



**CITY OF BEVERLY HILLS**

Room 280A  
455 North Rexford Drive  
Beverly Hills, CA 90210

In-Person / Telephonic / Video Conference Meeting

**RENT STABILIZATION COMMISSION REGULAR MEETING**

**MINUTES**

June 7, 2023  
6:00 PM

**MEETING CALLED TO ORDER**

Date/Time: June 7, 2023 / 6:02 PM

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Commissioners Present: Commissioners Baseman, Bronte, Gurman, Lindsey-Cerqueira, Miller (*arrived 6:05 PM*), Tryfman, Vice Chair Maden, Chair Milkowski  
Commissioners Absent: None  
Staff Present: Timothea Tway, Nestor Otazu, Cameron Kesinger, Karen Myron, Robin D. Harris

**COMMUNICATIONS FROM THE AUDIENCE**

Members of the public may address the Commission regarding any items not on the Agenda that are within the subject matter jurisdiction of the Commission. By State law, the Commission may not discuss or vote on items not on the Agenda.

Public Input: None

**APPROVAL OF AGENDA**

By Order of the Chair and absent objection from the Commission, the agenda was approved as presented.

**CONSENT CALENDAR**

**1. CONSIDERATION OF MINUTES**

Consideration of Minutes of the Rent Stabilization Commission regular meeting of May 3, 2023.

Motion: MOVED by Commissioner Bronte, SECONDED by Commissioner Lindsey-Cerqueira to adopt the minutes as presented (6-0).

AYES: Commissioners Baseman, Bronte, Gurman, Lindsey-Cerqueira, Vice Chair Maden, Chair Milkowski

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NOES: None

CARRIED

## REPORTS FROM PRIORITY AGENCIES

None

## CONTINUED BUSINESS

### 2. RESOLUTIONS OF THE RENT STABILIZATION COMMISSION REGARDING RECOMMENDATIONS TO THE CITY COUNCIL IN CONNECTION WITH POTENTIAL AMENDMENTS TO CHAPTERS 5 AND 6 OF TITLE 4 OF THE BEVERLY HILLS MUNICIPAL CODE REGARDING MAXIMUM ALLOWABLE ANNUAL RENT INCREASES AND PASS THROUGHES AND SURCHARGES

Staff seeks recommendations regarding possible amendments to the Rent Stabilization Ordinance for both Chapter 5 and Chapter 6 of Title 4 of the Beverly Hills Municipal Code regarding surcharges that allow housing providers to pass through costs to tenants relating to RSO administrative fee, water service penalties and/or surcharges, refuse fees, capital expenditures, improvement expenses mandated by law, including seismic retrofit, utility expense, and for additional tenants. Staff also seeks recommendations regarding possible amendments to Chapters 5 and 6 regarding the amount of the maximum allowable annual rent increases. Consideration, possible modification of and adoption of Resolutions of the Beverly Hills Rent Stabilization Commission recommending to the City Council amendments to Chapters 5 and 6 of Title 4 of the Beverly Hills Municipal Code:

- Annual Rent Increases Draft Resolution
- Water Service Penalties Surcharges Draft Resolution
- Refuse Fee Passthrough Draft Resolution
- Capital Expenditures Passthrough Draft Resolution
- Improvements Mandated By Law Passthrough Draft Resolution
- Utility Expense Surcharge Draft Resolution
- Additional Tenant Surcharge Draft Resolution
- Rent Control Enforcement/Administrative Fee Passthrough Draft Resolution

*Continued from the May 3, 2023 Rent Stabilization Commission regular meeting.*

Prior to the staff report, Chair Milkowski advised that the Commission would be considering the adoption of eight resolutions, the first of which would be regarding Improvements Mandated by Law/Seismic Retrofit.

*Citing a potential material impact to one of the properties in which he has a financial interest, Commissioner Baseman recused from the portion of the discussion related to Improvements Mandated by Law/Seismic Retrofit, and left the meeting room at 6:09 PM.*

Staff Presenter: Nestor Otazu, Deputy Director of Rent Stabilization  
Public Input: Mark Elliot

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Motion: MOVED by Commissioner Gurman, SECONDED by Vice Chair Maden to adopt the resolution recommending that the City Council amend Chapters 5 and 6 of Title 4 of the Beverly Hills Municipal Code to provide for a pass-through of a portion of the costs of seismic retrofit work mandated by law (4-2).

AYES: Commissioners Gurman, Miller, Vice Chair Maden, Chair Milkowski  
NOES: Commissioners Bronte, Lindsey-Cerqueira

CARRIED

*Commissioner Baseman returned to the meeting at 6:22 PM.*

Motion: MOVED by Vice Chair Maden, SECONDED by Commissioner Baseman to adopt the resolution recommending that the City Council amend Chapter 6 of Title 4 of the Beverly Hills Municipal Code to limit a tenant's maximum annual expense for rent increases and pass throughs and surcharges (5-1).

