

1 Law construed:
2 Ordinance Sections: 37.2(r)&(t)
3 Rules and Regulations Sections: 1.21; 5.10; 11.18
4 Index Code: A49

5 **RESIDENTIAL RENT STABILIZATION AND ARBITRATION BOARD**
6 **CITY AND COUNTY OF SAN FRANCISCO**

7 IN RE: 1150 UNION STREET, UNIT #604

CASE NO. L221385

8 V&L UNION, LP

HEARINGS: FEBRUARY 1, 2023 and
APRIL 24, 2023
RECORD CLOSED: MAY 9, 2023

9 LANDLORD PETITIONER,

10 and

DECISION

11 VICTORIA MILLER,

12 TENANT RESPONDENT.

13 **INTRODUCTION**

14 This case involves a landlord petition filed on November 9, 2022, seeking a
15 determination of whether the tenant respondent is a "tenant in occupancy" of the subject unit
16 under Rules and Regulations Section 1.21.

17 An initial remote arbitration hearing by audio/video conference was held on February 1,
18 2023. At the initial remote arbitration hearing, the following people appeared: Curtis Dowling,
19 attorney representative for landlord V&L Union, LP; Renee Voss, property manager; Victor
20 Wierzbicki, resident manager; Tava Miyata, witness for the landlord; and Victoria Miller, tenant
21 respondent. At the initial hearing, the parties had full opportunity to present relevant evidence and
22 argument under oath. The parties did not conclude their presentation of evidence at the initial
23 hearing, so a continued hearing was needed.

24 On February 8 and 10, and April 21, 2023, submissions were received from the landlord,
25 and on February 9, and April 24, 2023, submissions were received from the tenant.

26 A continued remote arbitration hearing by audio/video conference was held on April 24,
27 2023. At the continued remote arbitration hearing, the following people appeared: Curtis Dowling,
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1 attorney representative for landlord V&L Union, LP; Renee Voss, property manager; Tava Miyata,
2 witness for the landlord; Victoria Miller, tenant respondent; and Greg Sieck, witness for the
3 tenant. At the continued hearing, the parties had full opportunity to present relevant evidence and
4 argument under oath.

5 The record was held open until May 2, 2023 for the submission of additional evidence
6 by the landlord and tenant, and until May 9, 2023 for any optional response by either party.
7 On May 2, 2023, submissions were received from the landlord and tenant, and on May 8, 2023, a
8 response to the landlord's submission was received from the tenant. The record closed on May 9,
9 2023.

10 RELATED RENT BOARD CASE

11 On July 13, 2017, the landlord filed a petition in Rent Board Case No. L171323
12 regarding the tenant respondent in the instant case, seeking a determination of whether the
13 tenant respondent was a "tenant in occupancy" of the subject unit under Rules and Regulations
14 Section 1.21. On November 15, 2017, the landlord withdrew the petition in Rent Board Case No.
15 L171323. Administrative notice is taken of the file in Rent Board Case No. L171323.

16 FINDINGS OF FACT

17 1. The subject property is located at 1150 Union Street, Unit #604, in San Francisco.
18 The building has 51 residential units. V&L Union, LP (hereinafter the "landlord") has owned the
19 property during the relevant time period. Subject unit #604 is a one-bedroom apartment.

20 2. Both parties provided testimony and submitted documentation in support of their
21 respective arguments. Given the volume of documents submitted into evidence, the parties were
22 advised by the undersigned Administrative Law Judge to provide testimony as to the relevant
23 documents so they could be reviewed and considered in this Decision. It is noted that the
24 submitted evidence and testimony will be addressed in this Decision only to the extent that it
25 is relevant to the determination on whether the tenant respondent is a "tenant in occupancy" of
26 the subject unit under Rules and Regulations Section 1.21. under the provisions of the San
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1 Francisco Rent Ordinance.

2 3. The tenancy in the subject unit commenced on June 1, 2001 pursuant to
3 a written rental agreement at an initial monthly rent of \$2,200.00. The written rental
4 agreement was submitted into evidence. (Landlord Post-Hearing Submission, received
5 2/8/23, pages 1-12) The parties stipulated that the tenant's current monthly rent is
6 \$2,877.93 which includes garage parking.

