



**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE LOS ANGELES COUNTY
RENTAL HOUSING OVERSIGHT COMMISSION
KENNETH HAHN HALL OF ADMINISTRATION
500 W. TEMPLE, ROOM 372, LOS ANGELES, CA 90012
<https://dcba.lacounty.gov/rental-housing-oversight-commission/>**

Monday, January 8, 2024

12:30 PM

Video For the Entire Meeting:

[RHOC_010824 \(vimeo.com\)](https://vimeo.com/RHOC_010824)

Present: KeAndra Cylear-Dodds, Chair
Pamela Agustin Anguiano, Commissioner
Odest T. Riley Jr., Commissioner
Clint Patterson, Commissioner

Absent: Ani Papirian, Vice Chair

Call to Order, Land Acknowledgement and Roll Call of the January 8, 2024, Rental Housing Oversight Commission meeting.

Chair KeAndra Cylear-Dodds, called the regular meeting to order at 12:55p.m. followed by Roll Call. Shawna Wilson, Commission staff read aloud 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.
Diego Rubalcava-Alvarez addressed the Commission regarding the Commission's ability to hear appeals for the incorporated City of Pico Rivera's mobile-home protections. Commission staff, Shawna Wilson, collected Diego's contact information for the Department of Consumer and Business Affairs (DCBA) to follow-up on his request.

II. ADMINISTRATIVE MATTERS

2. Review and take appropriate action on the Rental Housing Oversight Commission draft regular meeting minutes of December 11, 2023.

On motion of Commissioner Clint Patterson, seconded by Commissioner Odest T. Riley, Jr., this item was approved with the following vote:

Ayes: 3 Chair KeAndra Cylear-Dodds, Commissioner Odest T. Riley Jr. and Commissioner Clint Patterson.

Abstain: 1- Commissioner Pamela Agustin-Anguiano

Absent: 1- Vice Chair Ani Papirian

III. PUBLIC HEARING I

3. Appeal Hearing and possible action for Case number **RSQ22-11323** for subject property located at **12908 S. Thorson Ave., Compton, CA 90221.**

Shawna Wilson, Commission staff, reported that the DCBA, Martha Veronica Torres, Appellant, and Maria “Alejandra” Figueroa, Respondent were present. Both the Appellant and Respondent communicated with the aid of translators present, Juan Carlos Juarez, and Elizabeth Herrera.

George Cerda, DCBA Enforcement Program Staff, provided a self-introduction, along with a summary of the department’s findings to the Commission utilizing a PowerPoint Presentation. George Cerda, DCBA, noted that the subject property is in the unincorporated Los Angeles County, is a duplex that has an effective occupancy year of 1937. In summary the subject property is a fully covered unit subject to the County’s Rent Stabilization and Tenant Protections Ordinance (RSTPO). The case being heard before the Commission concerns the appellants request for rent reductions for the landlord’s, Martha Veronica Torres’, failure to maintain habitable premises.

George Cerda, DCBA, reported that based on the photos presented to the Commission by the tenants, Jose and Maria “Alejandra” Figueroa, the subject property suffered from a lack of maintenance. George Cerda, DCBA, further stated that the tenant claimed she had notified the landlord about the maintenance needs for at least nine months before she filed a complaint with County of Los Angeles Public Health (DPH) and the DCBA in March 2022.

On March 21, 2022, Martha Torres, landlord, responded by issuing Mr. and Mrs. Figueroa, tenants, a 24-hour Notice to Enter with cited reasons: to make necessary or agreed upon repairs, to exhibit the unit for workman or contractors, and to test the unit’s smoke detectors. On March 22, 2022, a process server entered the subject property and took extensive photos of it, including areas where issues were not reported. George Cerda stated DCBA concluded that this served as undeniable awareness by the landlord of issues requiring repairs and used this date as a starting point for calculations for reductions on rent. On March 23, the DPH conducted an inspection of the dwelling and cited Martha Torres, landlord, for

