

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

June 13, 2024

6:00 P.M.

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

AGENDA

PUBLIC PARTICIPATION

The public may observe or participate in this meeting in many ways.

OBSERVE:

• To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10

• To observe the meeting by video conference, please click on the link below:
When: June 13, 2024 06:00 PM Pacific Time (US and Canada)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88370843833>

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The Zoom link is to view/listen to the meeting only, not for participation.

PARTICIPATION/COMMENT:

There is one way to submit public comments:

• To participate/comment during the meeting, you must attend in-person.
Comments on all agenda items will be taken during public comment at the
beginning of the meeting. Comments for items not on the agenda will be taken
during open forum towards the end of the meeting.

If you have any questions, please email hearingsunit@oaklandca.gov

HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD MEETING

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

- a. Comments on all agenda items will be taken at this time. Comments for items not on the agenda will be taken during open forum.

4. CONSENT ITEMS

- a. Approval of Board Minutes, 05/23/2024 (pp.4-6)

5. RESOLUTION TO AMEND THE RENT ADJUSTMENT ORDINANCE BOARD ADOPTION OF RENT ADJUSTMENT REGULATIONS (pp.7-9)

6. BOARD ADOPTION OF RULES AND REGULATIONS PURSUANT TO OMC 8.22.360A.9h

- a. Rent Adjustment Program (RAP) Manager, Jessica Leavitt will read and describe the OMC section that requires adoption of rules and regulations by the Board.

7. RESOLUTION ADOPTING AMENDMENTS TO THE REGULATIONS FOR THE JUST CAUSE FOR EVICTION ORDINANCE (OAKLAND MUNICIPAL CODE 8.22.300 ET SEQ.) TO REMOVE THE REQUIREMENT FOR STAFF TO ISSUE A FORM NOTICE FOR EVICTIONS BROUGHT PURSUANT TO OMC 8.22.360A10 (pp.10-14)

8. 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 (pp.15-16)

9. INFORMATION AND ANNOUNCEMENTS

10. NEW BOARD BUSINESS

11. SCHEDULING AND REPORTS

- a. Rent Adjustment Program (RAP) Manager, Victor Ramirez will discuss updates on the Rent Adjustment Program's budget and finances.

12. OPEN FORUM

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

13. ADJOURNMENT

**Staff appeal summaries will be available at the Rent Program website 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*

As a reminder, alternates in attendance (other than those replacing an absent board member) will not be able to take any action, such as with regard to the consent calendar.

Accessibility: Contact us to request disability-related accommodations, American Sign Language (ASL), Spanish, Cantonese, Mandarin, or another language interpreter at least five (5) business days before the event. Rent Adjustment Program (RAP) staff can be contacted via email at RAP@oaklandca.gov or via phone at (510) 238-3721. California relay service at 711 can also be used for disability-related accommodations.

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 RAP@oaklandca.gov o llame al (510) 238-3721 o 711 por lo menos cinco días hábiles antes de la reunión.

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 RAP@oaklandca.gov 或致電 (510) 238-3721 或711 California relay service.

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

May 23, 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 Ingram 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		
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

Oliver Luby
Marguerita Fa-Kaji
Nyila Webb

Deputy City Attorney
Senior Hearing Officer (RAP)
Administrative Assistant II (RAP)

3. PUBLIC COMMENT

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

4. CONSENT ITEMS

- a. Approval of Board Minutes, 04/23/2024: Chair D. Ingram moved to approve the Board Minutes from 04/23/2024. Member D. Williams seconded the motion.

The Board voted as follows:

Aye: D. Ingram, D. Williams, J. deBoer, K. Brodfuehrer, M. Goolsby
Nay: None
Abstain: None

The motion was approved.

5. RESOLUTION TO AMEND THE RENT ADJUSTMENT ORDINANCE BOARD ADOPTION OF RENT ADJUSTMENT REGULATIONS

- a. Chair D. Ingram introduced the Resolution.
- b. Board discussed importance of transparency, public participation, and engagement regarding Board regulations.
- c. Chair D. Ingram moved to table the Resolution discussion for a future Board meeting. Member M. Goolsby seconded the motion.

