

~~ADVISORY COMMISSION ON RENTS (ACR)~~

~~ACTION MINUTES OF THE MEETING AT 4:39 PM~~

MARCH 19, 2009

MEMBERS PRESENT:	James Bojorquez	Commissioner
	Dan Wagner	Commissioner
	Robert Bailey	Commissioner
	Sandy Adams	Commissioner
STAFF:	Shasta Greene	City Attorney's Office
	Vivian Frelix-Hart	Housing Staff
	Rachel VanderVeen	Housing Staff
	Sandra Murillo	Housing Staff
	Ramo Pinjic	Housing Staff
MEMBERS ABSENT:	Hassan Khan	Commissioner
GUESTS:	Joshua Howard	Executive Director California Apartment Association (CAA) Tri- County Division
	Fred Martin	Century 21 - ALFA
	Nadia Aziz	Bay Area Legal Aid (Staff Attorney)
	Martha O'Connell	Homeowners Organized to Maintain Equity Home (HOME)

LOCATION: City of San José 5th floor, Room 550

AGENDA ITEM

- (a) **Call to Order/Introduction**
The meeting was called to order at 4:39 p.m. Commissioners, guests, and staff introduced themselves.
- (b) **Orders of the Day**
Program staff handed out a revision of the action minutes for January 15, 2009, per Ms. O'Connell's email. Chair Bojorquez made a motion to approve the agenda for the meeting March 19, 2009, and seconded by Commissioner Bailey. The motion passed (4:0).
- (c) **Approval of Action Minutes for January 15, 2009, regular meeting**
Commissioner Bailey made a motion to approve the revised action minutes. Commissioner Adams seconded the motion. The motion passed (4-0).

Commissioner Bailey asked whether it is the policy of the Commission to publish only action minutes rather than actual minutes.

The City Attorney, Shasta Greene, stated that to the best of her knowledge the Housing Department's, policy is to publish action minutes only and that the revision to include Ms. O'Connell's comments was not required but was an accommodation by staff.

Ms. O'Connell spoke in favor of more complete minutes, rather than action minutes stating they were a public right and stated that prior to the revision, the January 15, 2009 minutes provided a false record of her statements.

(d) Reports

- (1) Legislative Report - Item Deferred**
- (2) Litigation and Legal Report -** City Attorney, Shasta Greene, stated that there was nothing new to report under ACR.

In addition, Greene pointed out that SB 1137 requires foreclosing lenders to contact borrowers 30-days in advance of the foreclosure. She said that a tenant or subtenant in possession of rental unit at the time the property is sold in foreclosure should be given 60-days' written notice to quit.

- (3) Real Facts Report -** Pinjic provided information about the current rental market in the City of San José and Santa Clara County.
- (4) Quarterly Report -** Pinjic provided a summary of the staff reports (database, notice to vacate, case log, and public outreach reports) for the second quarter FY 08/09
- (5) ACR Annual Report -** Pinjic provided Rental Rights and Referrals Program (RRRP) analysis from July 1, 2007 through June 30, 2008.

(e) Action / Discussion Items

- (1) Budget Update -** Rachel VanderVeen provided an update on City's budget, Housing Department budget, and Rental Rights budget.
- (2) Foreclosure Program for the City of San José -** Sandra Murillo provided an update about foreclosures in the City of San José. She said that San José has experienced a steep drop in housing value between December 2007 - December 2008.
 - 36% decline in single family homes (\$699,000-\$450,000)
 - 45% decline in condos/townhome median sales price (\$453,000-\$250,000).

- (3) **Santa Clara County Foreclosure Properties** - Fred Martin, representative from Century 21- ALFA said that he works with Alameda, Santa Clara, and San Mateo Counties on properties in foreclosure. His function is to work with the banks after the property goes into foreclosure.
- (4) **Rental Market Update** - Joshua Howard, representative from CAA Tri-County Division, said that all large employers E-Bay, HP, SUN, and Yahoo, plan to reduce their workforce. He said that National Semi-Conductor announced 25% of work force will be reduced worldwide.
- (5) **ACR Work Plan for 2009** - The Commission agreed that the work plan schedule should include the following:
- Status of rent controlled rental properties in foreclosure
 - Policy of discussion of the minutes
 - ACR - bylaws
- Commissioner Bailey made comments about the ACR bylaws. Commissioner Wagner suggested that staff do research on the status of the bylaws.
- (6) **Agenda Format** - City Attorney, Shasta Greene said that there had been a request from a member of the public to move the open forum to an earlier spot on the agenda format. She stated that if the Commission wished to move the open forum period forward on the agenda, it could since there is no City policy dictating when the open forum is to be held. Under the Brown Act, an open forum item must exist, but the Brown Act does not specify when it occurs. The Commissioners agreed not to move the item.

(f) **Open Forum**

Representative from the Bay Area Legal Aid (BALA), Nadia Aziz, mentioned that she wanted to build a relationship with the ACR and the Housing Department staff for future collaboration.

(g) **Adjournment**

The meeting was adjourned at 7:35 p.m.