18 separate code violations. On March 31, Maria Figueroa, tenant, filed an Application for Adjustment with DCBA, after Martha Torres failed to address the complaints related to the living conditions. George Cerda, DCBA, noted the tenant claimed that Martha Torres told her she would begin repairs only once the property had been permanently vacated. On April 21, 2022, DCBA issued a Warning Notice of Violation to Martha Torres, landlord, citing Section 8.52.130(B)(2)(a) describing failure to provide housing services required by rental agreement or by federal, State, County, or local housing, health, or safety laws, or threaten to do so, or violate or threaten to violate California Civil Code section 789.3. On May 9, 2022, DPH performed a re-inspection of the property citing the same 18 violations plus 2 additional violations relating to a deteriorating kitchen sink and surrounding cabinetry. On June 12, 2022, more than 80 days after the initial inspection, Martha Torres entered a contract with Alfredo Gomez, contractor, to begin repairs. Alfredo Gomez was the first of five different contractors to work on the subject property from June to July 2022. George Cerda, DCBA, added that handwritten contracts showed these were unlicensed contractors who would begin performing the services but resigned due to disputes arising with Martha Torres over payments and the cost of remediation work for mold and leaks. The tenants were not relocated during the times of repairs, instead they were forced to move their belongings from room to room. Alfredo Gomez issued a letter to Martha Torres stating that the Mr. and Mrs. Figueroa, tenants, did not have running water or gas for up to four days at a time during these repairs as well as loss of access to the kitchen, bathrooms, bedrooms, and dining room. George Cerda, DCBA, affirmed that Martha Torres ignored and evaded his attempts to reach her.

During further discussion, George Cerda, DCBA, reported that by using Los Angeles City's formula, DCBA calculated a rent reduction to remedy the losses of habitability equaling \$4,664.30. In response to questions posed by the Commission, Anait Zakaryan Nunez, DCBA Enforcement Program Supervisor, stated that DCBA is in the process of creating its own set of guidelines based on severity and number of violations for fully covered units, to determine a reference rubric. Furthermore, during discussion, George Cerda, DCBA, identified the habitability issues as negligence on the part of the landlord. He described an intent of constructive eviction, unlawful detainer filings, lawsuits, and harassment toward the tenant. DCBA requested that the Commission uphold the original determination with modification for the amount owed to the tenant as \$4,407.25 and deny the landlord's appeal.

In response to questions posed by Commission, Anait Zakaryan Nunez, DCBA, stated that Section 410 of the City of Los Angeles Rent Adjustment Commission Regulations, and Section 1200.07 of the City of Los Angeles Rent Escrow Account Program (REAP) were used as a template for the basis of the calculations, not a direct estimation.

For this hearing, Martha Veronica Torres, the appellant, and landlord, communicated with the aid of live translator, Juan Carlos Juarez, throughout the entire hearing. Martha Torres gave a self-introduction, along with the co-owner,

Laura Diaz. During the discussion, Martha Torres stated that she felt as if she was treated unfairly by DCBA. Laura Diaz noted that she was out of the country tending to family matters when she returned to the Notice of Violation issued by DCBA. Martha Torres claimed that when she went to George Cerda's office to follow up regarding the notice, he was not available. Martha Torres confirmed that she had hired a contractor, Alfredo Gomez, and others from Home Depot. During further discussion, Martha Torres claims the tenant did not allow any of the contractors to work and requested to present her own pictures to support her case. Shawna Wilson, Commission Staff, informed Ms. Torres she can only use the pictures that were presented to the department before the Appeals process began. Martha Torres used pictures from the case file with the explanation that when she made repairs to the property, the tenant would cause more damage creating repairs made to laminate floors, windows and plumbing as examples. Martha Torres added that she sued Mr. and Mrs. Figueroa for damages to the property and had not received any money as a result. In response to Martha Torres' statement, Oscar Victoria, RHOC County Counsel, noted that the lawsuits she referenced were filed after DCBA's decision was issued and are not applicable to this hearing. In response to questions posed by the Commission, Laura Diaz added that the property did not have mold. George Cerda, DCBA, noted to the record that DCBA's decision did not reference fire detectors or the fact that Mr. and Mrs. Figueroa had to move their things around the house to accommodate repairs, however he recalls a phone conversation with one of Martha Torres' contractors regarding the mold where he was instructed by Martha Torres to simply paint the walls. The contractor had notified Martha Torres, "No, if you just paint, the mold will return, you need to replace the wall." Anait Zakaryan Nunez, DCBA, added that DCBA allows each party a fair opportunity to submit any evidence to support their case.

BREAK

The Commission took a recess at 1:55p.m. and reconvened at 2:07p.m.