The Board voted as follows:

Aye: D. Ingram, D. Williams, J. deBoer, K. Brodfuehrer, M. Goolsby
Nay: None
Abstain: None

The motion was approved.

6. INFORMATION AND ANNOUNCEMENTS

- a. Board Training Session- *The Brown Act*

Oakland City Attorney, Oliver Luby, attended the meeting remotely via Zoom and administered *The Brown Act* training for the Board. Topics discussed included but were not limited to:

- Legislative Bodies
- Meetings

- Agendas
- Public Participation
- Remedies

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. Member K. Brodfuehrer asked for an update regarding the opening of in-person RAP assistance services and the Rent Adjustment Program's Senior Hearing Officer, Marguerita Fa-Kaji answered said question and announced that in-person RAP services are scheduled to open approximately sometime in June.

9. OPEN FORUM

- a. None

10. ADJOURMENT

- a. The meeting was adjourned at 7:02 p.m.

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

**CITY OF OAKLAND HOUSING,
RESIDENTIAL RENT AND RELOCATION (HRRRB)**

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY BOARD CHAIR DENARD INGRAM

**RESOLUTION RECOMMENDING AMENDMENT OF THE
RENT ADJUSTMENT ORDINANCE TO PROVIDE THE
HOUSING, RESIDENTIAL RENT, AND RELOCATION BOARD
WITH FINAL AUTHORITY FOR ADOPTING, AMENDING, OR
REPEALING RENT ADJUSTMENT PROGRAM
REGULATIONS**

WHEREAS, the Housing, Residential Rent and Relocation Board (“Board”) may make recommendations to the City Council or appropriate City Council committee pertaining to Chapter 8.22 of the Oakland Municipal Code (“O.M.C.”) or City housing policy when requested to do so by the City Council or when the Board otherwise acts to do so, pursuant to O.M.C. 8.22.040 D.4 of the Rent Ordinance; and

WHEREAS, O.M.C. 8.22.040 D.2 provides that the Board may develop or amend the regulations implementing the Rent Ordinance, subject to City Council approval; and

WHEREAS, the Board currently has the authority to develop or amend regulations without final approval by the City Council for the Just Cause for Evictions Ordinance, Tenant Protection Ordinance, Ellis Act Ordinance, and Tenant Move Out Agreement Ordinance; and

WHEREAS, the Brown Act and Sunshine Ordinance require proposed regulations within the purview of the Board to be published in advance with the agenda for the meeting during which the regulations will be considered; and

WHEREAS, all published Board agenda materials, including proposed regulations, are available for inspection online or at the City Clerk’s office; and

WHEREAS, regulations implementing the Rent Ordinance may not conflict with or go beyond the scope of the Rent Ordinance; and

WHEREAS, proposed legislation introduced for adoption or recommendation by the Board must be reviewed the City Attorney prior to introduction; and

WHEREAS, Oakland is the only Bay Area jurisdiction that requires a city council's approval for adoption or amendment of regulations done by the jurisdiction's rent board; and

WHEREAS, many governments leave authority for development and adoption of implementing regulations entirely to administrative agencies; and

WHEREAS, if the recommended amendments to the Rent Ordinance are adopted, proposed regulations would always require at least two Board meetings to adopt, since proposed regulations would be required to be published with the agenda of an initial meeting in order to provide the public with notice that the Board will consider the proposal at a subsequent meeting and allow time for submitting written comments; and

WHEREAS, if the Board was given final authority for approval of Rent Adjustment Program Regulations, the Rent Adjustment Program intends to (1) post written public comments on proposed regulations with the Board agenda materials when proposed regulations are considered for adoption and (2) provide an informational report to the City Council regarding each instance where the Board adopts changes to the regulations for the Rent Ordinance; and

