City and County of San Francisco

Residential Rent Stabilization and Arbitration Board

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

Tuesday, October 13, 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 6:07 p.m.

II. Reading of Ramaytush Ohlone Land Acknowledgment

Commissioner Tom read the Ramaytush Ohlone Land Acknowledgement.

III. Roll Call

Commissioners Present:	Gruber; Haley; Mosbrucker; Qian; Shah; Tom; Wasserman.
Commissioners Not Present:	Crow, Hung, Klein.
Commissioners Leaving Early:	Wasserman, 7:25 p.m.
Staff Present:	Katayama; Koomas; Texidor; Van Spronsen; Varner.

IV. Remarks from the Public

A. Ernesto Iacucci, the tenant at 3888 – 17th Street (AT260047), said that the landlord's renovation of the floor underneath his unit included increasing the ceiling height and removing soundproofing materials. He said that the drop ceiling previously had

insulated noise. He said that a daycare opened up below his unit on the first floor of the building and he tried to resolve the noise issues in good faith with his landlord but that it was difficult to work with her and he had to turn to the Rent Board to resolve the issue. He said that at the Rent Board hearing, the landlord made a lot of false statements and he timely submitted evidence showing that they were false. He said that the decision did not reference that submitted evidence. He said that he provided evidence that the ceiling height changed and that the daycare drop-off and pick-up is located under his unit, contrary to the landlord's claims. He said that the window paneling the landlord installed to abate the noise only decreased the decibels by 2, which does not adequately address the sound emitting from the daycare. He said that the landlord's expert alleged that soundproofing the floor underneath his unit was a better solution than soundproofing the ceiling beneath his unit, but that his own experts indicate that soundproofing the ceiling beneath his unit is the better option.

B. Daniel Bornstein, the attorney for the landlord at 1454 Union Street (AT260044), told the Commissioners that he wanted to issue condolences for the recent passing of Mr. Kearns, a former Rent Board Administrative Law Judge who gave credence to the work done at the Rent Board and who was fair, responsive, and empathetic. He said that the ALJ that presided over the hearing at 1454 Union Street is diligent, excellent, thorough and disciplined, and that the correct decision was made based on all the evidence. He said that the ALJ found that a direct landlord-tenant relationship was not created between the landlord and the tenant, there was no abuse of discretion, and there was an assessment of what transpired in the factual records. He said that the individual was not elevated to a co-tenant status and there is no dispute that he was a subsequent occupant who took occupancy after 1996. He said that the post-hearing record was held open for 17 days with no submission from the opposing side and that in the appeal, new documents that have not been evaluated have been submitted. He says that the individual also claims that his health circumstances impacted the hearing but at no point did the individual request an accommodation. He said that he finds it inappropriate for the Commissioners to address an issue that was not presented at the hearing and only after a ruling was issued.

C. The representative for the tenants at 2006 Alemany Boulevard (AT260042), said that the tenants are appealing on the basis that their rent is protected under Assembly Bill (AB) 1482 (California Tenant Protection Act of 2019). He said that an owner claiming an exemption from the law based on the fact that the property is a single-family home must provide a written notice to the tenant in the rental agreement if the tenancy commenced on or was renewed on or after July 2020, and that for a tenancy existing before July 1, 2020, this notice may but is not required to be provided in the rental agreement. He said that if the notice is not provided, the property is not exempt from Just Cause and rent limitation regulations. He said that the tenants never received any notice.

D. Carmen Castillo, the tenant at 589 Dolores Street (AT260043), said that there is a rat infestation at her property and that she requested that the landlord put up signs at the building indicating that all packages should be left at the lobby because they are normally left at her door and she cannot lift them to take downstairs herself. She also said that her windowsill has also not been repaired.

E. Jake Kammersgard, the attorney for the landlord at 2006 Alemany Boulevard (AT260042), said that a notice was served on the tenant regarding the exemption from AB 1482 and that a copy of the notice was included in their appeal response confirming that the notice was timely served. He asked the Board to affirm the decision as the appellants failed to identify any specific finding of fact or authority to support that the decision is improper, or contrary to the evidence or the Board's guidelines. He said that the appellant's argument failed when it stated in the first sentence "the jurisdictional *(sic)* of whether the building was one or more units was never our issue." He said that the decision concluded that the petition was denied for lack of jurisdiction, a point which the appellants concede in their argument and therefore the decision should be affirmed.

