MINUTES OF THE REGULAR MEETING OF THE SAN FRANCISCO RESIDENTIAL RENT STABILIZATION & ARBITRATION BOARD

Tuesday, August 11, 2026
at 6:00 p.m.
25 Van Ness Avenue, Room 610
San Francisco, CA 94102

I. Call to Order

President Gruber called the meeting to order at 6:05 p.m.

II. Reading of Ramaytush Ohlone Land Acknowledgment

Commissioner Shah read the Ramaytush Ohlone Land Acknowledgement.

III. Roll Call

Commissioners Present:	Crow; Gruber; Haley; Hung; Mosbrucker; Qian; Shah; Tom; Wasserman.
Commissioners Not Present:	Klein.
Staff Present:	Katayama; Koomas; Texidor; Van Spronsen; Varner.

IV. Remarks from the Public

A. Jackie Barshak, a member of the local chapter of the Tenant and Neighborhood Councils (TANC), a tenants union, said that the Rent Board is failing tenants and the Commissioners are responsible. She said that the Rent Ordinance protects tenants against landlord harassment, retaliation, and threats, yet there is nothing that the Board can do to arbitrate these types of claims. She said that the Board is failing tenants with the delay in scheduling mediations and hearings, which can take several months to schedule and then additional months for a decision to be issued. She said that the hearing process is biased towards landlords in the amount of refunds that a tenant is awarded in decreased housing services petitions as the actual amounts have not changed in decades and are not commensurate with market rate rents or the actual value of the lost service. She asked the Commissioners to consider speeding up the hearing and mediation process as tenants are having to live with maintenance failures for months before their petitions are sent to arbitration.

B. Katherine Gros-Balthazar, the landlord at 388 Park Street, Unit C (AL260037), said that the hearing was not fair. She said that when the recording began, the judge opened by stating that she had already been told a fact regarding the payment of rent directly to the landlord by one of the occupants, a fact that is not true and that the landlord had not been given the opportunity to dispute as it was stated off the record. She said the overpayment had no measured basis, and the decision sets the loss at $30.00 per month for over six months but never explains where that figure comes from, and the tenant's own petition never stated a coherent number. She said that any real inconvenience to the tenant was modest – heaters instead of central heat for a time and windows that did not open smoothly. She said that repairing the windows was her obligation and that replacing all windows was a discretionary upgrade by choice, and that an award this large untethered from any measured loss is a penalty. She said there is also an issue of standing as the rent reduction was awarded to a tenant who by his own account was not present for any of the days it covers, and a tenant cannot lose the use of a unit he was not occupying. As for the other occupant, the Administrative Law Judge (ALJ) expressly declined to decide whether he is even a tenant yet the decision captures him as a tenant, and the ALJ memorandum invites relief for him and other occupants. She said that the status of that individual was never mediated, nor arbitrated, and she was never allowed to submit evidence regarding his status. She asked the Board to reverse the rent reduction for the windows or in the alternative, remand the case to the ALJ to make a properly supported decision that resolves the standing and fairness issues and decline to add award language for people never found to be her tenants.

C. Louie Salamy, the landlord at 253 Cayuga Avenue (AL260034 & AL260036), said that it is expensive to live in San Francisco and he is living in his single-family four-bedroom home that he grew up in. He said he could not afford to live on his Social Security check so he decided to rent out the single-family home and that he has always considered it a single-family home and that is how it is categorized with the City. He said that this tenancy is the first time that he became a landlord and that he researched the Rent Board's website to determine what his responsibilities were and did not know that he needed a license to increase the rent. He said that it took him twelve years as a landlord to realize he needed a rent increase license to be able to raise the rent. He said that he now has a rent increase license and it only took him seven minutes to get one. He said that at the time the petition was filed, he was fairly charging the tenants $2,995.00 monthly rent and $300.00 a month in utilities, which was a fair amount and that currently they are paying $4,230.00. He said that the total utilities are almost $850.00 per month and it's not fair that four tenants only pay $300.00. He said he should be able to increase the utilities when the total amount is increased by PG&E. He said that before the tenants lived there, he was paying only $98.00 in utilities per month and the rates per kilowatt have now tripled. He said that he was not being malicious when he raised the rent.

V. Approval of the Minutes

MSC: To approve the minutes of July 14, 2026 as amended to include that Commissioner Tom was present.
(Wasserman/Mosbrucker: 8-0, Crow abstaining)

VI. Consideration of Appeals

A. 388 Park Street, Unit C AL260037

The landlord appeals the decision granting in part the tenants' claims for decreased housing services. In the decision, the ALJ found the landlord liable to the tenant for rent reductions totaling $2,752.00 regarding the condition of the windows from March 11, 2025 through September 23, 2025, but denied the tenants' other claims. In the appeal, the landlord claims that the ALJ engaged in ex parte communication with the tenants prior to the hearing, that the ALJ limited her ability to testify, that she was given insufficient time to review the tenants' submissions before the hearing, that the amount of the monthly rent reduction is not supported by the evidence, and that the rent reduction should be limited to the periods when the master tenant was present in the unit.

MSC: To deny the appeal.
(Mosbrucker/Qian: 5-0)

B. 253 Cayuga Avenue AL260034 & AL260036

The landlord appeals the decision granting the tenants' claim for unlawful rent increase, based on both the merits and financial hardship. In the decision, the ALJ found the landlord liable to the tenants for rent overpayments in the amount of $38,926.75. On appeal, the landlord argues that Rules and Regulations Section 13.13 provides that no penalty shall apply for an inadvertent failure to report information and therefore the ALJ abused their discretion by voiding the September 1, 2024 and October 1, 2025 rent increases solely based on the absence of a rent increase license, and that the manner and timing of repayment causes him financial hardship.

