



Rent Review Board Agenda

The Rent Review Board is appointed by the Fremont City Council. Rent Review Board business is conducted in a public forum and operates within the provisions of the Brown Act. Information on the Brown Act may be obtained from the City Clerk’s office at 3300 Capitol Avenue.

Order of Discussion

Generally, the order of discussion after introduction of an item by the Chair will include a presentation by staff followed by Rent Review Board questions, inquiries or discussion. The applicant, authorized representative, or interested citizens may then speak on the item. At the close of public discussion, the item will be considered by the Commission and action taken.

Public Comment

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under Public Comment. The Rent Review Board will take no action on an item which does not appear on the agenda. The item may be agendaized for the next regular meeting or at a special meeting called in accordance with the terms of the Brown Act. The Rent Review Board may establish time limits for Public Comment.

Information

Regularly scheduled meetings of the Rent Review Board are conducted at 3300 Capitol Avenue, Building B in the Large Human Resources Training Room. Meetings are held at 6:30 p.m. Meetings may be tape recorded at the discretion of the Chair.

Copies of the Agenda are available at the Human Services Department at 3300 Capitol Avenue and online, three days preceding the regularly scheduled meeting.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request an accommodation at least two working days in advance of the meeting by contacting Human Services Department at (510) 574-2050.



Information about the City or items scheduled on the Agenda may be referred to:

Nancy Sa, Rent Review Program Manager
Human Services Department
3300 Capitol Avenue, Fremont, CA 94538 | (510) 574-2082 | nsa@fremont.gov

Your interest in the conduct of your City’s business is appreciated.

The Rent Review Board does not provide legal advice. Each landlord and tenant is responsible for seeking the advice of legal counsel on any matters or document related to their specific circumstances. All materials that are submitted to the Rent Review Board are property of the City of Fremont and are subject to the laws governing Public Records.

Rent Review Board	City Staff
Carl Fox	Suzanne Shenfil, Human Services Director
Vikram Malani	Lucia Hughes, Rent Review Ordinance Administrator
Gehad Massoud	Nancy Sa, Rent Review Program Manager
Purvi Shah	
Christopher Saiz	
Wilson Hu, Neutral Alternate	



AGENDA
RENT REVIEW BOARD
REGULAR MEETING
WEDNESDAY, JUNE 13, 2018
TRAINING ROOM
3300 CAPITOL AVENUE
BUILDING B, FREMONT
CALIFORNIA
6:30 PM

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**
4. **APPROVAL OF MINUTES**
Consideration and approval of minutes of May 23, 2018 meeting
5. **STAFF ANNOUNCEMENTS**
6. **RENT REVIEW BOARD HEARING RRB 2018-16 DEBRIEF**
Board members will debrief the rent review hearing case from the May 23, 2018 meeting.
7. **RENT REVIEW ORDINANCE MID YEAR REPORT**
Board will review a draft of the proposed midyear report prepared by staff to be presented to the City Council
8. **BOARD MEMBER COMMENTS**
9. **ADJOURNMENT**



MINUTES
RENT REVIEW BOARD
REGULAR MEETING
WEDNESDAY, MAY 23, 2018
TRAINING ROOM
3300 CAPITOL AVENUE
BUILDING B, FREMONT
CALIFORNIA
6:30 PM

1. CALL TO ORDER

Meeting was called to order at 6:30 p.m. by Board Chair Saiz.

2. ROLL CALL

Present: Board members Saiz, Shah, Massoud, Malani, Hu, and Fox

Absent: none

Staff: Nancy Sa, Lucia Hughes, Debra Margolis, Bronwen Lacey

3. PUBLIC COMMENT

No public comment

4. APPROVAL OF MINUTES

Board member Malani made a motion to approve the minutes of the May 9, 2018 meeting. Board member Massoud seconded the motion. Motion carried unanimously.

5. STAFF ANNOUNCEMENTS

Rent Review Program Manager Nancy Sa informed the Board that there was a late submission by the tenant for tonight's hearing, and that copies of the submission were included in the staff report and made available to the public.

Assistant City Attorney Debra Margolis informed the Board that she will be retiring on June 1, 2018 and that Bronwen Lacey will be taking over as the staff attorney for the Rent Review Board.

6. RENT REVIEW BOARD HEARING

Vice Chair Shah opened up the hearing portion of the Rent Review Board meeting with an opening statement. She then called roll for the Rent Review case.

6A. RRB 2018-16 39912 Lindsay McDermott Ln.

Landlord representative Leon Pham's statement:

The landlord has given less than three rent increases since 2011. The fair market rent for a comparable unit is at \$2,700, and so even with the proposed increase the unit is still at less than \$1,000 of the market rent. As a property manager, Mr. Pham also pushes back against his clients if they want to increase their rents too high, which has cost him losing his clients in the past. However, this proposed rent increase is fair. The landlord is a senior



citizen on fixed income, and his duty is to protect his client's interests.

Tenant Blia Townsel's statement:

Ms. Townsel is grateful for the rent amount, however the increase is hitting her at the wrong time and she would like a delayed rent increase. She is currently dealing with expenses around prom, graduation, college, and more.

Mr. Pham replied that the landlord gave her more than the required 30 day notice, which was plenty of time.

Ms. Townsel replied that she would prefer a fixed lease option, and asked if a year lease option is available.

Board member questions:

Board member Hu:

Q: Why has there been no rent increase for 3 years?

A: The client is elderly and she forgets to issue rent increases

Q: Is there a willingness to delay the rent increase to September?

A: No, the landlord needs the money

Q: Ms. Townsel, would you have preferred smaller increases over time?

A: Yes. They also went through a house fire, and Ms. Townsel does not know why the rent was not increased then.

Board member Massoud:

Q: Mr. Pham, there would not be a lease option available?

A: Correct. The tenant was always on a month-to-month

Q: Could the landlord issue a smaller rent increase now and increase again later this year?

A: No.

Q: Can you describe the house fire?

A: It was in October the year after tenant moved in, and she moved out till February

Q: Was there any repairs that were made after the fire?

A: Yes, the only loss was personal due to lack of renters insurance

Q: (Ms. Townsel), what would the increase mean for you?

A: I would just have to pay it

Board member Fox:

Q: Did the owner's situation change?

A: Yes, she needs the money now

Q: Are there any HOA fees?

A: Yes, they have all gone up over the years

Q: Is there a possibility to move to a different unit?

A: Yes, we have the inventory to show her other options

Q: During the fire did you find alternate housing?

A: Yes, I lived with family and daughter went out of state



Q: Is the owner responsive?

A: Yes, they take care of everything

Q: Do you enjoy living there?

A: Yes, I really enjoy it.

Board member Malani:

Q: Ms. Townsel, you just want a delay in rent increase. What if you made a lump sum payment after 6 months? That would be \$450.

A: Ms. Townsel replied that that could work

A: Mr. Pham replied that it would not work because the tenant is on a month-to-month tenancy and the owner might need to sell, move in, etc. The judge might look at this type of agreement as a contract.

Board member Shah:

Q: How long have you been with this owner Mr. Pham?

A: Since 2010

Q: What is your typical arrangement with your client?

A: We don't charge a leasing fee, and charge a 5-7% management fee depending on the property

Q: Ms. Townsel, why do you think the situation will change this year? You've been on month-to-month since the start of your tenancy.

A: I guess it will be fine.

Both parties agreed to a month-to-month tenancy at the rate of \$1,620 a month beginning May 1, 2018.

7. **MATTERS INITIATED**

No matters initiated.

8. **ADJOURNMENT**

Meeting adjourned at 7:18 p.m.