F. Easton Thodos, the attorney for the tenant at 1454 Union Street (AT260044), said that he is a third generation realtor and his grandfather started selling real estate in the City in 1964 and that his father has been selling real estate in the City for nearly 50 years. He said that he has a very unique perspective on tenant and landlord rights and that he has seen the difference between someone who owns a few units and knows the tenants that live there and large companies that manage housing through layers of staff and standardized systems. He said that fighting for tenants against large institutional landlords in some cases is a fight for the "mom and pop" landlord and that when large entities engage in practices that systematically harm and harass tenants, the political response is to hammer down new legislation that creates rules that apply broader categories of conduct and comply with constitutional requirements. He said that regulations prompted by institutional misconduct can affect every housing provider and the burden is not equal. He said that large corporations have ample resources to absorb the new requirements while small landlords often do not, usually resulting in the sale of their properties when the cost and complexity become too great. He said that the tenant and the small landlord share an important interest – holding institutional actors accountable before their conduct becomes the justification for another sweeping regulation. He said that the role of the Board is to distinguish between isolated mistakes and established patterns of conduct, consider the relevant evidence, and hold housing providers accountable under the standards that already exist. He said that the Board can protect tenants and small landlords by enforcing existing protections fairly and addressing the misconduct where it occurs.

V. Approval of the Minutes

MSC: To approve the minutes of September 8, 2026.
(Wasserman/Mosbrucker: 6-0; Haley abstaining)

VI. Consideration of Appeals

A. 88 Onondaga Avenue, Unit 4 AL260048

The landlord appeals the decision granting in part the tenant's claims for decreased housing services. In the decision, the ALJ found the landlord liable to the tenant for rent reductions totaling $1,337.50 regarding the washing machine, mailbox, outside gate doorbell, refrigerator, and back door but denied the tenant's other claims. In the appeal,

the landlord claims that the rent reduction for the outside doorbell should be reduced since the tenant caused the ringer to be inoperative.

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

B. 589 Dolores Street AT260043

The tenant submitted the appeal 11 days late because she has been busy with medical appointments and other things.

MSC: To find good cause for the late filing of the appeal.
(Mosbrucker/Wasserman: 5-0)

The tenant untimely appeals the decision denying the tenant's claims for decreased housing services. In the decision, the ALJ found that the tenant had not met her burden of proving a substantial decrease in housing services related to mail deliveries, or that the automatic door opener was a housing service that was provided at the inception of the tenancy and included in the tenant's initial base rent. In the appeal, the tenant alleges that the property manager has not maintained the cleanliness of the building, that she notified the landlord that her heater stopped working on January 16, 2026 and it did not get restored until May 27, 2026, that she has not been late with her rent payments, she never yelled at a vendor, that she did not remove postings from her door and only temporarily removed one from the lobby, and that the landlord promised to replace the automatic gate opener but has not done so.

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

C. 3888 – 17th Street, Unit A AT260047

The tenant appeals the decision granting the tenant's claim for decreased housing services. In the decision, the ALJ found the landlord liable to the tenant for rent reductions totaling $1,650.00 related to noise from the daycare from July 29, 2025 through April 28, 2026. In the appeal, the tenant alleges that the decision contains multiple factual errors and false testimony from the landlord. The tenant also alleges the ALJ did not properly weigh the evidence regarding the notification to the landlord of the sound issue, and that the rent reduction should continue beyond April 28, 2026 since the landlord's soundproofing offer was inadequate.

MSF: To accept the appeal and remand the case to the ALJ for a determination of whether an ongoing rent reduction would be warranted with the landlord's proposed remediation.
(Mosbrucker/Qian: 2-3; Gruber, Haley, Wasserman dissenting)

MSC: To deny the appeal.
(Wasserman/Gruber: 3-2; Mosbrucker, Qian dissenting)

D. 875 – 42nd Avenue AL260045

The landlords appeal the decision granting in part the tenants' claims for decreased housing services and unlawful rent increase. In the decision, the ALJ found the landlord liable to the tenants for rent reductions and overpayments totaling $165,000.00 and that the monthly rent would continue to be reduced by $50.00 for peeling paint, $100.00 for the broken stairway, $75.00 for the ceiling/roof leak, and $25.00 for the broken sink garbage disposal until the landlord restored those housing services. In the appeal, the landlords argues that the tenants refused access to repair of the ceiling and roof and that workers were unable to repair the sink because the tenants' belongings blocked access and clarified that the two openings in the ceiling were caused by installation of the new heat furnace.