MSC: To deny the appeal on the merits and to accept the appeal based on financial hardship and remand the case to the ALJ to consider the landlord's financial hardship.
(Mosbrucker/Wasserman: 5-0)

C. 793 Hampshire Street AT260035

The tenants appeal the order granting the landlord's request for rescission of the OMI notice filed on February 29, 2024, solely as to its quotation of the landlord's characterization of them as "squatters," and do not challenge the rescission determination. On appeal, the tenants seek to inform the Board that they are not "squatters" as they have permanently resided in the unit for almost 50 years.

MSC: To deny the appeal.
(Wasserman/Gruber: 5-0)

IV. Remarks from the Public (cont.)

A. Katherine Gros-Balthazar, the landlord at 388 Park Street, Unit C (AL260037), said that the evidence she provided to the Board about the windows was not provided to show that she had purchased the windows, but instead to show the timeline in which she made a good faith effort to try and install the windows long before there was any code violation. She said that her testimony was not given the same weight of credibility as the tenants. She said that she had provided a timeline showing that she had tried to purchase the windows by requesting the quote and that she thought the contractor had purchased the windows but he lied to her.

B. Liza Smirnov-Hansen, a tenant at 253 Cayuga Avenue (AL260034 & AL260036), said that she was making a comment regarding the landlord's hardship appeal. She said that the tenants understand the landlord's financial hardship regarding the amount owed to them, but that the overpayment only accounts for three years of their tenancy. She said that it has been a financial hardship for the tenants that have been overpaying their rent throughout the twelve years that they have resided there.

VII. Communications

In addition to correspondence concerning cases on the calendar, the Commissioners received the following communications:

A. News articles from the San Francisco Chronicle.

B. Departmental workload statistics for June 2026.

VIII. Director's Report

Executive Director Christina Varner congratulated President Gruber, Vice-President Mosbrucker, and Commissioners Qian, Tom and Wasserman for their re-appointments to the Rent Board Commission and said that they were sworn in on August 7 at the Mayor's Office. Director Varner told the Commissioners that Commissioner Klein would also be re-appointed soon and thanked the Commissioners for their continued service to the people of the City and County of San Francisco. With regard to the fee, Director Varner said that the department has now collected $12.2M in 2026 Rent Board fees, a first-time high for this time of year. She said that the Rent Board observed greater usage in online payments, which means ease in ability to collect and process the payments and identify any issues. She said that the 2026 Rent Board fee referral has been made to the Bureau of Delinquent Revenue at the Office of the Treasurer and Tax Collector and that approximately 10,000 accounts totaling nearly $1M have been forwarded for collections, which is less than in previous years. She said that notices will start going out to those owners in the next few weeks and that an additional fee will be added to the balance. She said that owners with questions should call 311 with paperwork in hand. With regard to the Housing Inventory, Director said that over 130,000 Housing Inventory reports have been made across over 23,000 parcels, with over 117,000 licenses having been issued. With regard to Outreach, Director Varner said that on July 23, Deputy Director Texidor, Inventory & Fee Unit Supervisor Howard Yeung and Public Information Unit team member Max Garcia participated in a District 11 Open House sponsored by Supervisor Chyanne Chen's office, which took place at the SF Christian Center Auditorium. There were about 150 participants where staff provided information in Chinese. She said that on August 15, staff will table at the Office of the Assessor-Recorder's Family Wealth Conference. With regard to legislation, Director Varner told the Commissioners that as discussed last month, new legislation sponsored by Supervisor Mahmood, Board of Supervisors (BOS) File no. 260680, was introduced on June 9, 2026. She said that the ordinance would amend the Administrative Code to require that online listings and lease agreements for residential rental units clearly disclose the total estimated monthly cost of the unit inclusive of rent and any required fees and charges; authorize tenants to terminate their leases early and without penalty if they have not received adequate disclosures of such fees or charges, and restrict the ability of landlords to evict or impose late penalties on tenants for the nonpayment of fees or charges that were not adequately disclosed. She said that this legislation has been assigned to the Land Use and Transportation Committee. Director Varner said that BOS File No. 260875 introduced on July 28, 2026 and sponsored by Supervisor Mandelman, would amend the Rent Ordinance to exempt members of the Residential Rent Stabilization and Arbitration Board from term limits. She told the Commissioners that this legislation has been assigned to the Rules Committee. Director Varner told the Commissioners that BOS File No. 260836, sponsored by Supervisor Chen, is a follow-up ordinance that makes additional amendments to the Tenant Protection Ordinance from earlier this year, Ord. No. 03-26. She told the Commissioners that specifically, the ordinance expands the circumstances in which demolished housing must be replaced, strengthens affordable replacement requirements for certain units in designated equity areas, and modestly expands the boundaries of those areas. She said that it was introduced on July 21, 2026 and has been assigned to the Land Use and Transportation Committee. Director Varner told the Commissioners that BOS File No. 260894 introduced on July28, 2026 and sponsored by Supervisor Sauter, is a hearing on the rise of rental scams targeting prospective tenants and property owners in San Francisco, including fraudulent listings, fake landlords, unauthorized subletting schemes, and unauthorized use of legitimate listings. She said that this Hearing has been assigned to the Public Safety and Neighborhood Services Committee.

IX. <u>Old Business</u>

There was no Old Business.

X. <u>New Business</u>

There was no New Business.

XI. <u>Calendar Items</u>

September 8, 2026 – regular in-person meeting at 25 Van Ness Ave, Room 610.

Reader of the Ramaytush Ohlone Land Acknowledgement – Commissioner

Tom.

A. Consideration of Appeals
    a. 6 appeal considerations

XII. Adjournment

President Gruber adjourned the meeting at 6:41 p.m.