

Dave Crow  
Kent Qian  
Cathy Mosbrucker  
Tenant Rent Board Commissioners

Re: Commission Streamlining Task Force Recommendation  
Regarding the Rent Board Commission

Dear Chair Harrington and Members of the Commission Streamlining Task Force:

We are the current San Francisco Rent Board Commissioners who represent tenants. Commissioners Qian and Mosbrucker are the voting members, Commissioner Crow is an alternate. The second tenant alternate position is currently vacant.

We are writing to urge you to recommend that the Rent Board Commission continue to perform its appellate function and not to impose term limits on its commissioners. We believe that removal of the appellate function would throw the petitioning process into chaos eliminating years of institutional knowledge and expertise, creating uncertainty for both landlords and tenants who rely on the Rent Board to settle their disputes.

The current tenant commissioners on the Rent Board were tenant advocates at the time of their appointment by previous mayors. Members of the tenant community proposed our names to the mayors and supported us through the appointment process. Commissioner Qian was a staff attorney at the National Housing Law Project, a local non-profit that is focused on providing housing justice for poor people. Commissioner Mosbrucker was in private practice having represented tenants for almost twenty years at that time of her appointment. Commissioner Crow was also in private practice representing tenants and was a volunteer at the San Francisco Tenants Union. Our backgrounds meant that at the time of appointment we had the trust of the tenant community. It also meant that we already had a grounding in landlord-tenant law and more specifically the San Francisco Rent Ordinance. Our years on the Rent Board have justified that initial trust.

The appeals heard by the Rent Board Commission involve complex analysis of facts and several layers of law: the Rent Ordinance, the Rent Board Rules and regulations, California Statutes, case law and the Rent Board Commissions own prior rulings. As the experienced attorneys who serve as the neutral commissioners will tell you, it takes time and effort to become familiar with all of the laws necessary to make informed decisions in the cases that we hear. The last tenant alternate commissioner served on the Rent Board Commission for three years. At the time he left, he admitted that he still had not mastered all of the provisions of the Rent Ordinance.

The current structure of the Rent Board Commission is designed to provide both sides in the disputes the Board and Commission decide reassurance that their case is being heard by a group

that represents both points of view and is also not stacked against one side or the other. All of this will be lost if the appellate function is transferred to the Board of Appeals.

The same reasoning applies to the issue of term limits. Eliminating experienced commissioners after an arbitrary amount of time serves no purpose on a specialized commission like the Rent Board. Serving on the commission requires hours of preparation for each meeting. Our monthly meeting packets consist of approximately 4 inches of documents which must be read and understood prior to the meeting. At the end of the meeting, one side or the other is dissatisfied with our decisions, we know this because they take the time to tell us that during public comment. Term limits will require considerable staff time to find qualified commissioner candidates and to provide training to the new commissioners.

In conclusion, we hope that you will reconsider the position taken in your Memo on Housing and Economic Development Bodies and leave the Rent Board Commission appellate function with the Rent Board and also reject term limits for this commission.

Thank you for your time and efforts.

Commissioner Kent Qian      Commissioner Cathy Mosbrucker      Commissioner Dave Crow