



City of Mountain View

Minutes

Rental Housing Committee

Monday, February 22, 2021

7:00 PM Video Conference with No Physical Meeting Location

1. CALL TO ORDER

This meeting was called to order at 7:01 p.m.

2. ROLL CALL

Present 5 - Committee Member Nicole Haines-Livesay, Committee Member Matthew Grunewald, Committee Member Julian Pardo de Zela, Committee Member Susyn Almond, and Chair Emily Ramos

3. MINUTES APPROVAL

MOTION: M/S - Haines-Livesay / Almond - To approve the minutes for the January 25, 2021 RHC meeting.

Yes: 6 - Committee Member Haines-Livesay, Committee Member Grunewald, Committee Member Pardo de Zela, Committee Member Almond, Chair Ramos, and -

4. CONSENT CALENDAR - None

5. ORAL COMMUNICATIONS FROM THE PUBLIC

Bee Hanson urged the RHC to consider a joint session with City Council to pass mobile home rent control.

Alex Brown states there is no justification for not covering mobile homes with rent control and expects action from the RHC and City Council.

6. APPEAL HEARINGS

6.1 Appeal of Decision Re: Petitions 2021002, 2021003, 2021005, 2021006, 2021008 and 2021009

Karen Tiedemann, Special Counsel, Goldfarb and Lipman, presented an oral report and responded to questions.

SPEAKING FROM THE FLOOR WITH COMMENTS:

No public comments received.

PRESENTATION AND ARGUMENTS BY APPELLANT-LANDLORD - Servando Sandoval

PRESENTATION AND ARGUMENTS BY RESPONDENT-TENANTS - Brian Walkker

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PRESENTATION AND ARGUMENTS BY RESPONDENT-TENANTS -Brian Walker

MOTION: M/S - Almond/ Ramos - To adopt the Tentative Appeal Decision to affirm the Hearing Officers decision on appeal elements B.3 - B.6:

B.1 - Denying the appeal request and affirming Decision granting a rent reduction to all petitioners for the loss of pool access and remand the decision with direction to clarify the determination on the dollar amount of the rent reduction for pool access between June 4, 2020 and September 30, 2020.

B.2 - Granting the appeal request and remanding the issue to the Hearing Officer to determine whether the Appellant-Landlord could have reopened the fitness center and if so to determine the value of the rent reduction based solely on the loss of the fitness center with specific attention paid to the square footage of the fitness center.

B.3 - Denying appeal request and affirming the Decision granting a rent reduction to all petitioners for the loss of access to the lawn and surrounding areas of \$60 to \$75 per month between June 4, 2020 and September 30, 2020.

B.4 -Granting the appeal request in part and remanding the Decision to the Hearing Officer solely to establish the appropriate measurement for determining when the housing service has been restored or the fee eliminated.

B.5 - Granting the appeal request and reversing the Decision with respect to the rent reduction awarded for lack of management response to maintenance issues.

B.6 - Granting the appeal request and reversing the Decision with respect to the rent reduction awarded for loss of use of the grassy recreation area.

The Motion was amended by a friendly amendment by Committee Member Haines-Livesay that the Hearing Officer should consider the square footage of the fitness center and the square footage limitations in the Health Orders upon consideration of the issues on B-2 on remand. The Motion was further amended by a friendly amendment by Committee Member Grunwald that appeal element B-1 be affirmed but remanded to the hearing officer for further clarification on the determination on the dollar amount of the rent reduction.

The RHC recessed at 8:57 p.m. and reconvened at 9:05 p.m.

7. PUBLIC HEARINGS - None

8. NEW BUSINESS

8.1 Capital Improvement Petition Process Study Session

Analyst Black presented a report and responded to questions.

SPEAKING FROM THE FLOOR WITH COMMENTS:

Eddie Keating

Alex Brown

The RHC receive background information and consider potential policy options related to a Capital Improvement Petition Process for Temporary Upward Adjustment of Rent and provided feedback.

MOTION: M/S - Grunewald/ Pardo de Zela - To move agenda item 8.2, Bi-Annual Review of Consumer Price Indices for Fair Return Calculations of Petitions for Upward Adjustment, and agenda item 8.3, Quarterly Financial Expenditures FY 2020-21 through December 31, 2020, to the next RHC meeting on March 22, 2021.

8.2 Bi-Annual Review of Consumer Price Indices for Fair Return Calculations of Petitions for Upward Adjustment

This agenda item has moved to the March 22, 2021 RHC meeting.

8.3 Quarterly Financial Expenditures FY 2020-21 through December 31, 2020

This agenda item has moved to the March 22, 2021 RHC meeting.

9. COMMITTEE/STAFF ANNOUNCEMENTS, UPDATES, REQUESTS, AND COMMITTEE**9.1** Monthly Status Report January 2021

Analyst Black presented the monthly status reports for January 2021.

9.2 Update on City's COVID-19 Landlord/Tenant Programs

Analyst Kennedy presented an update on the City's landlord and tenant COVID19 programs.

9.3 Upcoming Monthly Workshops and Office Hours

Analyst Black presented the upcoming workshop, clinic and office hours.

10. ADJOURNMENT - At 10:30 p.m., Chair Ramos adjourned the meeting to the next RHC meeting to be held on Monday March 22, 2021 at 7:00 p.m. via video conference.