



**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE
RENTAL HOUSING OVERSIGHT COMMISSION
EAST LOS ANGELES SERVICE CENTER, ROOM 242 (2nd Floor)
133 N. SUNOL DR., LOS ANGELES, CA 90063
<https://dcba.lacounty.gov/rental-housing-oversight-commission/>**

Monday, October 30, 2023

12:30 P.M.

Present: Vice Chair Ani Papirian, Commissioner Pamela Agustin-Anguiano, Commissioner Odest T. Riley Jr. and Commissioner Clint Patterson.

Absent: Chair KeAndra Cylear-Dodds

Call to Order, Land Acknowledgement and Roll Call of the October 30, 2023, Rental Housing Oversight Commission meeting.

Vice Chair Ani Papirian, called the regular meeting to order at 1:01 p.m. followed by Roll Call. Commission staff played a recording of the land acknowledgement.

I. GENERAL PUBLIC COMMENT

Public Comment

1. Opportunity for members of the public to address the Commission on items of interest that are within the jurisdiction of the Commission.
No members of the public were present.

II. ADMINISTRATIVE MATTERS

2. Review and take appropriate action on the Rental Housing Oversight Commission draft regular meeting minutes of October 16, 2023.

On motion of Commissioner Pamela Agustin-Anguiano, seconded by Commissioner Odest T. Riley, Jr., this item was approved with the following vote:

Ayes: 4 - Vice Chair Ani Papirian, Commissioner Pamela Agustin-Anguiano, Commissioner Odest T. Riley Jr. and Commissioner Clint Patterson.

Absent: 1- Chair KeAndra Cylear-Dodds

III. PUBLIC HEARING

3. Appeal Hearing and possible action for Case number RSQ22-12882 for the subject property on 3666 Lanfranco Street, Los Angeles, CA 90063

Ms. Shawna Wilson, Commission staff, reported that the Department, Appellant, and Respondent was present. Mr. George Cerda, Enforcement Program Staff with the Los Angeles County Department of Consumer and Business Affairs (DCBA) gave a self-introduction and provided the Commission with a Power Point Presentation and summary of findings. Mr. Cerda noted that the subject property is within the unincorporated area of Los Angeles County, is a duplex and has an effective occupancy year of 1931 making the subject property a fully covered unit. Mr. Cerda reported that both parties entered into a month-to-month rental agreement on December 1, 2016, with the tenant paying \$1,500.00 per month. Rent increases noted, were \$1,550.00 in September 2018, \$1,650.00 in November 2018, \$1,750.00 in November 2019, \$1,800.00 in March 2021, \$1,850.00 in November 2021, \$1,900.00 in April 2022 and \$2,000.00 in November 2022. Mr. Cerda noted DCBA received Application for Rent Adjustment on May 6, 2023. The landlord then e-mailed the tenant a notice of rent increase for \$60.00, bringing rent to \$2,060.00. On May 16, 2023, DCBA issued a Notice of Violation to the landlord identifying six violations that resulted from the May 6, 2023, increase. The six violations listed according to Los Angeles County Rent Stabilization and Tenant Protections Ordinance (RSTPO) (Chapter 8.52 of the County Code (LACC)) are:

- **(1) LACC Section 8.52.050 (A) - Failure to Provide 30-days Prior to a Rent Increase becoming Effective, LACC Section**
- **(2) LACC Section 8.52.050 (B) Rent Increase without Registering the Rental Unit**
- **(3) LACC Section 8.52.050 (E) Rent Increase within 12-Months Prior Increase**
- **(4) Revised Guidelines to Aid in the Implementation of the Los Angeles County COVID-19 Tenant Protections**
- **(5) LACC Section 8.52.080 (A) Failure to Register a Rental Unit**
- **(6) LACC Section 8.52.120 (3) Failure to Provide Notice to Tenant's Rights with Rent Increase**

On June 8, 2023, the tenant was served a 3% rent increase notice effective August 2023; new rent is \$1693.00.

At the conclusion of the investigation, DCBA's determination showed that an overpayment refund was due to the tenant for \$8,882.80 unlawful rent increases and the adjusted monthly rent to be set at \$1,693.00.

In response to DCBA investigation, Commissions identified that the issuance dates of notices are justified by the RSTPO, the base rent should be set at \$1,650.00. Commissions request that DCBA re-calculate overpayment amount. During discussion, Brigit Greeson-Alvarez, County Counsel, commented that each party's testimonies should be limited to their allotted time to speak.

Mr. Jose Louie Reynoso, landlord and property owner, provided the Commission with a brief self-introduction with a summary of his account of events regarding rent increases. Mr. Reynoso stated that he was not receiving mail notifications from DCBA and was unaware of the violations he was accruing.

BREAK

Due to technical difficulties, the Commission took a recess at 1:28 p.m. and reconvened at 1:38 p.m.

