

NOTES OF THE MEETING – **COMMITTEE OF THE WHOLE**
BOARD OF COMMISSIONERS
HOUSING AUTHORITY OF THE
CITY OF OAKLAND, CALIFORNIA
HELD THURSDAY, OCTOBER 7, 2004

As a quorum was not present, members of the Oakland Housing Authority Board of Commissioners convened as a Committee of the Whole in lieu of a Special Meeting /Work Session in the Commissioners Room, 1619 Harrison Street, Oakland, California on the above date. Vice Chair Alfred Lee presided and called the meeting to order at 2:10 P.M.

I. Roll Call

Commissioners present were Alfred Lee and Marion M. Mills. Chair Moses L. Mayne, Jr. arrived late. Commissioners Pittman, Shelby, Taylor and Winnie were excused.

II. Modifications to the Agenda

There were none.

III. New Business

A. Briefing and discussion of status of public housing evictions. (Tape Sides A & B: Queue 7 - 1062)

Mr. Jon Gresley, Executive Director, distributed a handout to the Commissioners, which pertains to the Unlawful Detainer Action. He noted that Mr. Tim Jones, Director of Housing Management, put together the analysis on the handout. He called upon Mr. Jones to make the presentation.

Mr. Jones discussed the Unlawful Detainer Action cost trends. He pointed out that the report started with fiscal year 1998-1999. Significant events that occurred in 2001-2002 were (1) the decision in the OHA vs. Rucker case; (2) the transfer of responsibility for the Authority's cases from the City Attorney's Office to private attorneys; and (3) the adoption of the "For Cause Guidelines" by the Authority's Board of Commissioners. In the Rucker case, the Supreme Court reversed the decision of the Ninth Circuit Court of Appeals and ruled in favor of the Authority in that the Authority could evict any household for actions of their guests or friends even if the tenant did not have knowledge of the activity. Mr. Jones discussed the For Cause Eviction Guidelines. He said that Authority staff abides by these guidelines.

Mr. Jones also discussed cause actions vs. rent actions in 2002/2003. He noted that the Authority received back about 37 cases from the City Attorney's Office. Discussion ensued. Mr. Gresley pointed out that the Authority is one of the few housing authorities in the country that has a police department. He said that the Authority's police department often plays a key role in gathering information related to evictions, preventing cases from going on for years and from incurring a huge amount of attorney's fees and court expenses. Mr. Jones discussed the process of rent actions. Further discussion ensued.

Mr. Jones continued his presentation and discussed the cause actions vs. rent actions for FY 2003/2004. Mr. Jones discussed the problem cases that are non-criminal breaches. He mentioned the very unusual social service remedy that was imposed by one judge in the case of a rent action.

Mr. Jones described plans to issue an RFP for legal services that will attempt to impose some cost controls. He also described the effects on the Authority of Measure EE. Discussion ensued.

Mr. Jones, in conclusion, said that the trend is toward more Unlawful Detainer cause actions for non-criminal breaches and quality of life issues, and fewer for violent criminal activity. Again, discussion ensued. Mr. Gresley noted that the recommendation to the Board for the proposal of the new legal services contracts would possibly be in either December 2004 or January 2005.

IV. Recognition of people wishing to address the Commission.

Mr. Henry Flowers of 620 17th Street, Oakland addressed the Commission. Mr. Flowers urged better communication between the staff and the housing residents. Mr. Gresley said there is an OHA newsletter that is published quarterly. Mr. Gresley noted that there are fewer resources among staff to provide more information to the housing residents. Mr. Flowers said that handouts could be provided to the housing residents during one of the yearly events like the Holiday Splendor.

V. Adjournment

Without any further business, the meeting was adjourned at 3:32 p.m.

Chair

Secretary