7 4. It is undisputed that on July 6, 2016, the tenant and her husband, Greg
8 Seick, purchased a home at 2265 Paradise Drive, Belvedere Tiburon, California for
9 approximately \$2.7 million (hereinafter referred to as the "Tiburon house"). (Attachment
10 to Petition, pages 7-14) The landlord submitted two deeds of trust dated July 6, 2016
11 and April 28, 2021, showing that the tenant and her husband own the Tiburon house.
12 The deeds of trust require that the tenant occupy the Tiburon house as her principal
13 residence for at least one year after the date of occupancy. (Landlord Post-Hearing
14 Submission, received 2/8/23, pages 3-42, see pages 10 and 32)

15 5. It is further undisputed that from the time they purchased the property on
16 July 6, 2016 through December 30, 2022, the tenant and her husband claimed a
17 Homeowners' Property Tax Exemption for the Tiburon house. (Landlord Post-Hearing
18 Submission, received 4/21/23, pages 2-4) Just days before the second hearing on the
19 instant petition, on April 21, 2023, the tenant's husband filed a Homeowners' Exemption
20 Notice of Termination with the County of Marin, Office of the Assessor – Recorder –
21 County Clerk for himself and the tenant for the Tiburon house. The Notice of Termination
22 states that the claimants no longer occupy the Tiburon house as their principal place of
23 residence as of January 1, 2023, and their new principal place of residence is the
24 subject unit. (Tenant Post-Hearing Submission, received 4/24/23, page 4) By letter dated
25 May 4, 2023, the County of Marin, Office of the Assessor – Recorder – County Clerk
26 stated that the Homeowners' Property Tax exemption for the Tiburon house for Victoria
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1 Miller ended as of December 31, 2022. (Tenant Post-Hearing Submission, received
2 5/8/23, page 20)

3 6. Resident manager Victor Wierzbicki testified on behalf of the landlord as
4 follows. He has lived in unit #505 of the subject building since 2012, and has been the
5 resident manager during that time. He is at the building 340 days per year. He knows the
6 tenant. For the last three years, he has only seen the tenant at the subject building
7 approximately once every three months in the common area. Five to seven years ago he
8 saw the tenant at the subject building more frequently. He handles tenant repair
9 requests. In the last three years, he recalled one repair request from the tenant on July
10 6, 2022 for a window repair, and another request, which came two or three weeks before
11 the initial hearing in this case, for her bedroom window. Prior to that, he does not recall
12 the last repair request from the tenant. Tenants typically have a few repair requests per
13 year. The tenant's unit is older.

14 7. Tava Miyata testified on behalf of the landlord as follows. She has been a
15 private investigator for Neilson McRitchie Investigators since 2010. In July 2022, she
16 was hired to investigate the tenant's principal place of residence. She used investigative
17 online data websites to research the principal place of residency for the tenant. She
18 issued reports dated August 29, 2022 and January 30, 2023, both of which conclude that
19 the tenant's principal place of residence is the Tiburon house, not the subject unit.

20 (Landlord Post-Hearing Submission, received 2/10/23, pages 3-204) In reaching this
21 conclusion, she relied on the following:
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- 23 • address history databases which show the tenant associated with the
24 Tiburon house from June 28, 2016 through January 24, 2023, and the
25 subject unit from May 1, 2001 through December 2, 2022 (Landlord Post-
26 Hearing Submission, received 2/10/23, pages 14-20, 155-156). Ms.
27 Miyata testified that in her experience the most recent dates usually
28 indicate a person's principal place of residence;
- telephone databases showing the tenant's current address as the Tiburon
house (Landlord Post-Hearing Submission, received 2/10/23, pages 20-
22, 156-161);

