay claims within 30 days of noticing, beginning August 1, 2020. She also reiterated the rent increase prohibition remains tied to the local emergency period, separate from the eviction moratorium.

Commissioner O’Keefe mentioned tenants seeking eviction defense services can contact Bet Tzedek for assistance and asked legal counsel when those services are available. Legal Counsel confirmed that a West Hollywood tenant is entitled to an attorney as soon as they face an eviction action.

Chair Bergstein asked if tenants and landlords can contact the City for assistance with the documentation required for inability to pay claims. The public can contact Rent Stabilization and Housing staff and the City website has a Renter Resources link with a list of acceptable documents.

Commissioner Kurpies asked if staff can advise appeal parties on how to participate via video or phone in advance of the web conference hearings. Staff confirmed the Commission Secretary advises the parties in advance.

Ms. Aviles announced the City Clerk updated its procedures and commission attendance will be approved by the Commission Secretary and liaison or staff manager going forward. She also expressed condolences to Commissioner Martz on behalf of the Rent Stabilization and Housing Division.

Ms. Planck stated the City's coronavirus webpage continues to be updated with the latest information and thanked staff for its continued efforts.

Chair Bergstein asked if an alternate drive-up COVID-19 testing location was established after the service was discontinued at Cedar Sinai. Ms. Planck stated residents should refer to their primary care provider or City-contracted care providers as new local testing locations are discussed.

Commissioner Martz stated the West Los Angeles Veterans Affairs Medical Center recently reopened for testing.


Commissioner O'Keefe recommended the City explore options for walk-up testing based on the residents without access to vehicles or are unable to drive. Ms. Planck mentioned the City's on-demand transit program that provided transportation to drive-up testing and continued efforts to access regional testing resources. She also mentioned the launch of on-street mobile testing for homeless community members.

**14. ADJOURNMENT:** In memory of Jeff Skorneck and Gary Martz Sr., the meeting was adjourned at 8:29 p.m. The next meeting of the Rent Stabilization Commission will be held at 7:00 p.m. on August 13, 2020 via Zoom conference.

These minutes were submitted by Roger Vinalon, Commission Secretary, and approved by a motion of the Rent Stabilization Commission on this 13th day of August 2020.

**A copy of the audio recording of this meeting can be obtained from the City Clerk's office upon request. You may also view a video of this meeting at <http://www.weho.org/weho-tv/other-city-meetings>.**

**ATTEST:**

DocuSigned by:  
  
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**Robert Bergstein, Chair**

  
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**Roger Vinalon, Commission Secretary**

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