



Edwin M. Lee
Mayor

Robert A. Collins
Executive Director

DAVID GRUBER
PRESIDENT

**MINUTES OF THE SPECIAL MEETING OF
THE SAN FRANCISCO RESIDENTIAL RENT
STABILIZATION & ARBITRATION BOARD**

CALVIN ABE
DAVE CROW
SHOBA DANDILLAYA
RICHARD HUNG
POLLY MARSHALL
CATHY MOSBRUCKER
NEVEO MOSSER
KENT QIAN
DAVID WASSERMAN

Tuesday, November 21, 2017
at 6:00 p.m.
25 Van Ness Avenue, Suite 70, Lower Level

I. Call to Order

Vice-President Marshall called the meeting to order at 6:09 p.m.

II. Roll Call

Commissioners Present: Abe; Crow; Hung; Marshall; Mosbrucker; Qian;
Wasserman.
Commissioners not Present: Dandillaya; Gruber; Mosser.
Staff Present: Collins; Gartzman; Koomas; Varner.

III. Remarks from the Public

A. *(There were no remarks from the public.)*

IV. Public Hearing

At 6:10 p.m., Vice-President Marshall opened up the public hearing regarding proposed amendments to Rules and Regulations Sections 12.14 and 12.17 to implement the recently passed legislation sponsored by Supervisor Farrell regarding owner move-in evictions. Seeing as there were no members of the public present and no persons wishing to make public comment, Vice-President Marshall closed the public hearing at 6:11 p.m.

V. Old Business

A. Amendments to the Ordinance regarding owner move-in evictions and possible Regulations

SALJ Gartzman asked the Board to consider amending the proposed draft amendments to Section 12.14 on page 6, lines 4 and 11 by changing the phrase "notice of constraints," to "notice to vacate." She explained that while 37.9B(e) states that "a landlord may apply to the

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Rent Board for rescission of the recorded notice of constraints,” the actual Rent Board process starts with the landlord’s request for rescission of the OMI eviction notice. This allows a landlord to rescind an OMI eviction notice either before or after the Notice of Constraints is recorded. If the landlord’s request to rescind the OMI notice is granted, the Rent Board will either record a Rescission of Notice of Constraints or refrain from filing a Notice of Constraints in the first instance.

The Commissioners and SALJ Gartzman also had a discussion about the definition of the term “description of property” for purposes of the Statement of Occupancy requirement. The Commissioners generally agreed that the description should include the property address, size of the building and number of units, but not the legal description. They ultimately decided not to elaborate upon the meaning of the term in the Regulations.

At the conclusion of the discussion, the Board made a motion and voted upon the following:

MSC: To amend the proposed draft amendments to Rules and Regulations Section 12.14 on page 6, lines 4 and 11 by changing the phrase “notice of constraints” to “notice to vacate,” and to approve the draft Rules and Regulations Sections 12.14 and 12.17 as they currently stand, to be made effective January 1, 2018.
(Mosbrucker/Wasserman: 5-0)

VI. Calendar Items

December 12, 2017 – regularly scheduled meeting
9 appeal considerations

Old Business

A. Amendments to the Ordinance regarding owner move-in evictions and possible Regulations

VII. Adjournment

Vice-President Marshall adjourned the meeting at 6:25 p.m.

NOTE: If any materials related to an item on this agenda have been distributed to the Commission after distribution of the agenda packet, those materials are available for public inspection at the office of the Rent Board during normal office hours.