

**HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD
FULL BOARD REGULAR MEETING**

July 25, 2024

6:00 P.M.

CITY HALL

**1 FRANK H. OGAWA PLAZA, HEARING ROOM #1
OAKLAND, CA 94612**

MINUTES

1. CALL TO ORDER

The Board meeting was administered in-person by Nyila Webb from the Rent Adjustment Program (RAP), Housing and Community Development Department. Nyila Webb explained the procedure for conducting the meeting. The HRRRB meeting was called to order by Chair Oshinuga at 6:05 p.m.

2. ROLL CALL

MEMBER	STATUS	PRESENT	ABSENT	EXCUSED
D. WILLIAMS	Tenant		X	
J. DEBOER	Tenant	X		
Vacant	Tenant Alt.			
M. GOOLSBY	Tenant Alt.		X	
C. OSHINUGA	Undesignated	X		
Vacant	Undesignated Alt.			
Vacant	Undesignated Alt.			
K. BRODFUEHRER	Landlord	X		
C. JACKSON	Landlord Alt.	X		
Vacant	Landlord Alt.			

Staff Present

Kent Qian

Marguerita Fa-Kaji

Nyila Webb

Deputy City Attorney

Senior Hearing Officer (RAP)

Administrative Assistant II (RAP)

3. PUBLIC COMMENT

- a. One speaker card submitted.

4. CONSENT ITEMS

a. Approval of Board Minutes, 06/27/2024:

Member J. deBoer moved to approve the Board Minutes from 06/27/2024. Member K. Brodfuhrer seconded the motion.

The Board voted as follows:

Aye: C. Oshinuga, J. deBoer, M. Brodfueher, C. Jackson
Nay: None
Abstain: None

The motion was approved.

5. APPEALS*

a. T18-0249, Reber-Kendrick v. Wasserman-Stern Law Offices

- Acting Chair C. Oshinuga made the decision to give appellant and respondent six minutes each for opening comment and six minutes each for rebuttals.
- The Board asked both parties questions while deliberating amongst themselves and City staff about case.
- Member J. DeBoer made a motion to remand case to hearing officer to address whether 1. Civil Code 1954.53(d)(2), read together with 1954.53(d)(3), allows a market-rate rent increase to an original occupant who moved into the unit at the commencement of tenancy, consistent with the Board's instructions in the latest appeal decision in T18-0018, Sund v. Vernon Street Apartments; 2. If the hearing officer finds that Costa-Hawkins allows increases on an existing tenancy, reexamine the definition of "permanently resides" under Costa-Hawkins as opposed to "primary residences" and whether the tenant permanently resided at the subject unit at the time of the Costa-Hawkins rent increase notice. Parties must be allowed to brief the issue of the application of Costa-Hawkins as described in number 1 and the meaning of permanently resides as described on number 2. Member C Jackson seconded the motion.

The Board voted as follows:

Aye: C. Oshinuga, J. deBoer, M. Brodfueher, C. Jackson
Nay: None
Abstain: None

The motion was approved.

6. RESOLUTION (1) ADOPTING, SUBJECT TO CITY COUNCIL APPROVAL, AMENDMENT OF THE RENT ADJUSTMENT PROGRAM REGULATIONS TO PERMIT ANY CATEGORY OF MEMBER OF THE

HOUSING, RESIDENTIAL RENT, AND RELOCATION BOARD TO SERVE AS A BOARD OFFICER AND (2) RECOMMENDING THE CITY COUNCIL'S APPROVAL OF THE REGULATION AMENDMENT

7. INFORMATION AND ANNOUNCEMENTS

8. NEW BOARD BUSINESS

9. SCHEDULING AND REPORTS

- a. Reviewing and rescheduling training.

10. OPEN FORUM

- a. Comments from the public on all items will be taken at this time.

11. ADJOURNMENT

- a. Member C. Jackson made a motion to adjourn meeting before completing Agenda items 6-10 due to scheduling conflicts. Member K. Brodfueher seconded the motion.

The Board voted as follows:

Aye: C. Oshinuga, J. deBoer, M. Brodfueher, C. Jackson
Nay: None
Abstain: None

The motion was approved.

- **Meeting adjourned at 8:07pm.**