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

E. 2006 Alemany Boulevard AT260042

The tenants appeal the decision denying the tenants' claim for unlawful rent increase. In the decision, the ALJ denied the tenants' claim for lack of jurisdiction because the subject unit is exempt from the rent increase limitations of the Rent Ordinance under California Civil Code Section 1954.52(a)(3) as a single-family dwelling separately alienable from title to any other dwelling unit. In the appeal, the tenants argue that their claim of unlawful rent increase is based on the fact that the unit is covered by the rent increase limitations of the California Tenant Protection Act (AB 1482), that the San Francisco Rent Board has jurisdiction to determine whether a rent increase is excessive under that law, and that they have an enforceable lease based on the conduct of the parties.

Commissioner Wasserman recused himself from consideration of the appeal since he represents the landlord in other, unrelated matters.

MSC: To deny the appeal.
(Tom/Gruber: 3-2; Mosbrucker, Qian dissenting)

F. 1454 Union Street AT260044

The tenant appeals the decision denying the tenant's claim for unlawful rent increase. In the decision, the ALJ found that a direct landlord-tenant relationship was not created between the landlord and the tenant petitioner and that no original occupants permanently resided in the subject unit and therefore the landlord was authorized to increase the rent under Civil Code Section 1954.53(d)(2) of the Costa-Hawkins Rental Housing Act. On appeal, the tenant argues that the ALJ failed to properly apply Rule 6.14 or determine whether the tenant was a lawful subtenant, that new evidence establishes the landlord's knowledge of his occupancy, and that the factual record is inaccurate and incomplete.

MSC: To deny the appeal.
(Wasserman/Gruber: 4-1; Mosbrucker dissenting)

G. 277 Shipley Street, Unit C AL260049

The landlord appeals the decision granting their petition seeking certification of capital improvement costs. In the decision the ALJ certified passthrough of capital improvement costs for exterior and interior painting to the subject unit but determined that the notice of rent increase seeking to impose the capital improvement sought is null and void since it was served before the petition was filed. On appeal, the landlord alleges that the rent increase notice was mailed to the tenant on July 1, 2025, after the petition was filed on May 30, 2025.

MSC: To accept the appeal and remand the case to the ALJ for issuance of a decision reflecting the July 1, 2025 service date and the effective date of the rent increase, with no supplemental hearing to be held. (Wasserman/Gruber: 5-0)

IV. Remarks from the Public (cont.)

A. Ernesto Iacucci, the tenant at 3888 – 17th Street (AT260047), said that he was shocked to find that his argument that the landlord gave false testimony during the hearing and the evidence he submitted supporting that argument was never addressed in the decision. He said that the false testimony shaped and informed the decision and should be reviewed. He said that when the landlord removed the soundproofing underneath his unit, she created an unintentional tort towards him. He said that the law states that the landlord has to bring the unit back to its previous condition. He said that giving the landlord access to his unit is an undue burden to him because he has to move and replace everything from his apartment for a week while they do the work. He said that the expert that the landlord presented is the same one who she paid $30,000.00 to for soundproofing window panels that actually do not work, which is a conflict of interest. He said that the expert had a financial benefit in writing down whatever the landlord wanted to present to the ALJ, which is why he also had to get his own expert to explain that soundproofing the daycare ceiling was necessary. He said that he wished the Commissioners would have read his complaint thoroughly and understood that there were issues with the landlord's testimony. He said that the decision appeared to be rushed and he does not think the ALJ looked at the additional evidence he submitted. He encouraged the Board to read the appeal completely and review it thoroughly as people depend on the Board to be independent and give the right outcome.

B. The representative for the tenants at 2006 Alemany Boulevard (AT260042), said that during the appeal consideration of the appeal the Commissioners discussed issues that had nothing to do with the tenants' initial complaint. He said that the tenants did not raise an issue of how many units the home contained, but was about unlawful rent increases based on the stipulations of AB 1482.

C. Jake Kammersgard, the attorney for the landlord at 2006 Alemany Boulevard (AT260042), told the Commissioners that he appreciated their careful consideration of the appeal. He said that he is not sure why the tenants argue that they never received the notice explaining the exemption from AB 1482 because in the response to the

appeal includes a copy of the notice and the tenants' response to the notice. He said that the appellants conceded the jurisdictional issue in their public statement and appeal.