WHEREAS, if the Board was given final authority for approval of Rent Adjustment Program Regulations, the City Council would maintain the ability to override any amendments to the regulations by amending the Rent Adjustment Ordinance; now, therefore, be it

RESOLVED: That the Housing, Residential Rent and Relocation Board recommends the City Council amend the Rent Adjustment Ordinance by adopting the following (additions are shown in double underline and deletions are shown in ~~strikeout~~):

O.M.C. 8.22.020 (Definitions), "Regulations"

"Regulations" means the Regulations adopted by the Board ~~and approved by the City Council~~ for implementation of this Chapter, Article I (formerly known as "Rules and Procedures") ~~(after regulations are approved, they will be attached to this Chapter as Appendix B).~~

O.M.C. 8.22.040 (Composition and functions of the Board), subsection D (Duties and Functions), subpart 2

Regulations. The Board may ~~develop~~ adopt or amend the regulations, ~~subject to City Council approval.~~ No resolution to adopt or amend the regulations shall be adopted or deliberated by the Board at the meeting when it is first introduced. The resolution and proposed regulation changes shall be included with the agenda materials for the introductory meeting and noticed on the meeting agenda under the standing item, Scheduling and Reports, with the notice including announcement of a future public hearing regarding the proposed changes. Following introduction, a resolution to adopt or amend the regulations may be adopted with or without changes at a subsequent meeting, once the Board has held

a public hearing at a meeting in order to consider public input regarding the introduced regulation changes.

FURTHER RESOLVED: That the Board Chair, or their designee from the Board, is authorized to speak in support of this resolution before the City Council and its committees.

APPROVED BY THE FOLLOWING VOTE:

AYES: BRODFUEHRER, DEBOER, ESCOBAR, OSHINUGA, TAYLOR, WILLIAMS,
AND CHAIRPERSON INGRAM

NOES:

ABSENT:

ABSTENTION:

Date: _____

ATTEST: _____

NYILA WEBB
Rent Adjustment Program

CITY OF OAKLAND
HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD
RESOLUTION

RESOLUTION No. R24-0002

RESOLUTION ADOPTING AMENDMENTS TO THE REGULATIONS FOR THE JUST CAUSE FOR EVICTION ORDINANCE (OAKLAND MUNICIPAL CODE 8.22.300 ET SEQ.) TO REMOVE THE REQUIREMENT FOR STAFF TO ISSUE A FORM NOTICE FOR EVICTIONS BROUGHT PURSUANT TO OMC 8.22.360A10 (EVICTION FOR REPAIRS).

WHEREAS, the Just Cause for Eviction Ordinance (Measure EE) (Oakland Municipal Code Section 8.22.300 et. seq) has corresponding Regulations that govern the implementation and interpretation of the Ordinance; and

WHEREAS, the Just Cause for Eviction Ordinance Regulations were initially adopted in 2004 and have been amended on numerous occasions since, in 2007, 2009, 2017, 2018, 2019, 2021, and 2024; and

WHEREAS, it is occasionally necessary to amend the Regulations to conform with amendments to the Ordinance, to clarify ambiguities, and to otherwise ensure that the Regulations are accurate, consistent, and aligned with the City's policy goals; and

WHEREAS, the Housing, Residential Rent and Relocation Board ("Rent Board") is the body responsible for amending and adopting the Just Cause for Eviction Regulations and may do so without City Council approval; and

WHEREAS, Section 8.22.360(A)(10) of the Just Cause for Eviction Ordinance establishes "good cause" for eviction when an owner seeks "in good faith to undertake substantial repairs that cannot safely be completed while the unit is occupied, and that are necessary either to bring the property into compliance with applicable codes and laws affecting health and safety of tenants of the building, or under an outstanding notice of code violations affecting the health and safety of tenants of the building;" and

WHEREAS, termination notices served pursuant to Section 8.22.360(A)(10) must include a number of required statements and information for the tenant, including a description of necessary repairs, the amount of relocation a tenant is entitled to, the timeline for repairs, permit numbers, the tenant's right to return to the unit, information about the defense established in 8.22.360(D)(8) for educators and children during the schoolyear, and other information potentially required by the Code Compliance Relocation Program Ordinance (OMC 15.60 et seq.) and state law; and