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- real property ownership records showing the tenant owns the Tiburon house (Landlord Post-Hearing Submission, received 2/10/23, pages 23-29, 162-167);
- deeds of trust dated July 6, 2016 and April 28, 2021, which show that the tenant and her husband, Gregory Sieck, own the Tiburon house, and require that the tenant it as her principal residence for at least one year after the date of occupancy (Landlord Post-Hearing Submission, received 2/8/23, pages 3-42);
- homestead exemption that the tenant claimed for the Tiburon house from 2016 through 2022 (Tenant Post-Hearing Submission, received 5/8/23, page 20);
- Department of Motor Vehicles records which show no vehicles listed to the tenant at the subject unit or for the Tiburon house, and show a license issued on May 24, 2010 which expires on May 25, 2025 with no identified address (Landlord Post-Hearing Submission, received 2/10/23, pages 31-33);
- vehicle insurance records that show the tenant as an insured party on three vehicles registered to Gregory Sieck at the Tiburon house (Landlord Post-Hearing Submission, received 2/10/23, pages 34-37);
- text message from Victoria Miller to the landlord on July 28, 2022 requesting the front door code that had been updated two months earlier (Landlord Post-Hearing Submission, received 2/8/23, page 78);
- vehicle sightings database showing four sightings of the vehicle driven by the tenant in Belvedere Tiburon, Stockton, and San Francisco on two occasions (Landlord Post-Hearing Submission, received 2/10/23, pages 37-38);
- internet searches including Facebook, Instagram, Linked and Twitter in posts which identify the tenant as living in Tiburon, including a now deleted Facebook post dated May 26, 2016 which states "Happy bday for real. This is going to be our house on Paradise, Tiburon," and "sold Mill Valley house in January ... just got this." (Landlord Post-Hearing Submission, received 2/10/23, see pages 123-124);
- Resident history for the subject unit which shows it associated with the tenant in the initial report from May 16, 1992 through June 3, 2022, and in the updated report from May 1, 2001 through June 28, 2016 (Landlord Post-Hearing Submission, received 2/10/23, pages 148-152, 182);
- Resident history for the Tiburon house which shows it associated with the tenant from June 28, 2016 through January 30, 2023 (Landlord Post-Hearing Submission, received 2/10/23, pages 193-204); and
- Voter registration records that show the tenant's registered address is the

1 subject unit, and that she last voted in the November 8, 2022 election.
2 (Landlord Post-Hearing Submission, received 2/8/23, pages 168-175).

3 8. Rene Voss, the property manager, testified as follows. Her office is in unit
4 #303 of the subject building, and she is there Monday through Friday, from 8:00 a.m. to
5 5:00 p.m. She lives two blocks away, and has a garage parking spot in the subject
6 building garage. She parks in a garage different than the one used by the tenant, but she
7 walks by the tenant's parking spot every day when she takes out the garbage. She did
8 not see the tenant's car parked in the garage in 2020 and 2021. Since 2022, she has
9 only seen the tenant's car parked there on July 28-29, 2022, and on February 1, 2023,
10 the date of the first hearing on the instant petition.

11 9. Property manager Voss further testified as follows. She knows all of the
12 tenants in the building, and sees some of them multiple times a week, and others
13 multiple times a month. She sees all tenants at least once a month, except the tenant
14 petitioner, who is the only outlier that she does not see. From January 2020 through the
15 date of the hearing, she saw the tenant only one time on the elevator at the building and
16 introduced herself. On one other occasion, she saw the tenant's husband by the
17 mailboxes. In the last three years, the tenant has made repair requests for a window on
18 an unspecified date and the stove burner on September 2, 2021. On May 28, 2022, the
19 landlord changed the front door code. Two months later, the tenant texted property
20 manager Voss on July 28, 2022 requesting the new code. (Landlord Post-Hearing
21 Submission, received 2/8/23, page 78) While most tenants use the code, it is possible to
22 still use the key for the front door. Approximately three weeks before the first hearing on
23 the instant petition, property manager Voss went into all of the units in the building to see
24 if the windows were painted over. While she was in the tenant's unit, she saw the
25 bedroom had a bed, chair and television, clothes in the closet, the living room was
26 basically furnished, and there was artwork in the unit.

