



City of San Leandro

Civic Center
835 East 14th Street
San Leandro, California

Minutes

Rent Review Board

*Daniel Johnson, Landlord
Sandra Johnson Simon, Tenant
Mia Ousley, Homeowner
Maria Luisa Penaranda, Tenant
Thomas Silva, Landlord*

Tuesday, May 24, 2016

7:00 PM

City Council Chambers

Audio Recording Failed

1. ROLL CALL

Meeting called to order at 7:00 p.m.

Present 5 - Johnson, Simon, Ousley, Penaranda, and Silva. Absent 0.

Board member Ousley arrived at 7:08 p.m.

2. PUBLIC COMMENTS

None.

3. MINUTES

3.A. Minutes of meeting of April 26, 2016

Motion to approve Minutes of May 24, 2016 Rent Review Board Meeting. A motion was made by Vice-Chair Simon, and seconded by Board Member Ousley. Minutes approved with 4 ayes (Johnson, Simon, Penaranda, and Silva), 0 nay. Board member Ousley was not yet present to vote.

4. CORRESPONDENCE

None.

5. HEARINGS

Board Chair Silva requested that the tenant and landlord at 125 Euclid Avenue (RRB2015-96) to discuss their rent increase dispute outside the City Council Chambers while the Rent Review Board first reviewed RRB2015-98 case for 237 Haas Avenue #430.

5.A. RRB2015-96 - 125 Euclid Avenue

Mr. Thillo Bramah is the tenant at 125 Euclid Avenue. He and his family has been residing in their unit since 2010. He stated that the \$800 rent increase unfair. When asked by Board member Ousley, he stated that they have had the same \$1,700 rent

since they moved in 2010, that his unit is a duplex unit, and that he has no complaints about his unit. When asked by Board Chair Silva, he stated that he has a 3-bedroom, 1-bath duplex unit, that he has no garage, that he pays for utilities, and that the unit has a washer/dryer that he does not use because the machines are too pricey.

Ms. Pat Lee is the property manager representing the owners of the 125 Euclid Avenue duplex property. She stated that Mr. Bramah has not had a rent increase in 6 years. She also described that the property has a private backyard and 8' x 10' storage unit. Water costs has also increased for the owners because Mr. Bramah has had 2 children since moving in in 2010.

Board Chair Silva stated that this case has a perception of "eviction by rent increase". He also emphasized that the non-binding rent review process can result with the \$800 rent increase taking effect.

Assistance City Attorney Kris Kokotaylo explained that a landlord representative, such as Ms. Pat Lee, does not need the authority to compromise but only needs to answer for the landlord.

Board Chair Silva stated the landlord made a mistake by not increasing the rent since 2010.

Ms. Lee asked the Rent Review Board members what they believe is a fair rent increase. Board Chair Silva directed the question to Mr. Bramah who explained that a \$250 rent increase is reasonable rationalizing an annual rent increase of \$50 since 2010.

Motion for a Continuance Hearing was made by Board member Ousley, and seconded by Vice-Chair Simon. Motion passed with 5 ayes (Johnson, Simon, Ousley, Penaranda, and Silva), 0 nay.

5.C. RRB2015-98 - 237 Haas Avenue #430

Mr. Frank Agodi is the tenant at 237 Haas Avenue #430. He stated that he is currently unemployed so he cannot afford the \$215 rent increase that will increase his rent from \$1,555 to \$1,770. He stated that he can afford a \$100 rent increase until he gets a new job in December. Mr. Agodi also described his concern about security at the entrance of the property.

Ms. Diana Fox is the representative for Davidon Homes, the owner of Woodside Apartments. She stated that Mr. Agodi's \$1,770 rent will be \$100 below their current asking rent. She also stated that they offered Mr. Agodi a \$190 instead of a \$215 rent increase (\$25 reduction). They also offered a less expensive unit that Mr. Agodi can move into. Mr. Agodi declined to accept either offer. She also stated that \$100 rent increase is not acceptable. She also stated that enhanced efforts to address the security concerns at the entrance of the property can be provided by the owners.

Board Chair Silva proposed the following negotiated recommendation.

- \$100 rent increase for 4 months (July, August, September, October 2016) for a total of \$400.
- \$215 rent increase for 8 months (November 2016 – June 2017) for a total of \$1,720.
- Total rent increase of \$2,120 for 12 months.

With the current offer of a \$25 reduction to the originally proposed \$215 rent increase, total rent increase for 12 months is \$2,280 (\$190 x 12 months). There is a difference of \$160 (\$2,280 - \$2,120) for the entire 12 months.

However, Ms. Fox did not accept this recommendation.

Motion for a Continuance Hearing was made by Board member Ousley, and seconded by Vice-Chair Simon. Motion passed with 5 ayes (Johnson, Simon, Ousley, Penaranda, and Silva), 0 nay.

Upon the request of Board Member Johnson, Ms. Fox stated that she will present the Board's recommendation to Don Chacan, the owner of Davidon Homes.

6. MISCELLANEOUS

None.

7. BOARD MEMBER COMMENTS

Board Chair Silva withdrew his request to move the next Rent Review Board Hearing to June 21st from the originally scheduled June 28th date.

8. STAFF COMMENTS

None.

9. ADJOURN

Meeting adjourned at 8:14 p.m.