

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

January 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 B. Lawrence-McGowan from the Rent Adjustment Program (RAP), Housing and Community Development Department. B. Lawrence-McGowan explained the procedure for conducting the meeting. The HRRRB meeting was called to order by Chair Ingram at 6:06 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 | |
| D. INGRAM | Undesignated | X | | |
| C. OSHINUGA | Undesignated | X | | |
| M. ESCOBAR | Undesignated | | | X |
| Vacant | Undesignated Alt. | | | |
| Vacant | Undesignated Alt. | | | |
| D. TAYLOR | Landlord | | X | |
| K. BRODFUEHRER | Landlord | X | | |
| C. JACKSON | Landlord Alt. | | | X |
| Vacant | Landlord Alt. | | | |

Staff Present

Kent Qian

Marguerita Fa-Kaji

Briana Lawrence-McGowan

Deputy City Attorney

Senior Hearing Officer (RAP)

Administrative Analyst II (RAP)

3. PUBLIC COMMENT

- a. One member of the public spoke during public comment.

4. CONSENT ITEMS

- a. Approval of Board Minutes, 12/14/2023: Member J. deBoer moved to approve the Board Minutes from 12/14/2023. Member K. Brodfuehrer seconded the motion.

The Board voted as follows:

Aye: D. Ingram, C. Oshinuga, J. deBoer, K. Brodfuehrer
Nay: None
Abstain: None

The minutes were approved.

5. INFORMATION AND ANNOUNCEMENTS

- a. Board Training Session— *Rent Registry Update & Overview*

Rent Adjustment Program (RAP) Project Manager, Allison Pretto, attended the meeting remotely via Zoom and administered a Rent Registry Update & Overview training for the Board. Topics discussed included but were not limited to:

- Rent Registry Ordinance Overview
- What the Law Requires
- What Units Must Be Registered
- What Information is Required
- Consequences of Failure to Register
- What Happens if Unit Was Not Registered by July 3rd
- How Owners Can Register
- Rent Registry Key Dates
- Numbers of Units Registered
- Rent Registry Outreach

6. **APPEALS***

a. T23-0075, Willis v. Godwin Properties

| | | |
|--------------|------------------------|--------|
| Appearances: | Melanie Godwin-Rosales | Owner |
| | James Willis | Tenant |

After parties' arguments, questions to the parties, and Board discussion, Vice Chair Oshinuga moved to:

- 1.) Remand the case back to the Hearing Officer for a limited hearing on the issue of whether or not the owner filed the owner response. The parties are to be allowed to submit evidence (including testimony, documentary evidence, etc.)
- 2.) If it is found that the owner did file a response, the Hearing Officer is to have a new hearing on the matter. The owner should be allowed to submit their response, plus attachments, that was served to the tenant, and to give testimony based on the owner response. The Hearing Officer is to render a new decision on all issues contained in the petition. If restitution is awarded, the Hearing Officer is to apply O.M.C. section 8.22.090.a.3(b) and limit the restitution period to 90-days for any on-going decreased housing services. Neither party should be allowed to submit additional documentary evidence.
- 3.) If restitution is awarded that requires amortization, the amortization period should not exceed 12-months, unless the Hearing Officer finds that extraordinary circumstances existed to warrant a longer period, as stated in section 8.22.110(f) in the RAP regulations.
- 4.) In the event that the Hearing Officer does not find that the owner filed the response and if a new hearing is not held, then: a.) the Hearing Officer should recalculate the petitioner's restitution award using the 90-day period for any on-going decreased housing services; b.) the amortization period should not exceed 12-months, unless the Hearing Officer finds that extraordinary circumstances existed to warrant a longer period, as stated in section 8.22.110(f) in the RAP regulations and; c.) the Hearing Officer shall reconsider the finding that the cockroaches were not in the petitioner's unit, given the photo and testimonial evidence on the record, and make a finding as to whether they were in the unit and to determine any subsequent awards. Member J. deBoer seconded the motion.

The Board voted as follows:

| | |
|-----------------|---|
| Aye: | D. Ingram, C. Oshinuga, J. deBoer, K. Brodfuehrer |
| Nay: | None |
| Abstain: | None |

The motion was approved.

7. NEW BOARD BUSINESS

- a. The Board discussed ideas and concerns that they would like to bring forth and discuss at future Board meetings.

8. SCHEDULING AND REPORTS

- a. None

9. OPEN FORUM

- a. Two members of the public spoke during open forum.

10. ADJOURNMENT

- a. The meeting was adjourned at 8:51 p.m.