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Rent Board Convention Questions & Answers for 2016

1. Tell us something about yourself and why you have decided to consider running for Rent Stabilization Board Commissioner.

In March at one of the Berkeley Rent Board meetings one of the commissioners nominated me to run for a Commissioner position. I have experience with Berkeley Rent Stabilization Board being a resident in a rent-controlled apartment for almost 21 years (Berkeley resident since 1991) experiencing landlord tenant issues. I have a real knowledge and concern for those who experience similar issues.

I am a Latina American graduate of Cal Berkeley in Sociology. I am an unpaid private fiduciary and a full-time in-home chore provider (IHSS for 18 years). I participate with the Alameda County Public Health Department Developmental Disabilities Council. I am a disaster preparation advocate. (volunteer with: Berkeley Community Emergency Response Team (CERT) Emergency Medical Service (EMS) Alameda County Public Health. I often advocate for people of low-income, families, seniors, and people with disabilities, homeless, students, and minority groups. Lastly I rescue animals. My consideration to run for Berkeley Rent Stabilization Board is a result of my passion to help others.

As a result of my occupancy in a rent-controlled apartment, I have been forced to be involved in another civil action. Luckily I now have a good attorney. It is very stressful. It has consumed my time and money that I had to borrow.

I fit the criteria for holding the position of Commissioner. Within this role I will be able to use my knowledge, interests, experience, knowledge and passion. As commissioner, I will have the ability to help people who are experiencing tenant issues.

2. How much time are you able to devote to the campaign? A contested campaign can consume 20 hours a week of your time until the election. As a Commissioner, you will be attending one lengthy evening board meeting a month and a minimum of two daytime committee meetings (plus preparation time!) Are your hours flexible? Are late meetings a problem? Can you attend daytime meetings?

I will devote all my time and energy outside of work to this campaign. I need and want this opportunity not for political status, but because I believe in this passionately and want this opportunity to help others. I will be able to attend the lengthy meetings, day or night and will be able to prepare for these meetings.

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3. What experience have you had with Berkeley's rent control ordinance, the Rent Board's staff, or the elected Board?

I have experience with both Berkeley's rent control ordinances and a few of the Rent Board staff regarding problems with my landlord (refusing roommates, rent ceiling, base occupancy, rent reduction, rent increase, and pass through fees). I have had all of my petitions end in my favor, except for an occupancy determination. The staff were useful in referrals and guidance to all of my issues explaining my option. My interest in these issues has prompted me to attend different important committee meetings such as the 4x4, habitability, and meeting on evictions, which has led me to the beginning to becoming familiar with elected board members.

4. Tell us about at least three issues that you consider important to tenants in Berkeley.

Berkeley's Rent Ordinance encompasses all of these, however in order of importance

- 1.) Tenant's rights--(Ord. 5467-NS § 3, 1982; Ord. 5261-NS § 3, 1980 Section 13.76.030
- 2.) Sustainability, habitability & repairs, and outreach communication.
- 3.) Evictions and variations of affordable housing and variations of
- 4.) Keeping the rent board. Some members of Berkeley Property Owners Association (BPOA) are trying to abolish Berkeley Rent Stabilization Board. I believe my landlord is the current President of this organization.

5. What is the role of the Rent Board Commissioners? What powers do they have? What changes do you think should be made in how the Rent Board operates?

The Rent Board Commissioner's role, although pro-tenant, would be to stay fair for both landlords and tenants and to stay true to the Ordinances and Guidelines set forth by Berkeley Rent Stabilization Board. Powers include (per 13.76.060 Letter F):

F. Powers and duties. The elected Rent Stabilization Board shall have the power to determine, to arbitrate and to set rent levels, whether through general or individual adjustments, of any unit which has controlled rents under any Berkeley Ordinance, and to administer any Berkeley program which regulates rents and evictions.

