



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes

### Rent Review Board

*Daniel Johnson, Landlord*  
*Mia Ousley, Homeowner*  
*Thomas Silva, Landlord*  
*Linda Spreer, Tenant*  
*Vacant, Tenant*

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Tuesday, May 22, 2018

7:00 PM

City Council Chambers

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#### 1. ROLL CALL

Meeting called to order by Chair Silva at 7:00pm.

Present: 4 - Chair Silva, Johnson, Ousley, Spreer.

Absent: 0

There is a vacancy for a Tenant Representative Member.

#### 2. PUBLIC COMMENTS

There were no Public Comments.

#### 3. MINUTES

##### 3.A. [18-242](#)

Draft Minutes of the Meeting of April 24, 2018

**Attachments:** [April 24, 2018 - RRB Mtg\\_Draft Minutes](#)

There was a motion to approve the minutes of the April 24, 2018 Rent Review Board meeting by Board Member Spreer, seconded by Board Member Johnson. The motion was approved by the following vote:

Aye - 3: Chair Silva, Johnson, Spreer.

Board Member Ousley arrived late to the meeting.

#### 4. CORRESPONDENCE

Secretary Sargent announced that Board Member Penaranda resigned from her position on the Rent Review Board, effective April 26, 2018.

Chair Silva expressed his appreciation for Board Member Penaranda's service. Board Members Johnson and Spreer concurred.

#### 5. HEARINGS

**5.A. RRB2017-28 - 234 Joaquin Ave., Apt. A**

Board Chair Silva took roll to confirm that the tenant and landlord were present at the hearing.

Tenant Jessie To was present.

The property owner, Robert Jones, was represented by property manager John Chovanes, whom was also present.

The tenant stated she was a model tenant and that there have been rent increases over the past few years without any capital improvements. Her current rent increase was 11.2%. Tenant said she has had four broken windows over the past three years that the landlord won't repair. She stated that the landlord has agreed to fix two of the windows, but will only pay \$250 toward the \$650 cost of repair the other two windows. Until these are repaired, she isn't able to open the windows for airflow for relief from the heat. In response to the board asking her to clarify her request, the tenant requested a 3% rent increase, instead of the proposed 11.2%, and that her four broken windows be repaired.

Property manager, John Chovanes suggested that the tenant prop the windows open with a piece of wood, as the windows would be expensive to fix. He also stated that rents were going up everywhere. When asked by the board if he was able to negotiate rent on behalf of the owner, Mr. Chovanis responded that he was not.

Assistant City Attorney, Alex Mog clarified that a representative for the landlord at the Rent Review Board meeting was sufficient, and that the code states, "the representative shall have full authority to answer for the landlord and enter into binding agreements on the landlord's behalf", which doesn't necessarily mean a negotiation different from what the landlord has already instructed the representative to enter into.

Board Member Ousley disagreed with this analysis.

The board asked clarifying questions of both the tenant and the owner's representative.

An agreement was reached with the owner's representative, Mr. Chovanes, that was signed at the meeting. There were two parts to this agreement.

The first part of the agreement stated that there were habitability findings due to Building Code requirements and that within 30 day, the owner would repair or replace four broken windows in the living room and provide screens for those windows.

In a separate agreement, Mr. Chovanes agreed to request the owner of the building to consider a multi-year (two - three year) agreement on rent increases to allow for predictable rent increases.

Chair Silva motioned to approve the agreed upon the settlement. Board Member Spreer seconded the motion. The motion carried by the following

vote:

Aye: 4 - Chair Silva, Johnson, Ousley, Spreer

**6. MISCELLANEOUS**

There were no items of miscellany.

**7. BOARD MEMBER COMMENTS**

There were no Board Member comments.

**8. STAFF COMMENTS**

There were no Staff comments.

**9. ADJOURN**

Chair Silva adjourned the meeting at 7:35pm.