

REGULAR MEETING OF THE
CULVER CITY
LANDLORD TENANT MEDIATION BOARD
CULVER CITY, CALIFORNIA

January 31, 2018
7:00 p.m.

Call to Order & Roll Call

The regular meeting of the Landlord Tenant Mediation Board was called to order at 7:00 p.m. in the Patacchia Conference Room at Culver City Hall.

Present: **Mike Berlin**, Chair
Justin Lescoulie, Vice Chair
Ron Bassilian, Board Member
Gary Duboff, Member
Taria Lewis, Board Member
Kenneth Rothschild, Board Member
Judy Scott, Board Member
Julieanna Thompson, Board Member
Olga Vaysberg, Board Member
Elizabeth Voncannon, Board Member
Leonardo Wilborn, Board Member

Staff: **Tevis Barnes**, Housing Administrator
Mona Kennedy, Housing Programs Supervisor

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Pledge of Allegiance

The Landlord Tenant Mediation Board recited the Pledge of Allegiance.

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Public Comment for Items NOT On the Agenda

No cards were received and no speakers came forward.

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Consent Calendar

Item C-1

Approval of Minutes for the Regular Meeting of July 26, 2017

Discussion ensued between staff and Board Members regarding clarification that Mr. Duboff was not listed as he had not been sworn in at the time of the last meeting; addressing the difficulty of getting all three parties at a mediation; and concern that the At-Large position had not been not been discussed.

THE LANDLORD TENANT MEDIATION BOARD APPROVED MINUTES FOR THE REGULAR MEETING OF JULY 26, 2017.

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Order of the Agenda

Tevis Barnes, Housing Administrator, requested that item A-3 be brought forward on the agenda.

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Action Items

Item A-3
(Out of Sequence)

Subcommittee Bylaw Update - Receive an Update from the Bylaw Subcommittee

Member Lescoulie reported that the Bylaw Subcommittee had created a framework for expanding the role of the Board.

Heather Baker, Assistant City Attorney, reported that she had formulated an outline based on her notes from the subcommittee meetings; she discussed expansion of the role of

the Board, ways to do more community outreach, and expanding awareness of the Board and available services; the process and time frame for moving forward; and City Council support.

Discussion ensued between staff and Board Members regarding habitability issues; mediation vs. code enforcement; code violations vs. cosmetic issues; the legal definition of habitability issues; good faith mediation; expansion of the bylaws; different inspection levels; tenant concern with creating a contentious relationship; different requirements for Board representation depending on the different type of disputes; policies of other cities; creation of specific guidelines; property condition metrics; whether landlords can be compelled to come to meetings to address those types of issues; lease violations; three-day notice to address issues and the inability of the Board to react that quickly; legal recourse for landlords; giving a voice to tenants; lease renegotiation; viability of holding an open mediation once per quarter; available funding for legal help for tenants; assessing the need; tracking the volume of complaints; phasing in the process; a suggestion to request information on referrals to the Housing Rights Center; whether habitability is an issue; tenant fears; difficulties with finding another place to rent if there is a conflict with the current landlord; providing a platform of mediation to address issues; Board consensus that there is a need to help landlords and tenants and that any process be voluntary; a suggestion to phase in changes in order to test the process; clarification that mandatory mediation is considered a form of rent control; different requirements and limitations with mobile homes; exemption of rental agreements from rent control including mandatory mediation if leases meet certain criteria; privacy interests for rentals of condos or single family homes; rent control policies in California; responsibility for utilities; different interpretations of requirements; the ability to do a pilot program without having to amend the code; staff involvement; composition of the body hearing complaints; noise complaints; designated smoking areas; neighbor-to-neighbor disputes; ensuring that the length of the pilot program is enough to gain traction and be properly evaluated; funding for public outreach; providing a structured venue for a safe and facilitated conversation and an alternative to going to court; making the process appealing and useful to landlords and tenants; Board Member familiarity with codes; staff agreement to gather information from the Housing Rights Center and return to the subcommittee with data on the number of requests and areas of

