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Christina A. Varner
Executive Director

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CATHY MOSBRUCKER
KENT QIAN
ARTHUR TOM
DAVID WASSERMAN

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

Tuesday, October 14, 2025
at 6:00 p.m.
25 Van Ness Avenue, Room 610
San Francisco, CA 94102

I. Call to Order

Vice-President Mosbrucker called the meeting to order at 6:03 p.m.

II. Reading of Ramaytush Ohlone Land Acknowledgment

Vice President Mosbrucker read the Ramaytush Ohlone Land Acknowledgement.

III. Roll Call

Commissioners Present: Crow; Haley; Hung; Mosbrucker; Tom; Wasserman.

Commissioners Arriving Late: Hung, 6:16 p.m.

Commissioners Not Present: Gruber; Klein; Qian.

Staff Present: Katayama; Koomas; Texidor; Van Spronsen; Varner.

IV. Remarks from the Public

- A. Ani Vartanian, the tenant at 1900 Gough Street, Unit 601 (AT250058), told the Board that she and the landlord signed a settlement and release agreement, which she submitted to the Board right before the commission meeting. She said that she appealed the decision granting the landlord's petition seeking a rent increase pursuant

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to Rules and Regulations Section 1.21 and stated the factual reasons for her appeal with supporting documentation, but that she and the landlord have now come to an agreement that she would like the Commissioners to review.

- B. Justin Goodman, the landlord's attorney at 984 Hampshire Street (AL250059), said that in the decision, the Administrative Law Judge (ALJ) adopted a rule that formal notice was required to restore the decreased housing service, which in this case was the ability to sublet the unit. He said that if that is the rule, then formal notice was also required to remove the housing service in the first place, which did not occur. He said that the landlord and the original master tenant had an uncomfortable conversation about subletting but no notice was given by the landlord and therefore there is no legal basis to find a reduction in housing services. He said that the tenant never actually tried to sublet the unit, which is distinct from other types of decreased housing services such as the demolition of a garage parking space to create an Accessory Dwelling Unit. He said that in this case there is only a tenant's subjective belief that he could not sublet. He said that the lease also would not have supported even a reasonable refusal of a request by the landlord. He said that this is simply a tenant who slept on his rights and presumably was informed by his counsel that he could have sublet the unit with impunity unless it implicated some kind of nuisance behavior. He said that the facts of the decision did not support the conclusion and legal basis applied and asked the Commissioners to reverse the decision.

V. Approval of the Minutes

MSC: To approve the minutes of September 9, 2025.
(Wasserman/Tom: 4-0, Haley abstaining)

VI. Consideration of Appeals

A. 2375 – 24th Avenue, Unit 4

AL250056

The landlord appeals the decision granting in part the tenant's claim for decreased housing services. In the decision, the ALJ found the landlord liable to the tenant for rent reductions totaling \$693.00 plus an ongoing monthly reduction of \$100.00 for leaking windows but denied the tenant's other claim. In the appeal, the landlord argues that the evidence does not support the decision, that the award is excessive, and that she made a good faith effort to repair the windows in a timely manner.

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

B. 416 Bryant Street, Unit 9

AT250060

The tenant submitted his appeal 91 days late because he agreed with the decision and did not think there was an issue until his landlord tried to evict him when he applied the rent credits.

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

The tenant untimely appeals the decision granting his claims for unlawful rent increase and decreased housing services. In the decision, the ALJ found the landlord liable to the tenant for unlawful rent increases in the amount of \$164.42, and \$330.00 for failure to provide weekly common area cleaning. On appeal the tenant claims that the decision contains inaccuracies regarding the rent paid between April and June 2025 and submits additional evidence supporting his claim.