WHEREAS, the Regulations for Section 8.22.360(A)(10)(a) (“Petitioning to Extend Time for Tenant Vacancy”) contain a subsection stating that “(c) Rent Program staff will issue a form notice for evictions brought pursuant to this Section”; and

WHEREAS, Regulation 8.22.360(A)(10)(a) concerns the process for landlords to petition the Rent Adjustment Program for an extension of time to complete repairs necessitating eviction and do not require a specific form notice to be used for such petitions; and

WHEREAS, Regulations for 8.22.360(A)(10) of the Just Cause for Eviction Ordinance must be amended for the sake of clarity and to be consistent with amendments to the Ordinance; and

WHEREAS, as a matter of policy, the City wishes to abstain from providing form eviction notices for landlords seeking to evict tenants, and notices instructing tenants to vacate for repairs are highly fact-specific; and

WHEREAS, the vast majority of instances in which tenants must vacate for repairs do not require the landlord to terminate the tenancy, and therefore the majority of repair-related owner notices should not seek to terminate the underlying tenancy or necessitate the use of a Section 8.22.360(A)(10) notice; and

WHEREAS, the City wishes to avoid instructing or implying that owners must or may seek to terminate a tenancy for the purpose of making repairs when the majority of the time the tenancy need not be terminated and 8.22.360 will not apply; therefore the City wishes to avoid endorsing the use of a “form” notice suggested by Regulation 8.22.360(A)(10)(a)(ii)(c); now, therefore, be it

RESOLVED: That Regulation 8.22.360(A)(10)(a) of the Just Cause for Eviction Ordinance is hereby amended to remove subsection (ii)(c), as reflected in Attachment A.

APPROVED BY THE FOLLOWING VOTE

AYES: BRODFUEHRER; DEBOER; ESCOBAR; OSHINUGA; TAYLOR; WILLIAMS;
CHAIRPERSON INGRAM.

NOES:

ABSENT:

ABSTENTION:

Date:

ATTEST _____
NYILA WEBB
Rent Adjustment Program
Housing & Community
Development Department

ATTACHMENT A

8.22.360.A.10 - Eviction for Repairs or to Bring Unit in Compliance with Municipal Code or Other Laws Affecting Health and Safety of Tenants.

- a. Petitioning to Extend Time for Tenant Vacancy.
 - i. Purpose. When a Landlord seeks to recover possession of a unit to make repairs, the repairs must be completed in time to permit the Tenant to reoccupy the unit after three months of vacancy. If more than three months of vacancy are required to complete the repairs, the Landlord may petition the Rent Program to extend this time.
 - ii. Additional Notice Requirements. In addition to the other requirements for the notice terminating tenancy in the Just Cause Ordinance or by state law, the Landlord must include the following information in a prominent place on the front of the notice:
 - (a) If the Tenant wishes to return to the rental unit, the Tenant must provide the Landlord with a forwarding address and telephone number or other contact information. A Tenant who fails to provide this information may not be entitled to return to the rental unit.
 - (b) The lawful rent applicable for the unit on the date of the notice. [new reg 3/23/17]
 - ~~(c) Rent Program staff will issue a form notice for evictions brought pursuant to this Section.~~
 - iii. Time for Petitioning.
 - (a) When the Landlord knows before the notice to terminate tenancy is served on the Tenant that the repairs cannot be completed within the three-month period, the Landlord must file the petition with the Rent Program and serve the Tenant with a copy of the petition to extend time with or before the notice to terminate tenancy.
 - (b) When the Landlord discovers, after serving the notice to terminate tenancy, that the work will require longer than 3 months, the Landlord must file the petition within 15 days of first learning that the work will not be completed within 3 months.
 - (c) Petition and Response Contents. Rent Program staff will issue form petitions and responses that will specify the required contents.
 - (d) Priority. The nature and subject matter of the petition requires an expeditious decision on these petitions. The Rent Program will give priority to the hearing on the petition.
 - (e) Tenant Response. To expedite the Landlord's petition, no formal response from the Tenant will be required until the hearing. However, if the Tenant wishes to submit any documentary evidence (including pictures) in response to the Landlord's petition, the Tenant must file such evidence with the Rent Program and send a copy

to the Landlord not less than 5 days prior to the hearing, unless the Tenant can show the evidence was unavailable at that time.

