

**RENT STABILIZATION COMMISSION
CITY OF WEST HOLLYWOOD
THURSDAY, DECEMBER 10, 2020
TELECONFERENCE**

MINUTES

1. **CALL TO ORDER:** Chair Bergstein called the meeting to order at 7:00 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: Rent Stabilization and Housing Manager Pete Noonan, Legal Counsel to the Commission Alison Regan, Code Compliance Manager Danny Rivas, Information Coordinator Yazmin Spiteri, and Rent Stabilization Commission Secretary Roger Vinalon Jr.

4. **APPROVAL OF AGENDA**

ACTION: Approve the agenda of December 10, 2020 as amended. **Motion by Commissioner Maggio to approve the December 10, 2020 agenda, seconded by Commissioner O’Keefe and approved.**

5. **APPROVAL OF THE MINUTES**

ACTION: Approve the minutes of November 12, 2020. **Motion by Commissioner Martz, seconded by Commissioner O’Keefe, and approved.**

6. **PUBLIC COMMENT:** None.

7. **MANAGER REPORT:** Rent Stabilization and Housing Manager Pete Noonan reviewed the look-ahead calendar and provided a presentation on the renter/landlord survey conducted by Fairbank, Maslin, Maullin, Metz & Associates (FM3) in October to estimate the ability of renters to pay rent during the pandemic and ongoing needs for rental assistance.

8. **COMMISSION COMMENTS:** None.

9. **APPEAL:** None.

10. NEW BUSINESS

(Item B was taken ahead of item A)

B. BROKEN ELEVATORS DISCUSSION

SUBJECT: The Rent Stabilization Commission will discuss the issue of broken elevators in rental properties.

Commissioner O'Keefe inquired what remedies are available to ensure elevators are fixed in a timely fashion to maintain accessibility for tenants. Code Compliance Manager Danny Rivas stated the Code Compliance Division conducts inspections and issues citations to property owners/landlords if repairs are not addressed within the given timeframe. The City may also pursue legal action if necessary. Legal Counsel to the Commission Alison Regan added the City may pursue a tenant harassment claim if a landlord is found avoiding repairs as a constructive eviction tactic.

Chair Bergstein asked if elevator inspections can be added to the proactive inspections of multi-family dwelling common areas as directed by City Council. Mr. Rivas mentioned Code Enforcement will explore incorporating elevator inspections to the program when resources are no longer focused on enforcement of the pandemic health order.

Chair Bergstein asked if landlords could legally be required to relocate tenants with mobility issues until a broken elevator is repaired. Ms. Regan stated the Rent Stabilization Ordinance has such a provision for repairs within a unit, but not of an elevator. The City may explore requiring relocation when elevators are tagged as unsafe by a City official. Vice Chair Topchian recommended posting Code Compliance contact information in elevators.

Commissioner Martz proposed reevaluating rent reduction amounts by the value of service and impact on tenants' quality of life. Commissioners Charity and Kurpies recommended exploring rent reductions for persistently broken elevators in terms of a reduction in housing services. Ms. Regan mentioned that valuations are based on ensuring balance between the rent and services provided and can't be adjusted as a means to incentivize repairs or punish property owners.

Commissioner O'Keefe asked if the City could impose higher citation fees for failure to repair broken elevators. Mr. Rivas advised fee increases would require City Council approval. Commissioner O'Keefe asked if the ordinance could be amended to require landlords to relocate disabled tenants for failure to fix broken elevators. Ms. Regan stated staff would need to explore the feasibility of such an amendment.

Mr. Noonan stated staff will draft a letter outlining the Commission's concerns for the Commission to review and forward to either the Human Services Commission, Disability Advisory Board, or City Council.

Chair Bergstein recessed the meeting at 8:18 p.m. and reconvened the meeting at 8:22 p.m.

A. INFORMATION ON THE RENT STABILIZATION ORDINANCE (RSO) DEPOSIT INTEREST FORMULA

SUBJECT: The Rent Stabilization Commission will hear a presentation on the RSO deposit interest formula.