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28 10. Property manager Voss further testified as follows. In July 2017, the

1 landlord filed a Rent Board petition in Case No. L171323 under Rules and Regulations
2 Section 1.21 because they did not believe that the tenant was living in the subject unit. In
3 preparation for that case, the landlord had Neilson and MacRitchie Investigators prepare
4 a report, in which they concluded that the tenant's husband Gregory Sieck's principal
5 place of residence was the Tiburon house. (Landlord Post-Hearing Submission, received
6 2/8/23, pages 43-78) The petition in Case No. L171323 was withdrawn because property
7 manager Voss' father, who was a partner in the landlord limited partnership, had
8 Parkinson's disease and they were unable to pursue it.

9 11. The tenant testified as follows. Her mother lived in unit #805 in the subject
10 building from 1980 until her passing in 2013. The tenant moved into subject unit #604 in
11 2001. She has considered the building home for over 42 years. When she was single,
12 she knew all five neighbors on her floor, but now she only knows one neighbor, whose
13 name she did not recall.

14 12. The tenant further testified as follows. She married Greg Sieck in 2014. In
15 approximately 2016, she and her husband lived together in the subject unit for
16 approximately seven to nine months while looking for a home to buy. On July 6, 2016,
17 she and her husband purchased the Tiburon house. Her husband's principal place of
18 residence has not been the subject unit since they purchased the Tiburon house. Her
19 husband took the homeowners' exemption on their Tiburon house, which she was not
20 aware of. She did not recall if she signed the deeds of trust for the loan documents in
21 2016 and 2021 on the Tiburon house. Her husband handles all of their financial affairs.
22 She did not know if she receives mail at the Tiburon house, other than a magazine.
23 During the COVID pandemic, she and her husband spent less time in San Francisco.
24 She has friends in Marin County, but that does not mean she does not live in the subject
25 unit. She has never had a California driver's license with the Tiburon house address.
26 The tenant objected to the landlord's records of vehicle sightings. (Tenant Post-Hearing
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1 Submission, received 2/9/23, page 23)

2 13. The tenant further testified as follows. She is a self-employed, freelance
3 artist working in San Francisco, and she and her husband both do business in San
4 Francisco, and go to events and hang out there. She could not estimate how much time
5 she spends working in the subject unit or whether she spends most of her time with her
6 husband. She and her husband own a business called Paradise Partners, LLC, and they
7 use the subject unit as their business address, and operate the business out of the
8 subject unit. The dba for their business is Sola Salon Studios, which is located at 650
9 Market Street, 2nd Floor, San Francisco, and sublets commercial space to beauty
10 professionals. The subject unit also serves as her art gallery, and she entertains friends
11 at the unit before ballet, dinner or art events. She did not know if she and her husband
12 deducted rent from the subject unit on their business taxes. They both work out of the
13 subject unit and the Tiburon house, and have no habit of when they work at either
14 location.

15 14. The tenant initially refused to answer questions from the undersigned
16 Administrative Law Judge regarding how often she slept in the subject unit from 2018
17 through 2022, arguing that it was intrusive. Ultimately, the tenant answered that
18 question, and further testified as follows. She sleeps in the subject unit one to seven
19 times per week, the frequency varies, she has no habit, and her pattern is in flux all of
20 the time for unspecified reasons. In 2022, she slept in the unit on the lower end of the
21 one to seven times per week range because of the COVID pandemic and the condition
22 of the city. Her estimate was the same for 2023. She could not estimate the number of
23 nights she slept in the subject unit from 2016 through 2019. The subject unit is more her
24 office, and she brings people there to see her art. She works at the subject unit more
25 than she sleeps there, and her social and work life at the subject unit. She keeps clothes
26 and art at both the subject unit and the Tiburon house, and she and her husband live at
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1 both places.

2 15. The tenant further testified as follows. She makes online purchases
3 through Amazon, which have been delivered to the Tiburon house since 2020 because it
4 is easier to send them there than to the subject unit due to package theft. She could not
5 estimate the percentage of credit card purchases in San Francisco versus Marin in 2022,
6 and declined to provide redacted credit card statements. She has no usual place she
7 buys gas. She did not know the address her husband's Porsche is registered to. All of
8 her doctors and her dentist are in San Francisco.

