

**Minutes of the Special Meeting of the
Rent Review Advisory Committee
Tuesday, February 16, 2016**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:35 p.m.

Present were: Chair Warner; Vice Chair Sullivan-Sariñana; and Members Griffiths and Nguyen.

Vacancy: (1)

RRAC staff in attendance: Claudia Young.

2. CONSENT CALENDAR

a. Approval of the Minutes of the January 4, 2016 Regular Meeting

Approved by unanimous consent.

3. UNFINISHED BUSINESS (None)

4. NEW BUSINESS

a. Case 353 – 114 Keil Bay

Staff reported that this case had been resolved. Staff had received an email from the tenant confirming this. Details of the agreement are not known.

b. Case 354 – 429 Grand Street

Tenants/public speakers: Josh Clevenger and Jill Clevenger

Owner representative/public speaker: Marc Alan Fong, attorney for owners Chun and JoAnne Wu.

Mr. Fong recapped the rent history. The Clevengers moved in during the spring of 2010. From June 2010 – December 2012, the rent was \$2,200. From January – May 2013, the rent was increased by \$50 to \$2,250. From June – December 2013, the rent was increased by another \$50 to \$2,300. From January – December, 2014, the rent was increased by \$200 to \$2,500. From January 2015 to January 2016, the rent was increased by \$250 to \$2,750.

On December 28, 2015, the Clevengers were noticed that the rent would increase by \$550 to \$3,300, effective March 1, 2016. This would represent a 20 percent increase of their current rent and a 50 percent total increase from the beginning of their tenancy. Mr. Fong stated that even at \$3,300, the rent would still be below market rate for the single-family house, which has 1,500 sq. ft., four bedrooms, two bathrooms, a two-car garage, and a sunroom. Mr. Fong stated that the \$550 increase was justified, as the owner was losing money by charging \$550 below market rate during 2014 and 2015.

Mrs. Clevenger stated that when the family moved in, the rent was within their means but that this latest increase would price them out of the area. In response to a question by Member Nguyen about what would be a fair increase, Mrs. Clevenger responded that based

on the past rent increase history, there should be little to no increase; she just wanted the family to be able to stay until the end of the school year.

Maintenance issues were discussed. The tenants maintained that there have been continuing problems with moldy carpeting in the sunroom. The owner, Mr. Wu took issue that the tenants did work, e.g., painting the interior, without first consulting him. Mr. Fong stated that the owner made repairs when he was notified and produced receipts through 2013. He also stated that the owner was planning to re-roof the house and repaint the exterior.

Vice Chair Sullivan-Sariñana stated to Mr. Fong that as long as the owner was receiving rent that he could not claim he was losing money because the rent was not the current market rate. Member Nguyen stated being a landlord was not like other businesses that do not affect a family's housing, and that needed to be considered if rent control was to be avoided.

The Chair requested comments from the Committee Members. Member Nguyen recommended a seven percent increase, as that would fall within the limits of the current moratorium. Vice Chair Sullivan-Sariñana recommended ten percent in consideration of the planned roof and exterior painting work. Member Griffiths recommended ten percent but split into two phases. The Chair recommended seven to eight percent with the caveat that the mold situation be assessed by a professional with more expertise than the owner.

M/S (Nguyen/Warner) and unanimous that the RRAC's official recommendation be for a ten percent (\$275) increase to be phased as follows:

- \$137.50 per month increase effective March 1, 2016, for a six-month period.
- Additional \$137.50 per month increase effective September 1, 2016, for a six-month period.

Staff stated that an official recommendation letter would be issued to the owner. The owner will have ten days from the date of the letter to provide a written agreement with the RRAC's recommendation. If they do not, then the City Council referral process would be initiated. It could take up to two months to have a referral item placed on a City Council agenda. Staff advised the tenants that they would be liable for the full rent in the meantime.

5. ORAL COMMUNICATIONS

- Angie Watson-Hajjem of ECHO housing reported on ECHO's Fair Housing and tenant/landlord mediation services.

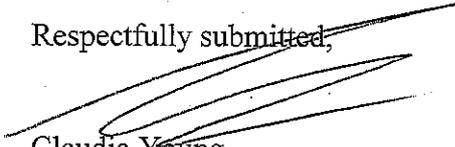
6. WRITTEN COMMUNICATIONS (none)

7. PUBLIC COMMENT (none)

8. ADJOURNMENT

The meeting was unanimously adjourned at approximately 7:55 p.m.

Respectfully submitted,



Claudia Young
Secretary

CY:rv

The Rent Review Advisory Committee does not provide legal advice. Each landlord and tenant is responsible for seeking the advice of legal counsel on any matters or document related to their specific circumstances. The Committee's recommendations are not legally binding.

All materials submitted to the Rent Review Advisory Committee are property of the City of Alameda and the Housing Authority of the City of Alameda and are subject to the laws governing Public Records.

Minutes approved by the Rent Review Advisory Committee on March 7, 2016.

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