Most of the Commissioner's work is performed at the Committee meetings. The Board discusses the issues and comes back to the Committee with recommendations. In addition, Commissioners can hold hearings, set rent ceilings, make adjustments to rent ceilings, report to City Counsel annually on status of rental housing units, remove rent controls, administer oaths and affirmations, subpoena witnesses and relevant documents, intervene as an interested party in any litigation brought before a court of appropriate jurisdiction by a landlord or tenant with respect to rental units covered.

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Current suggestions for changes to the rent board would be to have counselors that are specifically dedicated to either pro tenant or pro landlord positions and to locate these separate counseling sessions in separate quarters for confidentiality purposes.

More importantly, even though it is not the duty of the Rent Board, it is necessary (because tenants are faced with legal actions so frequently and Landlords know that tenants do not have money for this and may use this to drive tenants out), that the rent board should have the ability to make legal referrals to affordable attorneys.

For example, public defenders are provided to those who cannot afford attorney. Although there is the East Bay Community Law Center and Eviction Defense Center, people still do not fit in their financial criteria, so they are turned away as a result. It is very costly to pay attorney's fees. There are way too many incidences of abuse by landlords and tenants may just decide to give up. Too much money and time is spent on defending tenants' rights to be in their own home. Tenants should not be denied legal representation, nor should they have to support or defend themselves against landlords in frivolous lawsuits that only subject tenants to further financial insecurity and unnecessary loans causing them great hardship. It is reprehensible on the part of a landlord who does this. Penalties should be given to those landlords and possibly sanction attorneys who bring such suits. In addition, only specialized attorneys can help in these civil claims (they are not eviction cases that attorneys are used to like unlawful detainers). Tenants in these circumstances cannot even have use of the self-help at the court house for such civil suits. Not everyone can understand what is happening to them or why. How to answer discovery or even propound. This just seems to me to be unfair to have landlords with big pockets pressure those with small. Another importance of having the Rent Stabilization Board there in support.

The Berkeley Rent Stabilization Board is not an enforcing agency.

5. (a) **How do you feel about affordable housing?**
 (b) **What do you think about low-income housing?**

It's the entire point of the Berkeley Rent Board Ordinance established. I firmly believe and support in both Affordable and low-income housing. To that end, I have a sister who lives in low-income housing specific for adults with disabilities. I can attest to what it is about, how it helps people in need, and how important that is to these populations that there are designated.

Decent and affordable housing are human inalienable rights. I can as well attest to what happens when you do not have housing. During my upbringing (elementary school, Jr High and in High School) my family experienced homelessness and displacement as a result evictions and just not being able to afford the rents always rising. We lived in trailers and cars. It was disruptive being

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displaced and having to miss school and go to another school with new people and classes in the middle of a school year. Not knowing where you will be the next day. Losing all of your friends. Being in the cold.

Affordable or low income housing prevents homelessness and strengthens our communities.

6. The Berkeley Housing element says, "Ensure that below-market-rate housing is distributed as evenly as possible throughout the community." We want to emphasize that this question is unsettled area and there are no right or wrong answers.

What are the pros and cons of distributing low-income units as parts of new projects?

Pros: Given the rising level of homelessness and displacement as observed in gentrification, with low-income housing instituted, there would be more housing for people and it would help alleviate great disparity (there is a great need for housing). Since 2009, rents in the Bay Area have gone up by 50%. Instead of falling victim of disparity, these projects would give people a sense of community thereby allowing for community members to add to their community. It would as well give them a stable living situation. Landlords do not make the community; it is the people who occupy the landlord's units.

Cons: No one wants these projects in their backyard. People are afraid of the crime rate going up (this is a falsity because there are special requirements to ensure eligibility for such housing). Also, there are crime free addendums that can be added to tenants lease agreements. This ensures people not to do criminal activities, and/or not to be eligible. In addition, there may be problems with class disparity. Landlords may fear that their homes surrounding the immediate areas of these special housing projects will depreciate in value by way of proximity. Lastly, these special units are targets for harassment by others in the neighborhoods, in the community or by landlords themselves. These units require special management. It is a lot of work and only caring people (advocates for the disenfranchised or minorities eligible tenants for these projects) who understand the laws and whom are knowledgeable and experienced, should hold such positions.