In response to a question posed by the Commission regarding constructive eviction, George Cerda, DCBA, stated that he made this assessment based on Martha Torres' response to his outreach although she never clearly stated she wanted Mr. and Mrs. Figueroa out.

For this hearing, Gonzalo Valencia, Martha Torres' witness and fourth contractor, addressed the Commission with the aid of live translator, Juan Carlos Juarez. Gonzalo Valencia gave a self-introduction and explanation of his experience while working with Martha Torres. During discussion, he explained that the sewer pipeline appeared to be cut off intentionally, a copper line was also cut and was filled with wood, causing a blockage of the water supply to the property. During the witness' testimony, Martha Torres was reminded that she cannot supply her own pictures to this hearing. County Council, Oscar Victoria, addressed the Commission and reminded all parties that during Gonzalo Valencia's testimony, Martha Torres is not to provide further comment. Translator, Juan Carlos Juarez, also translated aloud a handwritten letter written by the first contractor Alfredo Gomez.

For this hearing, Maria “Alejandra” Figueroa, tenant, communicated with the aid of live translator Elizabeth Herrera throughout the entire hearing. Maria Figueroa and her daughter Lizbeth Figueroa provided self- introductions to the Commission. Maria Figueroa said she had been renting the property since 2004 and Martha Torres became the owner in 2006. Maria Figueroa added that each time she mentioned maintenance repairs over the course of her renting to Martha Torres, she said she needed to pay for them herself because the tenants were pigs. In 2021, Martha Torres attempted a rent increase of \$525.00 from \$1275.00 to \$1800.00, which Maria Figueroa declined to agree to. In retaliation, Martha Torres filed a lawsuit and later withdrew the filing when Maria Figueroa hired an attorney. They then signed a new month-to-month lease agreement. DPH was called by Maria Figueroa to assess the dwelling where they issued an order to vacate in 3 days because the unit was inhabitable. Maria Figueroa stated that when Martha Torres received the Notice of Violation from DCBA, she began verbally disrespecting and harassing Maria Figueroa. During further discussion, Maria Figueroa expressed that she frequently received 24-hour Notice to Enter for the repairs. She was never relocated during the repairs but had to move her belongings from room to room during the process and was notified by the contractors that the walls indeed had mold. During further discussion, Maria Figueroa stated that she feels her mental health suffered from the demands for more money and treatment by Martha Torres. In addition, Maria Figueroa stated that she was grateful for living at her home for so long but had learned from this experience.

After discussion, on motion of Commissioner Clint Patterson, seconded by Commissioner Odest T. Riley, Jr., the Commission denied the appeal as modified by the DCBA for the amount owed with the following vote:

Ayes: Chair KeAndra Cylear-Dodds, Commissioner Pamela Agustin-Anguiano, Commissioner Odest T. Riley, Jr., and Commissioner Clint Patterson

Absent: Vice Chair Ani Papirian

3.a Public Comment

Opportunity for members of the public to address the Commission regarding case number RSQ22-11323.

No members of the public were present.

BREAK

The Commission paused the meeting for a recess at 2:58 p.m. and reconvened at 3:03 p.m.

V. DISCUSSION

- 4. Discussion and possible action for changes to future meeting structure, process, start time, and schedule.

During the discussion, there were no changes made to the 12:30p.m. start time. The next meeting is scheduled for January 22, 2024, to be held at the East Los Angeles Community Center. The County Council requested for the portion of meeting structure involving the reading of the Land Acknowledgement be continued to the next meeting.

- 5. Discussion and possible action regarding updates to the Code of Conduct and Annual Report.

During discussion, the Commission agreed to continue the discussion and possible action on additional modifications to the Annual Report to the next meeting.

After discussion, **on motion of Commissioner Pamela Agustin- Anguiano, seconded by Chair KeAndra Cylear-Dodds, the decision to approve the Code of Conduct was approved with the following vote:**

Ayes: Chair KeAndra Cylear-Dodds, Commissioner Pamela Agustin-Anguiano, Commissioner Odest T. Riley, Jr., and Commissioner Clint Patterson

Absent: Vice Chair Ani Papirian

VI. MISCELLANEOUS

Matters Not Posted

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

Update and discussion on status of new Commission members.

Adjournment

- 7. Adjournment for the regular meeting of January 8, 2024.

On motion of Chair KeAndra Cylear-Dodds, there being no objections, this meeting was adjourned at 3:30 p.m.