

**Minutes of the Regular Meeting of the
Rent Review Advisory Committee
Monday, November 2, 2015**

1. CALL TO ORDER AND ROLL CALL

Acting Chair Harrison called the meeting to order at 7:00 p.m.

Present were: Acting Chair Harrison and Members Lucas and Nguyen.

Members absent: Chair Perry

Vacancy: (1)

RRAC staff in attendance: Claudia Young.

At this time, the Acting Chair took the opportunity to officially welcome Karin Lucas as the RRAC's new housing provider member.

2. CONSENT CALENDAR

a. Approval of the Minutes of the June 1, 2015 Regular Meeting

Motion and second (Nguyen/Harrison) to approve the minutes as submitted. Member Lucas stated that she would be abstaining, as she had not attended that meeting. Members Nguyen and Harrison voted to approve the minutes; however, three affirmative votes (a quorum) are required for an action, so approval of the minutes will be rescheduled for the next regular meeting.

3. UNFINISHED BUSINESS (None)

4. NEW BUSINESS

a. Case 342 – 2066-D Central Avenue

Tenants/public speakers: none

Owner representative/public speaker: Danny Do, property manager

Staff reported that there had been no contact from the tenant prior to the meeting. Under the new Rent Review ordinance that went into effect on October 1, 2015, the case will be dismissed if the tenant does not appear. The rent increase will stand.

b. Case 345 – 544 Central Avenue, Unit 218

This item was withdrawn from the agenda, as the tenant and landlord had reached a resolution prior to the meeting.

c. Case 346 –2106-C Pacific Avenue

Tenants/public speakers: Colleen Duggan

Owner representative/public speaker: Lisa Lawley, property manager

The tenant has lived in the unit since August 2011. According to information provided by the property manager, the initial rent was \$1,300 plus a monthly \$20 garbage/recycling fee. There was no increase for three years. Effective August 2014, the rent

was increased to \$1,400 and the separate garbage/recycling fee was waived. Effective October 1, 2015, the rent was increased to \$1,500 and the separate garbage/recycling fee was waived. Member Nguyen noted that the landlord has been including the \$20 garbage/recycling fee in the rent increases; therefore, the increase to the rent portion was actually \$80. The tenant stated that \$80 would be reasonable but that she wanted the rent and utility amounts to be kept separate. The RRAC did not make an official recommendation, as the tenant and landlord were now in agreement. Staff did request that the landlord provide the tenant with written confirmation that \$1,480 was for rent and \$20 was for the utility charge.

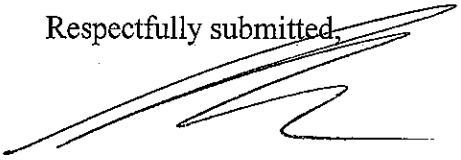
5. ORAL COMMUNICATIONS
6. WRITTEN COMMUNICATIONS
7. PUBLIC COMMENT

John Klein of the Alameda Renters Coalition expressed concerns regarding the lack of follow-up regarding withdrawn RRAC cases and the lack of transparency regarding the role of outside mediators in resolving rent issues. He provided copies of an October 27, 2015 statement and an October 20, 2015 letter to the Mayor and Council from the Alameda Renters Coalition regarding RRAC issues. These items are attached as Exhibit A to these minutes.

8. ADJOURNMENT

The meeting was unanimously adjourned at approximately 8:02 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 December 14, 2015

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RRAC Issues

Alameda Renters Coalition – October 27, 2015

1. Rent increases: 10% target rent increase is too high. Who determines target amount?
2. Resolved or Withdrawn Complaints: more follow-up is needed when complaints are withdrawn or resolved before being heard by the RRAC. Hearings are cancelled when tenant and landlord report having reached an agreement or are in mediation. RRAC should retain 'jurisdiction' of complaints once filed. Landlord and tenant should return to the RRAC to disclose terms of agreements.
3. Mediators: community-based mediators, e.g., ECHO Housing, Jeff Cambria, etc., are often engaged for rent increase complaints. Who is a bona fide mediator? What is their relationship and responsibility to the RRAC? How are mediators engaged? What role does the RRAC have in over-sight or accountability with regard to mediators? RRAC disclosure of the engagement of mediators.
4. Written policies and formulas: the RRAC needs clear and written policies and formulas for the following:
 - Capital improvement pass-throughs.
 - Banking rent increases.
 - Charging utilities back to tenants.
 - Changes or increases in storage charges.
 - Changes or increase in pet deposits or charging monthly 'pet rent.'
5. Composition of the RRAC: the composition of RRAC member must be more diverse with regard to socio-economic, educational, and employment backgrounds.
5. Maintenance and repair: RRAC should capture and provide detailed reporting on maintenance and repair complaints that typically accompany rent increase complaints.
6. Problem landlords: The RRAC should compile information regarding 'problem landlords', i.e., those properties that consistently seek unreasonable rent increases year after year or that are consistently the subject of maintenance and repair complaints.