(f) Conduct of Hearings. Rent Program hearings contesting the rent for an available vacant unit are conducted in accordance with the procedures set forth in Rent Adjustment Program Regulation 8.22.090.

(g) Appeals. The hearing officer's decision may be appealed to the Rent Board within the time frame set forth in O.M.C. 8.22.120 and in accordance with Rent Adjustment Program Regulations. Rent Program staff may assign the appeal to a panel of the Board to expedite it.

(h) Penalty. In addition to any other remedies a Tenant may have, a Landlord who fails to timely file a petition seeking an extension or unreasonably delays completing the repairs will forfeit one month of any rent increase based the repairs that necessitated the Tenant's eviction for each month, or fraction thereof that the Tenant's return is unreasonably delayed.

b. Removal of Unit(s) or Change of Use Required by Code Violation.

- i. Purpose. The City of Oakland or other regulatory agency may require a Landlord to make repairs or corrections, or cease renting a unit or units in a building because the unit or building has been cited with a code violation. In such cases, often the Landlord is unwilling to make such repairs or corrections, or the corrections cannot be made without taking the unit(s) or building off the market, converting the unit(s) or building to another use, or demolishing the unit(s). This Regulation 8.22.360A(10)(b) applies to foregoing circumstances. Before this Regulation 8.22.360A(10)(b) was enacted, Landlords would often evict Tenants citing Regulation 8.22.360A(6) herein, which applies to circumstances where a Tenant has committed an illegal act on the premises, such as selling controlled substances. In those cases, while the eviction was through no fault of their own, Tenants were only given three days notice to vacate, and the evictions were often reported to credit reporting agencies as being related to illegal uses of the premises. This Regulation 8.22.360A(10)(b) is intended to provide Landlords with an appropriate mechanism for evicting a Tenant where a unit is being taken off the residential rental market due to a code violation.
- ii. All Units Withdrawn from the Rental Market. If the City of Oakland or other regulatory agency has cited the building with a code violation, and the Landlord is unable or unwilling to make the necessary repairs or corrections, and all the residential units in the building are similarly affected and can be withdrawn from the residential rental market pursuant to the Ellis Act Ordinance (O.M.C. 8.22.400, et seq.), the Landlord must use the procedures and notice provisions of the Ellis Act Ordinance to take all the units off the market.
- iii. Not All Units Withdrawn from the Rental Market. If the Landlord withdraws a unit from the residential rental market due to a code violation cited by the City of Oakland or other regulatory agency, and other units in the building will remain on the residential rental market, the Landlord must use the procedures and

notice provisions of this Regulation 8.22.360A(10)(b)(v) to take the affected unit off the market.

