

PASADENA RENTAL BOARD
DECEMBER 6, 2023

RENTAL HOUSING BOARD MEMBERS
ROLES AND RESPONSIBILITIES



PURPOSE

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- To provide PRHB members with basic good governance training related to their role as board members

CHARTER AMENDMENT

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- Pasadena Rental Housing Board created by voter approval of The Pasadena Fair and Equitable Housing Charter Amendment (Article XVIII)
- All powers and duties of the Board derive from the Charter Amendment
- The Board cannot exercise powers or duties that are not specifically authorized by the Charter Amendment

POWERS AND DUTIES

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- Section 1811 of the Charter Amendment specifies the powers and duties of the PRHB some of which include
 - ▣ Issuing rules and regulations for administration and enforcement of Charter Amendment
 - ▣ Setting allowable rent increases
 - ▣ Establishing a budget for the implementation of the Charter Amendment
 - ▣ Appointing hearing officers to conduct hearings on petitions
 - ▣ Acting as an appellate body for appeals of hearing officer decisions
 - ▣ Establishing schedule of penalties
 - ▣ Other duties as necessary to administer and enforce the Charter Amendment

INTEGRITY AND AUTONOMY

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- Section 1811(m)
- The PRHB is an integral part of the government of the City but exercises its powers and duties under the Charter Amendment independent of the City Council, City Manager and City Attorney, except by request of the Board.
- PRHB has sole authority over the policy decisions related to the implementation of the Charter Amendment but as an integral part of the City is subject to the provisions of the Charter that do not conflict with the Charter Amendment

BOARD MEMBER RESPONSIBILITIES

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- As the implementing body for the Charter Amendment PRHB members should
 - ▣ Be familiar with the Charter Amendment
 - ▣ Attend meetings
 - ▣ Prepare for meetings by reviewing materials provided, asking staff or consultants for clarification, if necessary
 - ▣ Participate in meetings respectfully
 - ▣ Comply with the adopted rules of conduct for the PRHB

BOARD MEMBER RESPONSIBILITIES

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- Complete time sheets accurately and in a timely manner
- Complete Fair Political Practices Act Disclosure forms annually, upon taking office and upon leaving office (Form 700)
- Recognize when a potential conflict of interest may exist and seek guidance on proper action
- Comply with the Brown Act with regards to conduct of PRHB business in order to not violate open meeting laws –
 - Limit communications among board members regarding PRHB business outside of noticed meetings
 - Limit social media regarding PRHB business
- Attend mandated ethics training once every two years

BOARD MEMBER RESPONSIBILITIES- MEETING CONDUCT

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□ Meeting Participation

- ▣ All points of view should be heard- important policy decisions needs to consider all view points and decisions will be stronger if all views are considered
- ▣ Disagreement is to be expected but disagreement with a particular view should be expressed respectfully avoiding personal attacks
- ▣ PRHB should be cognizant of expressing their views succinctly in order to ensure that everyone has a chance to speak
- ▣ Avoid interruption

LEGISLATIVE VERSUS QUASI-JUDICIAL ROLES

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- The PRHB has two distinct roles under the Charter Amendment:
 - ▣ Legislative – i.e. adopting regulations
 - ▣ Quasi-Judicial - Section 1815(j) any person aggrieved by a decision of a hearing officer may appeal to the full Rental Board

LEGISLATIVE VS QUASI JUDICIAL

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- Legislative decisions have general applicability to all persons similarly situated.
 - ▣ In making legislative decisions, PRHB members are expected to weigh the general interest of the community and act in each members best judgment of what is consistent with the Charter Amendment and in the best interest of the community
- Quasi-judicial decisions
 - ▣ PRHB is acting as a judge
 - ▣ Reviewing decisions that apply to a particular person or group of people and a particular set of facts and applying the laws to that set of facts
 - ▣ Required to ensure that due process is provided to the parties
 - ▣ Decisions must be based on the evidence provided to the PRHB and should be linked to that evidence

BOARD ROLE VS STAFF ROLES

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- The Board and Staff have overlapping areas related to implementation of the Charter Amendment but with different emphasis
- Board Role
 - ▣ Set policies and budgets
 - ▣ Hold staff accountable for implementation of policies
- Staff Role
 - ▣ Implement the policies and budget approved by the Board
 - ▣ Manage and administer the Rent Stabilization Department
 - ▣ Make recommendations to the Board regarding policies and procedures
 - ▣ Provide the Board with technical analysis and information to assist in good decision making

BOARD ROLE VS. STAFF ROLE

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- Board Interaction with Staff
 - ▣ The Department Director supervises and directs staff, not the Board
 - ▣ Board members should always treat staff respectfully
 - ▣ Staff can be a resource for the Board for information but the Board has to respect the staff need to do their assigned jobs

RESOURCES

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- Institute for Local Government - <https://www.ca-ilg.org/>
 - ▣ Materials on Leadership and Governance, Effective Meetings and responsibilities of public service
- CalCities-<https://www.calcities.org/>
 - ▣ Information on Brown Act, Conflicts of Interest and municipal governance