Information Coordinator Yazmin Spiteri provided an overview of the RSO deposit interest formula and the 0% interest rate paid from landlords to West Hollywood tenants for calendar year 2020.

Commissioner Kurpies recommended any revision to the formula be based on Federal Deposit Insurance Corporation (FDIC) insured banks, to explore banking with institutions outside of West Hollywood to increase the rate, and to examine both six-month and one-year options.

Chair Bergstein shared concerns of requiring landlords to invest security deposit funds in accounts with higher interest rates or in accounts that would affect their liquidity. He opposed requiring landlords to provide documentation on the interest earned on security deposits. Commissioner Kurpies shared concerns about how that workload would impact staff.

Commissioner O'Keefe proposed changing the formula from the nearest quarter percent to the nearest tenth of one percent and exploring online banking. Commissioner Kurpies added that staff should explore certificate of deposit options with low minimum amount requirements.

ACTION: Commissioner Kurpies made a motion for staff to explore the feasibility of adjusting the security deposit interest formula considering the Commission's recommendations, seconded by Commissioner O'Keefe and approved with a vote of 7-0.

11. UNFINISHED BUSINESS

A. ELECTION OF CHAIR

SUBJECT: The Rent Stabilization Commission will elect the Chair.

Chair Bergstein stepped down as Chair and thanked staff and fellow commissioners for their service throughout the transition to virtual meetings.

ACTION: 1) Motion by Commissioner Bergstein to elect Vice Chair Topchian as Chair due to a vacancy, seconded by Commissioner

O’Keefe, and approved by a vote of 7-0. 2) Motion by Commissioner Maggio to elect Commissioner O’Keefe as Vice Chair due to a vacancy, seconded by Commissioner Martz, and approved by a vote of 7-0.

12. PUBLIC COMMENT: None.

13. COMMISSION COMMENTS: Chair Topchian commended Commissioner Bergstein on his success as Chair throughout the transition to virtual meetings and congratulated Commissioner O’Keefe on her election to Vice Chair.

Commissioner Kurpies congratulated Chair Topchian and applauded Commissioner Bergstein for his performance as Chair. He also encouraged activating the CA Notify phone app to assist with COVID-19 contact tracing.

Commissioner Charity thanked Commissioner Bergstein for his diligence as Chair and congratulated Chair Topchian and Vice Chair O’Keefe on their elections.

Commissioner Martz also encouraged the public to activate the CA Notify app and mentioned he and Commissioner O’Keefe will hold a holiday meal delivery event for the unhoused community. He announced this would be the final meeting of his term on the Commission and thanked his fellow commissioners and staff for their work in service to West Hollywood.

Commissioner Maggio commended Commissioner Bergstein on his job as Chair and thanked Commissioner Martz for his service on the Commission.

Vice Chair O’Keefe thanked Commissioner Martz for his service on the Commission and showed appreciation to Commissioner Bergstein for his work as Chair. She also congratulated Chair Topchian on his election.

Chair Topchian thanked Commissioner Martz for his contributions to the Commission.

14. STAFF COMMENTS: Ms. Regan thanked Commissioner Martz for his service and expertise on legal issues and thanked Commissioner Bergstein for his leadership as Chair. Mr. Noonan seconded Ms. Regan’s comments.

15. ADJOURNMENT: The meeting was adjourned at 9:12 p.m. The next meeting of the Rent Stabilization Commission will be held at 7:00 p.m. on January 14, 2021 via Zoom conference.

These minutes were submitted by Roger Vinalon, Commission Secretary, and approved by a motion of the Rent Stabilization Commission on this 14th day of January 2021.

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>.

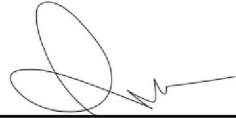
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AGASSI TOPCHIAN

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Agassi Topchian, Chair



Roger Vinalon, Commission Secretary

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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	1/15/2021 4:12:38 PM
Signing Complete	Security Checked	1/15/2021 4:13:36 PM
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