AYES: Commissioners Baseman, Gurman, Lindsey-Cerqueira, Vice Chair Maden, Chair Milkowski  
NOES: Commissioners Bronte

CARRIED

Motion: MOVED by Commissioner Tryfman, SECONDED by Commissioner Lindsey-Cerqueira to adopt the resolution recommending that the City Council amend Chapters 5 and 6 of Title 4 of the Beverly Hills Municipal Code to delete the water service penalty surcharge (4-2).

AYES: Commissioners Bronte, Lindsey-Cerqueira, Tryfman, Chair Milkowski  
NOES: Commissioner Baseman, Vice Chair Maden

CARRIED

Motion: MOVED by Commissioner Tryfman, SECONDED by Commissioner Baseman to adopt the resolution recommending that the City Council make no changes to the refuse fee surcharge in Chapters 5 and 6 of Title 4 of the Beverly Hills Municipal Code (4-2).

AYES: Commissioners Baseman, Tryfman, Vice Chair Maden, Chair Milkowski  
NOES: Commissioners Bronte, Lindsey-Cerqueira

CARRIED

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Motion: MOVED by Commissioner Lindsey-Cerqueira, SECONDED by Commissioner Bronte to adopt the resolution recommending that the City Council make no changes to the capital expenditure surcharge in Chapter 5 of Title 4 of the Beverly Hills Municipal Code and to not add a capital expenditure surcharge to Chapter 6 of Title 4 of the Beverly Hills Municipal Code (4-2).

AYES: Commissioners Bronte, Lindsey-Cerqueira, Gurman, Chair Milkowski

NOES: Commissioner Baseman, Vice Chair Maden

CARRIED

Motion: MOVED by Commissioner Gurman, SECONDED by Commissioner Baseman to adopt the resolution recommending that the City Council maintain the utility expense surcharge in Chapter 5 of Title 4 of the Beverly Hills Municipal Code and amend Chapter 6 of Title 4 of the Beverly Hills Municipal Code to provide for a utility expense surcharge (4-2).

AYES: Commissioners Baseman, Gurman, Vice Chair Maden, Chair Milkowski

NOES: Commissioners Bronte, Lindsey-Cerqueira

CARRIED

Motion: MOVED by Commissioner Baseman, SECONDED by Commissioner Gurman to adopt the resolution recommending that the City Council maintain the surcharge for additional tenants in Chapter 5 of Title 4 of the Beverly Hills Municipal Code and amend Chapter 6 of Title 4 of the Beverly Hills Municipal Code to provide for a surcharge for additional tenants (4-2).

AYES: Commissioners Baseman, Gurman, Vice Chair Maden, Chair Milkowski

NOES: Commissioners Bronte, Lindsey-Cerqueira

CARRIED

Motion: MOVED by Commissioner Lindsey-Cerqueira, SECONDED by Commissioner Tryfman to adopt the resolution recommending that the City Council amend Chapters 5 and 6 of Title 4 of the Beverly Hills Municipal Code to provide for a pass through of a portion of the Rent Control enforcement/administrative fee (6-0).

AYES: Commissioners Baseman, Bronte, Lindsey-Cerqueira, Tryfman, Vice Chair Maden, Chair Milkowski

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NOES: None

CARRIED

## **NEW BUSINESS**

### **3. LANDLORD-TENANT HANDBOOK REVISIONS**

Staff requests that the Commission review the Rent Stabilization Division's Landlord-Tenant Handbook, which is provided by Beverly Hills housing providers to each new tenant under the Rent Stabilization Ordinance. Staff seeks recommendations regarding any possible revisions to the Landlord-Tenant Handbook.

Staff Presenter: Nestor Otazu, Deputy Director of Rent Stabilization

Public Input: None

The Commission reviewed Landlord-Tenant handbook, asked questions, and provided suggestions for potential language clarifications, but took no formal action on this item.

## **PROJECT UPDATES**

### **4. Rent Stabilization Division Monthly Staff Reports for April 2023**

Staff seeks to inform the Rent Stabilization Commission on the Rent Stabilization Division's monthly activity.

Public Input: Mark Elliot

- Report received and filed.

## **COMMUNICATIONS FROM THE COMMISSION**

- Commissioner Bronte extended good wishes for June and July holidays, and noted that this month marks three years of the Rent Stabilization Commission's presence.
- The Commission thanked Director of Community Development Timothea Tway for her service to the community, as she will soon be leaving the City.
- The Commission welcomed new Deputy Director of Rent Stabilization Nestor Otazu.

## **COMMUNICATIONS FROM STAFF**

- Senior Management Analyst Cameron Kesinger advised that at its formal meeting on June 27, the City Council will receive a report on Consumer Price Index (CPI) data and discuss future action regarding the maximum allowable rent increases.
- Director of Community Development Timothea Tway thanked the Commission for their hard work.

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**5. 2023 Meeting Schedule**

- The July 5 regular meeting will be cancelled due to lack of quorum. The August 2 regular meeting will likely be changed or cancelled, also due to lack of quorum; staff will circulate potential alternate dates for the August meeting.

**ADJOURNMENT**

Date / Time: June 7, 2022 / 7:43 PM

PASSED AND APPROVED THIS 7<sup>TH</sup> DAY OF AUGUST, 2023



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Lou Milkowski, Chair