Mr. Reynoso resumed his testimony following the recess. In response to questions posed by the Commission, he stated he did not initially receive any notices or further information regarding Ordinances, Rent Registry, or DCBA's decision. In response to questions posed by the Commissions, he says he divided the hundred dollar rent increase into two fifty dollar increments in good faith, thinking it would be easier on the tenant. During discussion, the Commission requested for DCBA to recalculate repayment with the base rent amount of \$1,650.00. During discussion, Commissioner Pamela Agustin-Anguiano noted that Mr. Reynoso's business practice was inconsistent, and as a businessman it is his job to stay up to date with laws. In response to questions posed by the Commission, Mr. Cerda, DCBA confirmed that the department initially used the address provided by the Assessor's office, however this mistaken mailing address was corrected.

For the purpose of this hearing, Mr. Luis Romero Aguilar, tenant, communicated with the aid of live translators Carlos Rodriguez and Karen Rico throughout the entire hearing. Mr. Aguilar gave a brief self-introduction. In response to a question posed by the Commission, Mr. Aguilar said that he had nothing else to add, and that he had submitted all the proof necessary for this case. In response to further questions posed by the Commission, Mr. Aguilar added he felt as if Mr. Reynoso was a 50/50 fair type of landlord, and he felt that his practices were inconsistent. Additionally, Mr. Aguilar explained that Mr. Reynoso had frequently threatened to increase rent for any reason at any time.

During further discussion, Ms. Anait Zakaryan Nunes stated that despite the landlord's attempts to break up the rent increases, the Ordinance states there is one allowable rent increase per 12-month period of 3%, if you do not take it all at once, you lose the opportunity, and rent banking is not allowed. She also points out that most of the rent increases occurred during the COVID-19 rent increase freeze. Ms. Brigit Greeson-Alvarez, County Counsel, noted that the Rental Housing Oversight Commission (RHOC) is charged with following the Ordinance in deciding whether the DCBA determination is correct. Following discussion, the Commission requested that Mr. George Cerda, DCBA, recalculate repayment based on a base rent amount of \$1,650.00 per month and report back to the Commission following the Commission break. Without further discussion, this item was continued to provide time for the DCBA recalculation.

3. This item was resumed following item 7.
Mr. George Cerda, DCBA provided the Commission with a revised repayment calculations with an overpayment of \$5,588.83 and a base rent of \$1750.49. Mr. Cerda noted that the overpayment can be repaid as a lump sum or given as a rent credit for 6 months followed by the balance due to the tenant.

3.a **Public Comment**

Ms. Shawna Wilson, Commission staff reported a member of the public was present by phone to address the Commission. Ms. Negin Samimrad addressed the Commission. County Council Bridget Greeson-Alvarez stated that all parties were given adequate time to discuss this case and closed public comment.

Following public comment, on motion of Commissioner Clint Patterson, seconded by Commissioner Odest T. Riley Jr., this item was modified by the Commission to include \$1,650.00 for the current rent amount and \$5,588.83 due to the tenant by the landlord with the following vote:

**Ayes: 4 - Vice Chair Ani Papirian,
Commissioner Pamela Agustin-Anguiano, Commissioner
Odest T. Riley Jr. and Commissioner Clint Patterson.**

Absent: 1- Chair KeAndra Cylear-Dodds

BREAK

The Commission paused the meeting for a recess at 2:26 p.m. and reconvened at 2:55 p.m.

IV. REPORTS

4. Report back by County Counsel, have a discussion, and possible action on various State and County ordinances, including 30- and 90-day notices for increase, rent relocation assistance and how they impact Commission.
Following the Commission break, this item was taken out of order to allow Mr. George Cerda, DCBA, to recalculate the rent amounts due for the hearing participants and Commission. County Council Brigit Greeson-Alvarez noted that the legal advice regarding this matter was forwarded by staff on behalf of County Counsel and she will take individual questions by e-mail separately. Item 4 is the same as Item 6.
5. Staff report on the status of hearings scheduled for November 27 and December 11, 2023.
Shawna Wilson, Commission staff, reported that the next hearing is scheduled for November 13, 2023. The remaining pending case appellants have indicated interest in withdrawing their appeal requests. Staff will send out withdrawal of

appeal forms upon confirmation of withdrawal by the appellants. The meeting date of December 11 is still available as scheduled. The final hearing is scheduled for January 8, 2024.

V. DISCUSSION

6. Discussion and clarification on the County Ordinances involving the 30-day and 90-day notices for rent increases and rent relocation assistance.
This item was addressed and is the same as item 4.

VI. MISCELLANEOUS

Matters Not Posted

7. Matters not on the posted Agenda to be presented and placed on the Agenda of a future meeting.

Commission staff proposed a Code of Conduct to be drafted and presented to the Commission at the next scheduled meeting. In response to questions posed by Commissioner Pamela Agustin-Anguiano, Commission Staff will provide a report back on the status of the Commissioner candidates referred to the Board by the Commission, and the status of current pending Appeal hearings in the next meeting.

Adjournment

8. Adjournment for the regular meeting of October 30, 2023.
On motion of Vice Chair Ani Papirian, there being no objections, this meeting was adjourned at 3:21p.m.