



City of Mountain View

Minutes

Rental Housing Committee

Monday, October 16, 2023

7:00 PM

Council Chambers and Video Conference, 500
Castro St., Mountain View, CA 94041

1. CALL TO ORDER

The meeting was called to order at 7:02 p.m.

2. ROLL CALL

Present 5 - Chair Edie Keating, Vice Chair Guadalupe Rosas, Member Robert Cox, Member Kevin Ma, and Alternate Alex Brown

3. CONSENT CALENDAR

SPEAKING FROM THE FLOOR WITH COMMENTS:

No public comments received.

MOTION: M/S - Cox/Brown - To approve the Consent Calendar.

Yes: 5 - Chair Keating, Vice Chair Rosas, Member Cox, Member Ma, and Alternate Brown

3.1 Minutes for the September 25, 2023, RHC Meeting

4. ORAL COMMUNICATIONS FROM THE PUBLIC

No public comments received.

5. APPEAL HEARINGS

5.1 Appeal of Hearing Officer's Decision Regarding Petition No. 22230030

Nazanin Salehi, 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 - Elaine Tai

PRESENTATION AND ARGUMENTS BY RESPONDENT-TENANT - Siamak Yaghoubzadeh

PRESENTATION AND ARGUMENTS BY APPELLANT-LANDLORD - Elaine Tai

PRESENTATION AND ARGUMENTS BY RESPONDENT-TENANT - Siamak Yaghoubzadeh

MOTION: M/S - Cox/Brown - To accept the Tentative Appeal Decision regarding Petition No. 22230030 in its entirety.

Yes: 5 - Chair Keating, Vice Chair Rosas, Member Cox, Member Ma, and Alternate Brown

6. STUDY SESSION

6.1 Study Session: Rent and the Treatment of Utilities in the CSFRA and Ratio Utility Billing Systems

Program Manager van Deursen presented a report and responded to questions.

SPEAKING FROM THE FLOOR WITH COMMENTS:

Regan Avery

Anil Babbar, speaking on behalf of 5 attendees

Oceana Vallancourt

Emily

Tessa McFarland

Jesse Cupp

Pam

Delores Monik Rosas Berumen

Philip Cosby

Sandra Esparza

Maricela Choque, translations provided by Sandra Esparza

Jeff Zell

Andrew Bonin

Steve Welter

In order to provide guidance to staff to draft regulations to clarify rent and the treatment of utilities in the CSFRA and Ratio Utility Billing Systems, the RHC conducted a straw poll on the following recommendations:

1. Carries 5-0 in favor of draft regulations clarifying prohibition of using RUBS or similar systems to bill utility charges associated with the use and occupancy of CSFRA-covered units.
2. Carried 5-0 in favor of option B: the lesser of a) a calculation of average utility costs per room; and b) the sum of all applicable Santa Clara County Housing Authority Utility Allowances. The RHC is also interested in staff coming back with additional options that considers common areas.
3. Carries 4-0-1 in favor of adopting an administrative process to review the One-Time Utility Adjustment Petitions forms.
4. Carries 5-0 in favor of having staff examine a sample of the rent adjustment petitions for each property to ensure that the rent adjustments are properly calculated and send landlord and all affected tenant(s) a confirmation letter.
5. Carried 5-0 in favor of having staff review One-Time Utility Adjustment Petitions.
6. Carried 5-0 in favor of adopting proposed deadlines for submission of One-Time Utility Adjustment Petitions:
 - a. >20 units: Within 6 months of launch of Offset Petition process
 - b. 6-20 units: Within 9 months of launch of Offset Petition process
 - c. 1-5 units: Within 12 months of launch of Offset Petition process
7. Carries 5-0 in favor of including a provision in the draft regulations pausing the filing and processing of any tenant petitions based solely on RUBS until after the deadline for submission of the One-Time Utility Adjustment Petition has expired.
8. 4-1 in opposition of Including a provision in the draft regulations to require landlords to refund excess rent to any tenants who have overpaid due to the use of RUBS for a period of 4 (four) years.

The Rental Housing Committee took a recess at 9:57 P.M.

The Rental housing Committee reconvened at 10:03 P.M.

7. NEW BUSINESS

7.1 Amendments to CSFRA Regulations Chapter 5 and MHRSO Regulations Chapter 6 Hearing Procedure: Hearing Timeline

Amend CSFRA Regulations Chapter 5: Hearing Procedure and MHRSO Regulations Chapter 6: Hearing Procedure, to revise existing timelines in the petition process.

Senior Management Analyst Black presented a report and responded to questions.

SPEAKING FROM THE FLOOR WITH COMMENTS:

No public comment received.

MOTION: M/S - Rosas/ Brown - To amend CSFRA Regulations Chapter 5: Hearing Procedure and MHRSO Regulations Chapter 6: Hearing Procedure, to revise existing timelines in the petition process.

Yes: 5 - Chair Keating, Vice Chair Rosas, Member Cox, Member Ma, and Alternate Brown

8. COMMITTEE/STAFF ANNOUNCEMENTS, UPDATES, REQUESTS, AND COMMITTEE REPORTS

8.1 Upcoming Workshops and Housing and Eviction Help Center Dates

Analyst Kennedy presented a report and responded to questions.

8.2 Expected Future Agenda Items for RHC Meetings:

Saturday October 21, 11am-2pm RHC Workshop, at Michaels Restaurant, Shoreline, MV

Vice Chair Rosas thanked staff for their help and hard work.

9. ADJOURNMENT - At 10:30 p.m., Chair Keating adjourned the meeting to the next RHC meeting to be held on Saturday, October 21, 2023 at 11:00 a.m. at Michaels Restaurant, 2940 North Shoreline Blvd.

Submitted for approval by Andrea Kennedy