MSC: To accept the appeal and remand the case to the ALJ to consider the evidence regarding the rent paid between April and June 2025.
(Wasserman/Crow: 5-0)

C. 984 Hampshire Street

AL250059

The landlord appeals the decision granting the tenant's claim for unlawful rent increase. In a prior decision, the ALJ found that the landlord had unreasonably refused the tenant's request to approve replacement roommates. That decision reduced the tenant's rent until the landlord granted the tenant's request for two additional occupants and issued a written notice of rent increase to restore the prior rent amount. In the present decision, the ALJ determined that because the landlord failed to serve a notice of rent increase to reinstate the prior rent, the tenant's rent remained at the reduced amount. On appeal, the landlord contends that both decisions were erroneous, asserting that the tenant never requested approval for any specific roommate, that the tenant could have moved in replacement roommates with or without the landlord's approval, and even assuming that the landlord was liable for refusing to allow roommates, he granted approval before the prior decision was issued, which, according to the landlord, automatically restored the prior rent.

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

D. 3042 Sacramento Street, Unit 5

AT250057

The tenant appeals the decision granting the landlord's petition seeking a rent increase pursuant to Rules and Regulations Section 1.21. In the decision, the ALJ determined that the landlord was entitled to raise the tenant's rent pursuant to Section 1.21 because there was no "tenant in occupancy" of the unit at the time the petition was filed on March 6, 2025, as the tenant resided elsewhere and her absence from the unit was not for a reasonable temporary period. In the appeal, the tenant argues that the unit is her principal place of residence, that she was absent from the unit due to family and her own medical emergency, that her medical situation was not fully considered in the decision, and that the landlord has sent her harassing emails so that she would vacate the unit and they could sell the property.

Commissioner Wasserman recused himself from consideration of the appeal because the landlord previously consulted with his law firm on this matter.

MSC: To deny the appeal.
(Tom/Crow: 4-0)

E. 1900 Gough Street, Unit 601

AT250058

The tenants appeal the decision granting the landlord's petition seeking a rent increase pursuant to Rules and Regulations Section 1.21. Neither tenant petitioner appeared for the scheduled virtual hearing. In the decision, the ALJ determined that the landlord was entitled to raise the tenants' rent pursuant to Section 1.21 because there was no "tenant in occupancy" of the unit at the time the petition was filed on May 28, 2024, as the evidence established that the tenants own a home they occupy as their principal place of residence. In the appeal, the tenants argue that the unit is their principal place of residence, that their temporary absence from the unit was due to family illness, that the landlord never notified them that the rent had been increased to \$3,500.00, and declared under penalty of perjury that one of the tenants had not received the notice of the Rent Board hearing and was on a flight when Rent Board staff attempted to reach her.

MSC: To accept the appeal and remand the case to the ALJ to consider the settlement and release agreement submitted to the Commission dated October 14, 2025.
(Wasserman/Crow: 5-0)

IV. Remarks from the Public (cont.)

There were no further remarks from the public.

VII. Communications

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

- A. News articles from Mission Local and the San Francisco Chronicle.
- B. Rent Board Memorandum Regarding Proposed Operational Efficiency for Unlawful Rent Increase Petitions dated October 7, 2025.
- C. Amended Rent Ordinance Section 37.10C, updated Table of Contents, and updated List of Ordinance Amendments.
- D. Departmental workload statistics for August 2025.
- E. Rent Board Response Letter to Commission Streamlining Task Force dated September 26, 2025.
- F. Commission Streamlining Task Force Decision Log.
- G. Rent Board Commissioner Roster Updated September 2025.