9 16. The tenant submitted photographs of the subject unit that she testified
10 she took in 2017 related to Rent Board Case No. L171323. The photographs show
11 several plants, her mailbox, a car with a residential parking sticker, and a closet full of
12 clothing, shoes and files/papers. (Tenant Post-Hearing Submission, received 2/9/23,
13 pages 21-22) During the hearing on April 24, 2023, the tenant used her computer
14 camera to give a video tour of the subject unit, which showed artwork on the walls, a
15 closet full of clothes and shoes, several plants, a bedroom with a bed, an office in the
16 dining room, and a small table and two chairs in the living room. The tenant initially
17 declined the undersigned Administrative Law Judge's request to show the contents of
18 her refrigerator, but eventually did so, which showed that it contained salad dressings,
19 soy sauce, and wine. The tenant further testified that she mostly eats fresh food.
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21 17. The tenant submitted the following documents in her name, showing the
22 address as the subject unit:

- 23 a. California Driver License issued March 24, 2015, expired May 25,
24 2020. (Tenant Pre-Hearing Submission, received 2/1/23, page 5);
- 25 b. California Driver License issued May 16, 2020, expiring May 25, 2025.
26 (Tenant Post-Hearing Submission, received 2/9/23, page 5);
- 27 c. Bay Club statement dated December 1, 2022. (Tenant Post-Hearing
28 Submission, received 2/9/23, page 14);
- d. Neiman Marcus CapitalOne statement due January 8, 2023. (Tenant

1 Post-Hearing Submission, received 2/9/23, page 15);

- 2 e. Xfinity bills dated November 22, 2022 and January 17, 2023 for the
3 cable and land line telephone (Tenant Post-Hearing Submission,
4 received 2/9/23, page 6; Tenant Post-Hearing Submission, received
5 5/2/23, page 7);
- 6 f. United Mileage Plus statement dated January 26, 2023. (Tenant Post-
7 Hearing Submission, received 2/9/23, page 13); and
- 8 g. California voter registration confirmation from Headcount, undated.
9 The tenant testified that she printed this voter registration confirmation
10 before the first hearing on February 1, 2023, and that she has been
11 registered to vote using the subject unit address for the last 21 years.
12 (Tenant Post-Hearing Submission, received 2/9/23, page 11)

13 18. The tenant submitted the following documents in the name of her and her
14 husband's business, Paradise Partners LLC, dba Sola Salon Studios, showing the
15 address as the subject unit:

- 16 a. 2021 U.S. Return of Partnership Income Form 1065. (Tenant Post-
17 Hearing Submission, received 2/9/23, page 12);
- 18 b. City and County of San Francisco Business Registration Certificate for
19 fiscal year 2022-2023, DBA Sola Salon Studios. The tenant testified
20 that the business lists the subject unit address because it is close to
21 the business address on Market Street in San Francisco, and
22 because they do business out of the subject unit. (Tenant Post-
23 Hearing Submission, received 2/9/23, page 16);
- 24 c. Lumen invoice dated January 1, 2023 for the business internet
25 service. (Tenant Post-Hearing Submission, received 2/9/23, page 18);
- 26 d. SFMTA residential parking permit dated January 8, 2023. (Tenant
27 Post-Hearing Submission, received 2/9/23, page 10); and
- 28 e. Comcast Business bill dated January 19, 2023. (Tenant Post-Hearing
Submission, received 2/9/23, page 17)

19. The tenant submitted the following documents in the name of her
husband, Greg Sieck, showing the address as the subject unit:

- a. California vehicle registration card issued April 23, 2022 for the BMW
that the tenant testified she drives. (Tenant Post-Hearing Submission,
received 2/9/23, page 8);
- b. AT&T bill dated December 16, 2022 for the tenant and her husband's
cell phones. (Tenant Post-Hearing Submission, received 2/9/23, page
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c. SFMTA residential parking permit dated January 8, 2023. (Tenant Post-Hearing Submission, received 2/9/23, page 10); and

d. DMV Renewal dated February 10, 2023. (Tenant Post-Hearing Submission, received 2/9/23, page 9)