What are the pros and cons of using set-aside fees from those projects to build mixed low- and medium-income buildings around the city?

Pros: This would be great. More available housing for people. Even though this will not solve the problems of housing or the economic divide in its totality, something must be done and programs like these can help.

Cons: Where would these set aside fees come from?

Monies set for these projects are used by developers for their own projects and these much needed low-income or affordable housing projects never get built. The delay in building construction of special housing results in the displacement of the disenfranchised. All of the poor people will have

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already left and community is gone.

7. Is a pro-tenant Rent Board capable of treating both large and small landlords fairly? Explain.

Yes. As long as the landlords, small or large, follow the Ordinances, there should be no problem. In addition, tax exemptions are given for total number of propertyunits owned.

8. How do you think that rent and eviction controls are related to homelessness? Can the Rent Board have any effect on the homeless situation?

I think that there is a direct link to homelessness with regards to rent and eviction controls. Places that do not have them end up with more evictions and homelessness. Without it, I believe that we would see a lot more homelessness. Another reason why we need to keep Berkeley Rent and Eviction controls.

9. What do you consider to be your constituency or base of support? What organizations are you affiliated with? What qualities would you bring to the slate?

I participate with the Developmental Disabilities Planning and Advisory Council, Berkeley Community Emergency Response Team (CERT); Alameda County Public Health Department EMS; and am part of the SEIU, United Long Term Care Workers Union(ULTCW); I would bring caring qualities, a perspective that is unique and encompasses many trials and groups of people. I am an advocate for many. I represent many workers and their families. I would like to contribute to the slate by helping by supporting anti-harassment regulations, habitability, outreach, tenant's rights,and evictions.

Qualities that I have are real experience with Rent Board petitions and landlord issues. Personally I am energetic, compassionate, a fighter, committed, open-minded, hardworking, dedicated, enthusiastic, and sensible. I have had mediation training.

10. Please check links on our website (berkeleytenantconvention.net) to two potential ballot measures affecting tenants that will be on the ballot in November: (a) Safe and Affordable Homes tax, and (b) Amending Measure Y to increase relocation payments and prevent family evictions during the school year. Explain your position on both.

(a) Safe and Affordable Homes tax:

I think that the owners will not like it, however, it would not affect all owners (tax exemptions for certain housing criteria). I think that this is a great idea. There is so much disparity, something must be done. This is plausible and a way to help solve (the right direction) the problem with our affordable housing deficit.

(b) Amending Measure Y to increase relocation payments and prevent family evictions during the school year.

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I am for the Measure Y to increase relocation payments and prevent family evictions during the school year. It is a no brainer. A sound relocation fee for the inconvenience to losing one's home also sounds fair to me as it is no small task to move. No child or family should have to go through an eviction during a school year. It is really disruptive and does great harm to the family. Stress, health and financials are all affected, people are displaced and lose not only their home, but what was once their community. This is a direct link to homelessness. A sensible financial relocation fee will help set off moving costs not otherwise needed (Truck rental, gas money, maybe even help with first month's rent etc.). For someone like myself who has experienced this in my upbringing more than several times, I know how important this is and feel strongly about it. I support this necessary amendment. Lastly, this will make a landlord really think whether they really would like to evict.

11. The Convention asks all candidates to sign a pledge to not run against or endorse against the slate the Convention selects. Will you sign it? Do you think that the pledge is important? Do you think it's fair?

Since this is the process, I see no problem with this pledge and I would sign it. I do believe that a pledge is important. Being together on this common goal of a pro-tenant slate is more important than winning or being out for yourself.

12. If you are nominated by the convention, will you agree, in concert with other slate members, to hire a coordinator with full authority to make campaign decisions in consultation with the slate? The slate will retain the power to determine an overall budget and replace the coordinator.

If it is in concert with the slate, yes. Again, if this is the procedure, then I have no problem with it. It would behoove us to have a leader with the power to make decisions, however, if this coordinator with full authority did not fulfill the job, or didn't go along with the entire slate, then it would be good for the slate to have the power to have a new coordinator put into place.

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