concern; presentation of a lease with new terms; the intent of the City Council to have the Board release some tension in the rental market so that long term tenants do not have to leave the City; a suggestion to do a survey to gauge interest and need; Board agreement for a voluntary pilot program between landlords and tenants with staff to do research to define the scope of mediations to be done; practical application; making a budget request; researching the past five years of mediations in Culver City; use of an Outreach Coordinator; a suggestion to adjust the requirement to post notices in a conspicuous place to inform tenants; communication issues between the City and landlord; actions of the City of Los Angeles; the number of corporately-owned complexes; whether to place the burden of notification of mediation on the landlord; ensuring proper notification of requirements; language in the code regarding provisions in the lease; the smoking ordinance; putting language in lease agreements for mediation; complaint-driven enforcement; accountability; City Council direction; code amendments; using broad language to allow flexibility for the pilot program; City Council adoption of the bylaws; having a subcommittee meeting to further define the pilot program; attaching a dollar amount to the item for City Council approval; further research into mediating mobile home rent increases; ensuring that the word volunteer is included in the broad definition with additional issues as approved by the City Council; having a tool to amend the bylaws rather than a code amendment; average length of tenancy; and the open tenant representative position.

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Item A-1

**Quarterly Report of Mediated Cases and Requests for Mediation
During the Last Quarter (July 2017 Through January 2018)**

Discussion ensued between staff and Board Members regarding mediated requests and cases heard between July 2017 and January 2018; survey comments; fairness of the agreement; whether participants would go through the process again; best practices; and concerns of participants in having the proper panel.

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Item A-2

Mediation Panel Composition-Discussion Regarding the Size and Composition of the Mediation Panels

Discussion ensued between staff and Board Members regarding challenges faced by staff in getting a panel together; offering Saturday mediations; the City Council desire to retain designations; impartiality; ensuring that representatives are from different designations; whether to require that three are present; whether to do the mediation with just one representative; the limited time frame to organize a mediation; working as a team; the goal to bring people together to come up with a solution; concern with limiting representatives to be from separate groups; perception vs. reality; agreement to have a minimum of two; the change from guidelines to bylaws; Board agreement to have mediations with two different designations if possible and with two representatives instead of three if necessary; and referring issues to the County.

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Item A-4

Best Practices/Saturday Mediations-Consideration of Expanding Days of Operation from Mondays to Saturdays in Consideration of the Schedules of Landlords and Tenants

Discussion ensued between staff and Board Members regarding time of day; parking; facilities; staff time; and clarification that Saturday would be utilized as a last resort.

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Item A-5

2018/2019 Budget - Discussion Regarding the LTMB Initial Recommendations to the City Council

Discussion ensued between staff and Board Members regarding the stipend; once per year payments; mediation payments; Members who do not perform mediations; costs for special legal counsel, advertisements, and additional mediations; hiring a consultant for the survey; adding the ordinance to the leases; previous policies of the Board; a request for

business cards; City email addresses for Board Members; clarification on formulating a response to the complaint received from the tenant; best practices; limiting the mediation to three hours; and agreement by Member Rothschild to draft a letter for review by the Legal Department and Board Members.

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Public Comment for Items NOT On the Agenda

No cards were received and no speakers came forward.

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Receipt and Filing of Correspondence

None.

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Items from Landlord Tenant Mediation Board Members/Staff


Discussion ensued between staff and Board Members regarding parking at City Hall.

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Adjournment

There being no further business, at 9:04 p.m., the Culver City Landlord Tenant Mediation Board adjourned its meeting to the next regular meeting on Wednesday, April 25, 2018, at 7:00 p.m.

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Tevis Barnes
SECRETARY of the Culver City Landlord Tenant Mediation Board
Culver City, California

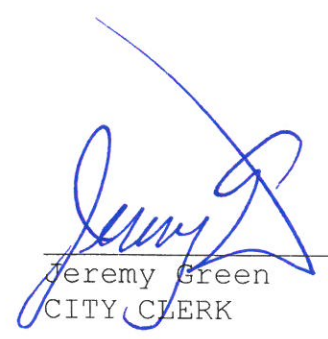
APPROVED

April 25, 2018



Mike Berlin
CHAIR of the Culver City Landlord Tenant Mediation Board
Culver City, California

I declare under penalty of perjury under the laws of the State of California that, on the date below written, these minutes were filed in the Office of the City Clerk, Culver City, California and constitute the Official Minutes of said meeting.



Jeremy Green
CITY CLERK

Date

23 JULY 2018