



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes Rent Review Board

*Robert Schwartz, Non-Resident Landlord, Chair*  
*Mia Ousley, Homeowner, Vice-Chair*  
*Lizzie Brown, Tenant*  
*Karyl Lee-Figueroa, Tenant*  
*Vacant, Resident Landlord*

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Tuesday, April 28, 2015

7:00 PM

City Council Chambers

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### 1. ROLL CALL

*Meeting called to order at 7:02 p.m.*

*Present 4 - Schwartz, Ousley, Lee-Figueroa, and Brown. Absent 0. Resident Landlord seat is vacant.*

### 2. PUBLIC COMMENTS

*None.*

### 3. MINUTES

#### 3.A. Minutes of meeting of March 24, 2015

*Motion to approve Minutes of March 24, 2015 Rent Review Board Meeting. A motion was made by Board Vice Chair Ousley, seconded by Board Member Lee-Figueroa. Minutes approved with 4 ayes (Schwartz, Ousley, Lee-Figueroa, and Brown), 0 nay.*

### 4. CORRESPONDENCE

*None.*

### 5. HEARINGS

#### 5.A. RRB2014-33 - 65 Thornton Street #107

*Ms. Massanda D'Johns, the tenant at 65 Thornton Avenue #107, asked her landlord if there is flexibility on the \$160 rent increase.*

*Board Member Lee-Figueroa asked Ms. D'Johns what rent increase is within her budget. Ms. D'Johns answered that she can afford \$1,200 (\$110 rent increase instead of \$150 rent increase), but she also added that she just had a newborn in March and so budget-wise an effective August date for the rent increase will help her as she returns from maternity leave in July.*

*Board Chair Schwartz asked Ms. D'Johns when she expects to have an increase in her paycheck. Ms. D'Johns responded that she returns back to work at the end of July which is why she is requesting that her rent increase effective date be delayed*

*until August 1st.*

*Mr. Stephen Wong, one of the owners of Thornton Manor Apartments, explained that the property provides heat and basic cable tv. He also added that his partners wanted to give Ms. D'Johns a \$200 rent increase, but he rationalized that \$160 rent increase is sufficient. Lastly, he stated that everyone else has paid the rent increase, and only Ms. D'Johns requested a rent review.*

*When asked, Mr. Wong stated that 1-bedrooms are 700 sqft while 2-bedrooms are 1,040 sqft.*

*Board Vice Chair Ousley asked Mr. Wong if he can provide any flexibility on the timing of the rent increase. Mr. Wong answered that he needs to treat everyone the same. He cannot set a precedent of treating a tenant who just had a baby differently and would like to treat all of his tenants fairly.*

*Motion to close public hearing. A motion was made by Board Vice Chair Ousley, seconded by Board Member Brown. Motion passed with 4 ayes (Schwartz, Ousley, Lee-Figueroa, and Brown), 0 nay.*

*Board members began discussion.*

*Board Member Lee-Figueroa stated that there should be a rent increase, but not a \$160 rent increase. She stated that a \$100 rent increase is reasonable and fair.*

*Board Vice Chair Ousley stated that it's not that Ms. D'Johns cannot pay the \$160 rent increase. It is the timing of the effective date of the rent increase. She asked Mr. Wong again if he can hold off on the rent increase for a couple months, but Mr. Wong stated that he cannot make an exception.*

*Ms. D'Johns asked Mr. Wong if he anticipates substantial rent increases in the future and if there will be other improvements that will done to the property. Mr. Wong answered that exterior paint of the the property is scheduled to be done in the near future.*

*Board Chair Schwartz stated that he recommends either a delay on the effective date of the rent increase or a 10% increase.*

*Board Member Lee-Figueroa stated that she agrees with the recommendations of Board Chair Schwartz.*

*Motion to postpone the rent increase until August was made by Board Vice Chair Ousley, seconded by Board Member Lee-Figueroa. Motion passed with 4 ayes (Schwartz, Ousley, Lee-Figueroa, and Brown), 0 nay.*

*Mr. Wong was not agreeable to the Board's recommendation, but he suggested that he was agreeable to the rent increase being deferred, but all the deferred rent increase will be payable all in August. Ms. D'Johns also needed to agree to sign a long-term lease agreement.*

*Ms. D'Johns was agreeable to the rent increase of \$160 for May, June, and July (a total of \$480) being deferred until August. She will then repay this \$480 in 5 months from August through December 2015 at \$96 per month. Consequently, beginning in August, she will pay the new rent of \$1,250 + \$96 for a total rent of \$1,346. Ms. D'Johns was agreeable to signing a May-December 2015 rental agreement to formalize this agreement. Beginning in January 2016, Ms. D'Johns goes to a*

*month-to-month rental agreement with the \$1,250 rent.*

*Both Mr. Wong and Ms. D'Johns signed a Terms and Conditions of Rent Increase Settlement formalizing their mutually satisfactory resolution.*

**5.B. RRB2014-40 - 235 Haas Avenue #208**

*Rent Review Board Secretary Hernandez explained that this case was mutually resolved between the tenant and landlord.*

**5.C. RRB2014-41 - 235 Haas Avenue #404**

*Rent Review Board Secretary Hernandez explained that this case was mutually resolved between the tenant and landlord.*

**5.D. RRB2014-43 - 13885 Doolittle Drive #126**

*Rent Review Board Secretary Hernandez explained that this case was mutually resolved between the tenant and landlord.*

**5.E. RRB2014-47 - 13475 Bancroft Avenue #108**

*Rent Review Board Secretary Hernandez explained that this case was mutually resolved between the tenant and landlord.*

**5.F. RRB2014-51 - 2712 Marina Blvd. #14**

*Rent Review Board Secretary Hernandez explained that this case was mutually resolved between the tenant and landlord.*

**6. MISCELLANEOUS**

**6.A. Year-End Report to City Council**

*The Rent Review Board members discussed what they wanted to include in the Rent Review Program year-end report to the City Council.*

*The Board members agreed to submit the following:*

- 1. The Board requests that the Rent Review Ordinance be revisited as it currently does not meet the needs of the tenants and landlords.*
- 2. The Board requests that the City take into consideration the dislocation of tenants due to rent increases when it is amending the Rent Review Ordinance.*

*Motion to include the 2 above items in the year-end report to City Council was made by Board Vice Chair Ousley, seconded by Board Member Lee-Figueroa. Motion passed with 4 ayes (Schwartz, Ousley, Lee-Figueroa, and Brown), 0 nay.*

**7. BOARD MEMBER COMMENTS**

*None.*

**8. STAFF COMMENTS**

*Rent Review Board Secretary Hernandez stated that there are already cases lined up for the May 26th Rent Review Board Hearing.*

## **9. ADJOURN**

*Motion to adjourn by Board Vice Chair Ousley, seconded by Board Member Lee-Figueroa. Motion approved with 4 ayes (Schwartz, Ousley, Lee-Figueroa, and Brown), 0 nay.*

*Meeting adjourned at 9:17 p.m.*