

**HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD
REGULAR MEETING
FEBRUARY 13, 2020
7:00 P.M.
CITY HALL, HEARING ROOM #1
ONE FRANK H. OGAWA PLAZA
OAKLAND, CA**

REVISED AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. CONSENT ITEMS
 - a) Approval of Board Minutes from January 23, 2020
 - b) Review of Board Minutes from January 30, 2020
4. OPEN FORUM
5. APPEALS*
 - a) T18-0414 & T18-0472, Martin et al v. Zalabak
 - b) T18-0018, Sund v. Vernon Street Apartments, LP aka Flynn Family Holdings, LLC
6. ACTION ITEMS
 - a) Formation of additional ad hoc committees, membership and review of issues identified in May 9, 2019, Board meeting (see attached list on page 3)
7. INFORMATION AND ANNOUNCEMENTS
 - a) Census Presentation (see attached handouts page 5 through 20)
 - b) Rent Adjustment Program Updates (C. Franklin Minor)
 - c) Legislative Updates (Office of the City Attorney)
8. COMMITTEE REPORTS AND SCHEDULING
 - a) Report from Ad Hoc Committee – Deferred Maintenance v. Capital Improvement of Dry Rot
 - i. Handout from Dry Rot Committee (see attached handout on page 4)
9. ADJOURNMENT

* Staff recommendation memos for the appeals will be available at the Rent Program and the Clerk's office at least 72 hours prior to the meeting pursuant to O.M.C. 2.20.080.C and 2.20.090.

Accessibility. This meeting location is wheelchair accessible. To request disability-related accommodations or to request an ASL, Cantonese, Mandarin or Spanish interpreter, please email sshannon@oaklandca.gov or call (510) 238-3715 or California relay service at 711 at least five working days before the meeting. Please refrain from wearing scented products to this meeting as a courtesy to attendees with chemical sensitivities.

Esta reunión es accesible para sillas de ruedas. Si desea solicitar adaptaciones relacionadas con discapacidades, o para pedir un intérprete de en español, Cantones, Mandarín o de lenguaje de señas (ASL) por favor envíe un correo electrónico a sshannon@oaklandca.gov o llame al (510) 238-3715 o 711 por lo menos cinco días hábiles antes de la reunión. Se le pide de favor que no use perfumes a esta reunión como cortesía para los que tienen sensibilidad a los productos químicos. Gracias.

會場有適合輪椅出入設施。需要殘障輔助設施, 手語, 西班牙語,

粵語或國語翻譯服務, 請在會議前五個工作天電郵 sshannon@oaklandca.gov 或致電 (510) 238-3715 或 711 California relay service.

請避免塗搽香氛產品 · 參加者可能對化學成分敏感。

Service Animals/Emotional Support Animals: The City of Oakland Rent Adjustment Program is committed to providing full access to qualified persons with disabilities who use service animals or emotional support animals.

If your service animal lacks visual evidence that it is a service animal (presence of an apparel item, apparatus, etc.), then please be prepared to reasonably establish that the animal does, in fact, perform a function or task that you cannot otherwise perform.

If you will be accompanied by an emotional support animal, then you must provide documentation on letterhead from a licensed mental health professional, not more than one year old, stating that you have a mental health-related disability, that having the animal accompany you is necessary to your mental health or treatment, and that you are under his or her professional care. Service animals and emotional support animals must be trained to behave properly in public. An animal that behaves in an unreasonably disruptive or aggressive manner (barks, growls, bites, jumps, urinates or defecates, etc.) will be removed.

Formation of additional ad hoc committees, membership and review of issues identified in May 9, 2019, Board meeting:

- Information about the Building Code and intersection with the Regulations; (e.g. window bars-there is a code that applies to this.)
- Should dry rot be treated differently from other deferred maintenance items?
- Clarification of deferred maintenance v. items that benefit tenants?
- Ambiguous terms in the regulations and in the Ordinance;
- How is the value of the Decreased Housing Services determined?
- What constitutes a burden of proof regarding expenses for capital improvements?
- Effects of AB 1482 on Rent Adjustment Program Ordinance
- Denial of subtenant/roommate constitutes a decreased housing service?
- Seniors on fixed income

Dry Rot - as it relates to capital improvements and deferred maintenance
Met on 10/20/19 @ 6pm

Goals:

- Improve communication to landlords, tenants, and hearing officers on what dry rot is and is not.
- Formalize a way to identify dry rot consistently.
- Determine if we as a body are addressing dry rot appropriately as it applies to capital improvement and deferred maintenance

Concerns:

- Individuals identifying dry rot (as it applies to capital improvement and deferred maintenance) may not be correct in their determination
- Dry Rot is considered a condition that develops over time. For this reason, when dry rot is found the repairs are not considered timely and the cause is deemed to be from deferred maintenance. Deferred maintenance precludes anyone from a capital improvement increase.
 - Are there instances where the above logic doesn't hold true?
- Should the presence of dry rot routinely mean that there is deferred maintenance?
- Currently the existence of dry rot removes a property from capital improvement consideration and classifies the situation as "normal routine maintenance". Should this be % base or remain all or nothing?
- What is the working definition of deferred maintenance?

Conversation points:

3rd party verification should be considered
pictures must be required