H. Rent Board Commission Introductory Remarks, Draft 2.

I. Board of Supervisors File No. 250926.

VIII. Director's Report

Executive Director Christina Varner told the Board that the first batch of the 2026 Housing Inventory and Rent Board Fee Informational Notices for 360,000 units went out the first week of October. Director Varner said that as of October 14, 2025, the department has collected \$230,000 in 2026 Rent Board fees, despite the fee not even having been assessed yet. She said that if owners think their unit might be exempt from the fee and have questions, they should call 311 or submit an exemption request rather than paying the fee first as more department resources are expended by processing refunds. She told the Commissioners that the 2026 Housing Inventory reporting period is in full swing with over 2,700 reports made across 1,000 parcels, with over 2,000 licenses having been issued. Director Varner acknowledged the Inventory & Fee Unit team who are dealing with increased inquiries over email, and escalations from 311 and also to the Public Information Unit dealing with related phone calls and increased inquiries at the front counter. With regard to outreach, Director Varner said that on September 11 she participated in the Professional Property Management Association monthly membership meeting at the Presidio Golf Club discussing decreased housing services and on September 18, San Francisco Apartment Association (SFAA) staff came to the Rent Board to present on SFAA services to Rent Board staff. She said that on September 22 and September 30 the Rent Board participated in trainings to the SF Anti-Displacement Coalition and Housing Rights Committee in both English and Spanish, and on Saturday, October 25, Rent Board staff will table in Cantonese, Mandarin and English at the 20th Annual Chinatown Community Resource Fair, coordinated by the San Francisco District Attorney's Office. Director Varner then updated the Commissioners regarding the Commission Streamlining Task Force. She said that the department and Commissioners received the Commission Streamlining Task Force staff recommendation regarding the Rent Board commission on September 22, shortly before the related Task Force meeting on October 1. The recommendations were to move appellate functions to the Board of Appeals and to institute Rent Board commissioner term limits. She told the Board that the department issued a letter responding to these recommendations that would detriment the agency's functions and, with support from the Commissioners and both landlord and tenant community members, feedback was given to the Task Force members. She said that she provided public comment at the Task Force meeting and responded to questions, and that ultimately, both landlords and tenants coming together on this crucial issue led the Task Force to vote unanimously to maintain the Rent Board Commission as-is. She thanked President Gruber and Vice-President Mosbrucker for leading the charge for the landlord and tenant communities. With regard to legislation, Director Varner said that Supervisor Melgar's Board of Supervisors File No. 231224, originally introduced on November 28, 2023, which would amend the Housing Code to authorize occupants of residential dwelling units to sue a property owner to enforce the prohibition on substandard housing conditions, is still active at the Land Use Committee after Supervisor Melgar twice continued this item to remain active until July 2025. She said that Supervisor Chyanne Chen's BOS File No. 250926, tenant protections related to residential demolitions and renovations, will be at the Planning Commission on November 6 and the Board of Supervisors Land Use Committee on November 17. Director Varner said that three state laws are taking effect on January 1, 2026. She said that Assembly Bill 1414 sponsored by Assemblymember Buffy Wicks, representing Berkeley and other portions of Alameda and

Contra Costa counties, requires that when a landlord arranges or bundles internet service through a third-party provider for building tenants, each tenant must be given the option to opt out of that subscription. She said that Assembly Bill 628, sponsored by Assemblymember Tina McKinnor from Inglewood, states that for new, amended or renewed leases post-January 1, 2026, units must include a stove and refrigerator, both purchased within the prior 10 years, and landlords must maintain them with exceptions for single room occupancy hotel units, supportive housing, and situations where the landlord and tenant expressly agree that the tenant will supply their own appliances. She said that Assembly Bill 246, known as the Social Security Tenant Protection Act of 2025, sponsored by Assemblymember Isaac Bryan of Los Angeles, Creates a “Social Security Hardship” affirmative defense in unlawful detainer cases based on nonpayment of rent such that if a tenant’s Social Security benefits are delayed, reduced, or interrupted due to the action or inaction of the federal government, and the tenant is not at fault, the court must stay the eviction until the earlier of: (a) 14 days after the tenant’s Social Security benefits are restored, or (b) six months after the stay is issued. Once benefits resume, the tenant must pay the back rent or enter a payment plan within 14 days; if they do, the court must dismiss the case or set aside the judgment. The law expires on January 20, 2029.

