

60-62 Carmelita – District 8

The Rent Board shows that on 12/31/2015, an owner move-in (OMI) was filed. The *Settlement Agreement and Mutual Release* provided by the property owner states that the tenants received a settlement of \$2,850 for their cooperation and release of claims; the tenants waived and relinquished any claim that either of them was disabled or a member of any protected class of tenants; and that the agreement was executed voluntarily by Tenant and Landlord and that the agreement is not a buyout agreement.

The Historic Preservation Commission recommended the Mills Act application to the BOS on October 4, 2017. The HPC recommended revisions to the Rehabilitation and Maintenance plans, specifically: Scope #4, Installation of garage. While the garage installation was approved by the HPC through Motion No. 0298 on January 18, 2017, including this work in the Mills Act Rehabilitation plan does not conform to the overall purpose and intent of the Mills Act Program. Installing a garage is not necessary to rehabilitate and preserve the building.

The HPC does not consider move-in eviction information when reviewing an application and making recommendations on a proposed application as it is beyond the scope of the Commission's purview. Its primary concern is whether or not the proposed rehabilitation and maintenance plan will ensure the future preservation of the historic building.

The approval of the Mills Act Contract is a discretionary action by the Board of Supervisors.

Regarding whether OMI information can be taken into consideration in relation to approval/disapproval of a Mills Act Contract, the City Attorney is still researching if this would be allowable.