- iv. Units Subject to an “Imminent Hazard” – 72-Hour Notice to Vacate. Where the City or other public agency has issued a 72-hour notice to vacate (“red-tagged”) the unit or building, the provisions of the Just Cause Ordinance do not apply as this order to vacate is brought by the City or governmental entity and not the Landlord.
- v. Units or Buildings Wherein Corrections Cannot Be Made. If the Landlord determines that the corrections required to address the code violation(s) cannot be made to the unit or if the Landlord is unwilling to make the corrections and will cease renting the affected unit for residential purposes, the Landlord must do the following:
 - (a) Follow the eviction process established in California Civil Code § 1946 and § 1946.1 providing for a 30-day or 60-day notice period.
 - (b) Provide the information on the notice terminating tenancy required by O.M.C. 8.22.360A.10.c as follows:
 1. A statement informing Tenants as to any right to payment under the City of Oakland’s Code Compliance Relocation Ordinance (O.M.C. Chapter 15.60).
 2. A short, simple statement describing the violations or attaching the report noticing the violations and that the Landlord has decided that the Landlord will cease using the unit for residential rental purposes and terminate the Tenant’s tenancy. This information on the notice terminating tenancy must be signed under penalty of perjury.
 3. A statement that the termination of tenancy is brought in good faith, with honest intent, and without ulterior reasons, including but not limited to: retaliating against the Tenant, facilitating repairs or permits necessary to retain the unit(s) as residential, or to re-rent the unit(s). This information on the notice terminating tenancy must be signed under penalty of perjury.
 4. A statement that “If the needed repairs are completed on your unit, the Landlord must offer you the opportunity to return to your unit with a rental agreement containing the same terms as your original rental agreement and with the same rent (although the Landlord may be able to obtain a rent increase under the Oakland Residential Rent Program Ordinance (O.M.C. Chapter 8.22, Article 1). This statement only applies if your Landlord restores your unit to the residential rental market.”
 5. The lawful rent applicable for the unit on the date of the notice. [new reg 3/23/17]
 - (c) File the notice terminating the tenancy with the Rent Program as required by O.M.C. 8.22.360 B.7.



CITY ATTORNEY'S OFFICE

**CITY OF OAKLAND HOUSING,
RESIDENTIAL RENT AND RELOCATION BOARD**

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY BOARD CHAIR DENARD INGRAM

**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**

WHEREAS, Oakland Municipal Code ("O.M.C.") 8.22.040.D.2. currently outlines that the Housing, Residential Rent and Relocation Board ("Board") may develop or amend the regulations for the Residential Rent Adjustment Program Ordinance ("Regulations"), subject to City Council approval; and

WHEREAS, the Board composition consists of two members who are tenants, two members who are residential rental property owners, and three members who are neither, referred to by the Board as "Undesignated" members, in addition to alternates; and

WHEREAS, the Regulations require the Board to elect Board officers (Chair and Vice-Chair) each year, and currently require that such officers be selected from among members who are Undesignated; and

WHEREAS, Oakland is the only Bay Area jurisdiction that requires its rent board to elect its officers from only one category of board member, those who are Undesignated, thereby preventing Board members who are tenants or residential rental property owners from serving as officers; and

WHEREAS, the Board seeks to provide all regular members an opportunity to serve as officers, including Chair and Vice-Chair; now, therefore, be it

RESOLVED: That subsection C ("Officers") of 8.22.040 of the Rent Adjustment

Program Regulations is hereby amended as follows (additions are shown in double underline and deletions are shown in ~~strikethrough~~):

C. Officers

1. The Board shall select a Chair from among the Board's regular members ~~who are neither tenants nor residential rental property owners~~. Each Appeal Panel shall be chaired by the member of that panel who is neither a tenant nor a residential rental property owner.
2. The Board may also select a Vice-Chair from among its regular members ~~(who is neither a Tenant nor an Owner)~~ to act as Chair in the Chair's absence.
3. The Officers shall serve one-year terms.
4. The Board shall elect Officers each year at the second meeting in February.
5. The Chair votes on matters as any other Board member.

FURTHER RESOLVED: That the Housing, Residential Rent and Relocation Board recommends the City Council approve the amendments to the Rent Adjustment Program Regulations as set out herein.

FURTHER RESOLVED: That the Board Chair, or their designee from the Board, is authorized to speak in support of this resolution before the City Council and its committees.

APPROVED BY THE FOLLOWING VOTE:

AYES: BRODFUEHRER, DEBOER, ESCOBAR, OSHINUGA, TAYLOR, WILLIAMS,
AND CHAIRPERSON INGRAM

NOES:

ABSENCES:

ABSTENTIONS:

Date: _____

ATTEST: _____

NYILA WEBB
Rent Adjustment Program