20. The landlord submitted a California UCC Financing Statement filed May 18, 2021 showing the tenant's address as the Tiburon house. The tenant testified that she did not know what this was, and her husband does all of the finances. (Landlord Post-Hearing Submission, received 4/21/23, page 6) The tenant further testified that she used the subject unit address on her taxes until she began filing jointly with her husband on an unspecified date, and she did not recall the address used on their jointly filed tax returns. In a post-hearing submission, the tenant submitted one page of her 2021 1040 federal tax return for her and her husband, which lists their home address as the Tiburon house. (Tenant Post-Hearing Submission, received 5/2/23, page 8)

21. As of the date of the hearings in this case, the landlord had not served the tenant with a notice of rent increase under Rules and Regulations Section 1.21.

22. Both parties submitted evidence of social media posts, some of which were made in or relate to San Francisco, and others Marin County. (Landlord Post-Hearing Submission, received 2/10/23, pages 54-147; Tenant Post-Hearing Submission, received 2/9/23, pages 24-31; Tenant Post-Hearing Submission, received 4/24/23, pages 5-12)

23. Both parties submitted written closing briefs and argument. (Landlord Post-Hearing Submission, received 5/2/23, pages 1-19; Tenant Post-Hearing Submission, received 5/8/23, pages 1-25)

24. There is no evidence that any person, other than tenant respondent, claimed a right of possession or resided in the subject unit.

25. In closing, the tenant argued that married people can have two different residences, and her husband has the Tiburon house as his primary residence, and she

1 has the subject unit as hers.

2 **CONCLUSIONS OF LAW**

3 1. At all times relevant to this petition, the subject rental unit is within the jurisdiction
4 of the Rent Board [Ordinance Section 37.2(r)]

5 2. The landlord has the burden of showing that an increase in rent in excess of the
6 allowable annual rent increase is justified. [Rules and Regulations Section 11.18]

7 Rules and Regulations Section 1.21

8 3. Ordinance Section 37.2(t) defines a "tenant" as "a person entitled by written or oral
9 agreement, sub-tenancy approved by the landlord, or by sufferance, to occupy a residential
10 dwelling Unit to the exclusion of others."

11 4. Ordinance Section 37.3 limits rent increases for "tenants in occupancy." When
12 there is no tenant in occupancy in the unit, the rent increase limitations in the Ordinance do not
13 apply, and the rent may be increased without limitation.

14 5. Rules and Regulations Section 1.21 defines a "tenant in occupancy" as follows:

15 A tenant in occupancy is an individual who otherwise meets the definition of tenant as set
16 forth in Ordinance Section 37.2(t), and who resides in a rental unit as his or her principal
17 place of residence. Occupancy does not require that the individual be physically present in
18 the unit at all times or continuously, but it must be his or her usual place of return.
19 Evidence that a unit is the individual's "principal place of residence" includes, but is not
20 limited to, the following elements, a compilation of which lends greater credibility to the
21 finding of "principal place of residence" whereas the presence of only one element may
22 not support such a finding:

- 23 (1) the subject premises are listed as the individual's place of residence on any motor
24 vehicle registration, driver's license, voter registration, or with any other public
25 agency, including Federal, State and local taxing authorities;
- 26 (2) utilities are billed to and paid by the individual at the subject premises;
- 27 (3) all of the individual's personal possessions have been moved into the subject
28 premises;
- (4) a homeowner's tax exemption for the individual has not been filed for a different
property;
- (5) the subject premises are the place the individual normally returns to as his/her
home, exclusive of military service, hospitalization, vacation, family emergency,
travel necessitated by employment or education, or other reasonable temporary

1 periods of absence.

2 6. Landlords who seek a determination that a tenant is not a tenant in occupancy
3 pursuant to Section 1.21 must petition for an arbitration hearing prior to issuing a notice of rent
4 increase on such grounds. [Rules and Regulations Section 5.10] Any petition seeking a
5 determination that a tenant is not a tenant in occupancy shall be expedited. [Rules and
6 Regulations Section 5.10] The landlord properly petitioned the Rent Board for a determination of
7 whether tenant respondent Victoria Miller is a tenant in occupancy subject to the rent increase
8 limitations of the Rent Ordinance.