VII. Communications

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

A. News articles from the Guardian, Mission Local and the SF Standard.

B. Departmental workload statistics for August 2026.

C. Memorandum Regarding Tentative Commission Meeting Dates for 2027.

VIII. Director's Report

Executive Director Christina Varner told the Commissioners that the 2027 Rent Board Housing Inventory and fee cycle has opened, with approximately 83,000 Informational Notices having been sent out to owners. Director Varner said that the Rent Board's new logo and branding has been placed on these notices and is now on the Rent Board Portal. She said that a second batch of about 103,000 Informational Notices will go out the week of October 26 to property owners that the department has identified may not be required to pay a fee. She said the deadline to request a 2027 Rent Board fee exemption is December 14 and that property owners should call 311 with notices in hand with any questions they may have. Director Varner said that over 133,000 Housing Inventory reports were made across 24,400 parcels, with nearly 120,000 rent increase licenses having been issued in the 2026 Inventory and fee cycle, which is now closed. She said that the number of licenses issued is the highest since the Inventory was implemented, representing that Inventory reporting is now an expected and normalized part of an owner's business. Director Varner again credited staff for its consistent education of the public on helping this topic become standard operating procedure for owners. With regard to outreach, Director Varner said that on October 24, 2026, Public Information Unit and Inventory and Fee Unit staff will table at the 21st Annual Chinatown Community Resource Fair and that both Cantonese and Mandarin-speaking staff will be there to provide relevant service to attendees, which is at least the 15th year the department has taken part. She said on Wednesday, November 4 at 6:00PM, the Rent Board, in collaboration with the SF LGBT Center will present on Renting Basics for Tenants at the Main Library Latino/Hispanic Community Room. With regard to legislation, Director Varner informed the Commissioners on several items. First, as discussed previously, Director Varner said that new legislation sponsored by Supervisor Mahmood, Board of Supervisors (BOS) File Number 260680, was introduced on June 9, 2026 and has been assigned to the Land Use and Transportation Committee. 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. Secondly, Director Varner said that BOS File No. 260875, sponsored by

Supervisor Mandelman, would amend the Rent Ordinance to exempt members of the Residential Rent Stabilization and Arbitration Board from term limits. This was signed by the Mayor on October 2, 2026 and will be effective on November 2, 2026. Third, Director Varner told the Commissioners that BOS File No. 260836, sponsored by Supervisor Chen**,** is a follow-up Ordinance introduced on July 21, 2026 that makes additional amendments to the Tenant Protection Ordinance (Ord. No. 03-26) from earlier this year, and it 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 this has been assigned to the Land Use and Transportation Committee. Fourth, Director Varner said that BOS File No. 260894, sponsored by Supervisor Sauter and introduced on July 28, 2026, which 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, has been assigned to the Public Safety and Neighborhood Services Committee and is tentatively scheduled for November 12, 2026. Fifth, Director Varner said that BOS File No. 260962, sponsored by Supervisor Fielder and introduced on September 1, 2026, has been assigned to the Land Use and Transportation Committee. She said that this legislation would amend the Rent Ordinance to provide that a landlord may not evict a residential tenant for unpaid rent below the local standard for fair market rent for an equivalent sized rental unit as set by the U.S. Department of Housing and Urban Development. Sixth, Director Varner said that BOS File No. 261020, sponsored by Supervisor Sauter and introduced on September 15, 2026, has been assigned to the Land Use and Transportation Committee and that this legislation would amend the Rent Ordinance to provide that banked rent increases and capital improvement passthroughs for rent-controlled units may not increase a tenant's rent by more than a total of 10% per year, for the next three years. Director Varner said that seventh is BOS File No. 261013, sponsored by Supervisor Fielder and introduced on September 15, 2026, which would amend the Rent Ordinance to increase the relocation payments required for Ellis Act evictions by approximately 25%, and has also been assigned to the Land Use and Transportation Committee. Eighth, Director Varner said is BOS File No. 261015, which is sponsored by Supervisor Dorsey and introduced on September 15, 2026, has been assigned to the Land Use and Transportation Committee. This legislation would require the Rent Board to prepare and regularly update a notice summarizing the rent increase limitations and just cause eviction protections under both local and state law, most specifically, AB 1482. Landlords would be required to provide the notice to tenants annually, along with the date their rental units first received a certificate of occupancy. Lastly, Director Varner told the Commissioners that the department is planning for the Rent Board's annual holiday employee appreciation and recognition event, which is tentatively scheduled for the third week of December at a location near the office, details forthcoming.

IX. Old Business

There was no Old Business.

X. New Business

There was no New Business.

XI. Calendar Items

November 10, 2026 – regular in-person meeting at 25 Van Ness Ave, Room 610.

Reader of the Ramaytush Ohlone Land Acknowledgement – Commissioner Crow.

A. Consideration of Appeals
   a. 10 appeal considerations

XII. Adjournment

President Gruber adjourned the meeting at 7:33 p.m.