RRAC
11/2/15

Alameda Renters Coalition

October 20, 2015

Mayor and City Council
City of Alameda
2263 Santa Clara Avenue Alameda, CA 94501

Re Appointment of RRAC members, Item 6-B

The Alameda Renters Coalition strongly opposes the re-appointment of Jerome Harrison, Karin Lucas, Thuy Nguyen and David Perry to RRAC. Members Harrison, Nguyen and Perry have consistently recommended 10% annual rent increases for landlords while ignoring the cumulative and deleterious effects of such high increase on Alamedans. Routine and annual rent increases of 10% are traumatizing and destabilizing for vulnerable middle, working-class and poor Alameda individuals and families. With regard to Karin Lucas, we find no evidence that she will perform differently than her new cohorts on the RRAC.

Functioning as it now does, the RRAC has become rent control for landlords, rewarding irresponsible landlords who seek unreasonable rent amounts while providing false hope to renters.

Moreover, the nomination and composition of the RRAC is not reflective of democratic principles, e.g., the opaque mayoral appointment process, nor is the membership of the RRAC sufficiently diverse.

For these reasons, the RRAC must be immediately disbanded; the City of Alameda must impose a moratorium on rent increases and no-fault evictions. In the meantime, legislation protecting the economic rights and the right to fair representation for all Alamedans must be enacted and the RRAC must become an elective body truly reflecting the economic, political, social and racial diversity of Alameda.

A. The benchmark 10% annual rent increases promoted by the RRAC must be immediately prohibited. Rent increases must be benchmarked to the Consumer Price Index.

Following is a brief history of RRAC actions taken from meeting minutes.

1. March, 2014.

- Two separate 10% increases.
- Chair Miller states that 10% is RRAC "unofficial policy."
- Chair Miller, while directing landlord and tenant to meet, states that RRAC would "probably recommend a 10% increase" on this complaint.

2. April, 2014. 10% increase for four units.

3. June, 2014. 10% increase for 13 units.
4. July, 2014. 10% increase followed by a second 10% increase in six months.
5. October, 2014. 10% increase.
6. December, 2014. 12% increase.
7. January, 2015. 10% increase on seven units.
8. March, 2015. 10% increase.
9. June, 2015.
 - 10% increase on two units.
 - 10% increase. Landlord stated twice he was following RRAC 10% recommendation saying increase was actually 10% minus \$1. Chair Perry claimed there is no such target or RRAC policy of 10%. Following additional discussion, the RRAC recommended 10% increase.

As the foregoing indicates, 10% rent increases are both the policy and practice of the RRAC.

B. Current RRAC composition is not sufficiently diverse. It does not reflect the economic, political, social and racial diversity of Alameda. RRAC membership is drawn solely from the professional class whose economic and political interests are often completely adverse to poor and working-class Alamedans. The current composition could not be considered a 'best practice.'

- Composition of the RRAC before two resignations in 2015 was three attorneys and two real estate professionals.
- The appointments being made tonight will return composition of the RRAC to three attorneys and one real estate professional.
- Of the three known applications received for the two 2015 vacancies, two were attorneys, one of which is appointed tonight.

For all the foregoing reasons, the RRAC must be immediately disbanded; the City of Alameda must impose a moratorium on rent increases and no-fault evictions. In the meantime, legislation protecting the economic rights and the right to fair representation for all Alamedans must be enacted and the RRAC must become an elective body truly reflecting the economic, political, social and racial diversity of Alameda.

Sincerely,

JEK

John Klein
Alameda Renters Coalition