Director Varner told the Commissioners that Senior Administrative Law Judge (SALJ) Koomas, would provide them with information on Supervisor Chen’s Tenant Protection Ordinance. SALJ Koomas told the Commissioners that they received a copy of Board of Supervisors (BOS) File No. 250926, which is legislation that was recently amended. He said that Mayor Lurie introduced the Family Zoning Plan in July 2025, which is a major zoning proposal that would allow larger and denser housing Citywide and is intended to meet state housing targets and preempt any kind of state-imposed up-zoning. He said that on September 9, 2025, Supervisor Chen introduced a companion measure, BOS File No. 250926, to try to mitigate displacement risk. He said that this Ordinance amends both the Planning Code and the Rent Ordinance to implement and expand upon tenant protections that already exist in state law. He said that under this proposed legislation, before any demolition permit is issued, the property owner would have to agree to replace every rent-controlled or otherwise protected unit with a comparable unit in the new project and any units occupied by lower-income tenants would have to be replaced with housing that is affordable to that same income level as the tenant that was displaced. He said that this legislation also adds a brand new just cause for eviction to the Rent Ordinance, allowing eviction only when a permitted redevelopment project requires demolition of an entire building and only after all of the tenant protections are met and approved with the Planning Department. He said that tenants must also be allowed to stay in the building until six months before construction begins or three months if there are lower-income households, and evictions would be banned during the school year for families with children or for educators. He said that the Ordinance requires property owners to offer all of the displaced tenants a right of first refusal to a comparable unit in the new building if it’s a rental project. For lower-income tenants, the comparable unit must be provided at the tenant’s previous rent or at an affordable rent, whichever is lower; and if it is a condominium ownership project, it would have to be offered at an affordable ownership cost. He said that property owners must provide relocation assistance that is equivalent to Ellis Act payments for all tenants regardless of income, but for lower-income tenants, which is defined as any household that’s below 80% of the area median income, they are entitled to additional relocation assistance for up to 42 months or until they are offered a replacement unit in the new building. He said that this could take three different forms – the landlord has the option of either

providing the displaced tenant with a substitute unit at their old rent or providing a standardized monthly payment that uses a formula, or an individualized relocation aid which uses a different formula under state law. He said that landlords can petition for financial hardship with the Rent Board, and then after a hearing the Rent Board ALJ could approve a payment plan or some other reasonable relief. He said that the Ordinance also adds several other Rent Ordinance amendments, for instance requiring new written disclosures in buyout agreements that advises tenants of the rights they would forfeit if the property is redeveloped after they move out. He said it also establishes a rebuttable presumption that if a tenant vacates within one year after receiving an OMI eviction notice they did so because of that notice even if the notice was rescinded. He said that the Ordinance also directs the Rent Board to hold hearings on certain tenant harassment claims. He said that a tenant or former tenant could file a harassment report with the Rent Board if they believe the landlord tried to force them out of their unit. If specific criteria are met, the Rent Board would have to schedule an investigative hearing before an ALJ within 45 days. SALJ Koomas said that the ALJ would issue findings on whether harassment occurred and whether the tenant has already vacated due to harassment, and that either party could appeal to the Commission. He said that there are also changes for Capital Improvement evictions. He said that currently all tenants get a one-time standardized payment no matter how long they are displaced. He said that under the new proposal, if a lower-income tenant has to vacate for more than three months, they would be entitled to an additional monthly payment for up to 42 months that covers the difference between their former rent and either an affordable rent standard or their actual temporary housing cost, whichever is less. He said that tenants seeking assistance would have to file a form with the Rent Board verifying their income and household size, and then the Rent Board would calculate the additional payment owed and notify both parties. He said that landlords could also request a hardship hearing before a Rent Board ALJ if those payments would cause financial hardship. He said that he will continue the discussion at the next commission meeting on November 18, 2025 since the legislation will go before the Land Use Committee the day before the commission meeting and there could be some amendments.

IX. Old Business

A. Outreach Regarding Commission Procedures

Commissioner Mosbrucker said that Commissioner Hung's edits contained in draft 2 of the Rent Board Commission Introductory Remarks were a good paring down of the content and was ready to be implemented, and no Commissioners objected. Board Secretary Texidor said that she would use the new introductory remarks at the November 18, 2025 commission meeting.

X. New Business

There was no New Business.

XI. Calendar Items

November 18, 2025 – regular in-person meeting at 25 Van Ness Ave, Room 610.

Reader of the Ramaytush Ohlone Land Acknowledgement – Commissioner

Qian.

A. Consideration of Appeals

a. 5 appeal considerations

B. New Business

a. Proposed Operational Efficiencies for Unlawful Rent Increase Petitions

XII. Adjournment

Vice-President Mosbrucker adjourned the meeting at 6:57 p.m.