9 7. Based on all of the evidence in this case, the undersigned Administrative Law
10 Judge finds that the tenant respondent Victoria Miller was not a tenant in occupancy of the
11 subject unit at the time the petition was filed on November 9, 2022. The evidence established that
12 the tenant and her husband purchased the Tiburon house, for which they claimed a homeowner's
13 exemption from 2016 until it was discontinued on December 31, 2022. The evidence further
14 established that the tenant and her husband principally reside in the Tiburon house, and use the
15 subject unit as the tenant's art space and the couple's business office. Finally, the evidence
16 further established that there is no other tenant in occupancy of the subject unit. Accordingly, the
17 rent increase limitations set forth in Ordinance Section 37.3 are therefore not applicable to the
18 subject unit.

19 **ORDER**

20 Wherefore, all evidence having been heard and considered, it is the Order of the
21 undersigned Administrative Law Judge that:

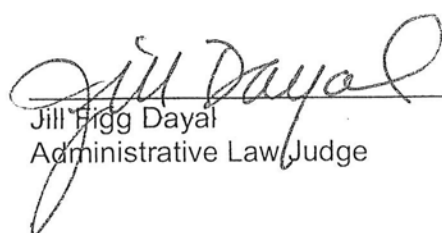
22 1. Petition L221385 is granted. It is determined that tenant respondent was not a
23 "tenant in occupancy" of the subject unit at the time the petition was filed, and there is no other
24 "tenant in occupancy" in the unit within the meaning of Rules and Regulations Section 1.21.
25 Accordingly, the rent increase limitations set forth in Rent Ordinance Section 37.3 are not
26 applicable.

27 2. This Decision is final unless specifically vacated by the Rent Board following
28 appeal to the Board. Appeals must be filed no later than 15 calendar days from the date of the

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mailing of this decision, on a form available from the Rent Board. [Ordinance Section 37.8(f),
emphasis added] If the fifteenth day falls on a Saturday, Sunday or legal holiday, the appeal may
be filed with the Board on the next business day.

Dated: July 7, 2023



Jill Figg Dayal
Administrative Law Judge



Residential Rent Stabilization and Arbitration Board
City & County Of San Francisco

<p>Esta notificación puede afectar a sus derechos como propietario o inquilino. Si necesita ayuda para entender este aviso, por favor llame al 415-252-4600.</p>	<p>本項公告可能會影響您身為房東或房客的權利。 如果您需要協助來了解本項公告，請致電 415-252-4600。</p>	<p>Posibleng maapektuhan ng abisong ito ang inyong mga karapatan bilang nagpapaupa (landlord) o umuupa (tenant). Kung kailangan ninyo ng tulong upang maintindihan ang abisong ito, pakitawagan ang 415-252-4600.</p>
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Proof of Service

Proof of Service page 1

CASE NO. L221385

I am over the age of 18, not a party to this case, and am employed at 25 Van Ness Avenue #320, San Francisco, California, 94102. I served a copy of the attached;

DECISION

regarding the property at **1150 Union Street, #604** by placing a true copy in a sealed envelope with postage prepaid in the United States mail at San Francisco, California, on the date shown below, and addressed to the parties as shown below.

Name	Property Address	Mailing Address
Landlord Petitioner		
V&L Union, L.P.		1150 Union Street #303 San Francisco, CA 94109
Tenant Respondent		
Victoria L. Miller	1150 Union Street #604 San Francisco, CA 94109	1150 Union Street #604 San Francisco, CA 94109
Victoria L. Miller	1150 Union Street #604 San Francisco, CA 94109	2265 Paradise Drive Belvedere Tiburon, CA 94920
Landlord's Agent/Atty/Rep		
Curtis F. Dowling		Dowling & Marquez, LLP 625 Market Street #4th Floor San Francisco, CA 94105

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on the date shown below at San Francisco, California.

Signed: 

Dated: 7/7/2023