

RICHMOND RENT BOARD REGULATION 17-04

Regarding the Filing with the Board of Notices of Rent Increases and Termination of Tenancies and Enrolling Rental Units with the Board

1. **Notices of Rent Increase – Controlled Rental Units.** Landlords of Controlled Rental Units, as defined in the Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance (Chapter 11.100, Richmond Municipal Code, Section 11.100.030 (d), except those Rental Units that are “exempt” pursuant to Rent Board regulation, or are described in Section 2 of this Regulation, shall file with the Board a copy of all notices of rent increase *before* serving the Tenant such notice, using the appropriate online form on the Rent Program website. Within two (2) business days *after* the Landlord has served a Tenant with a notice of a rent increase, the Landlord shall file with the Board a copy of such notice with a proof of service, including time and date of service. Absent extraordinary circumstances, such form shall be filed using the appropriate online form on the Rent Program website.

2. **Notices of Rent Increase – Rental Units Exempt from the Rent Control Provisions of the Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance.** Landlords of Rental Units (a) which a government unit, agency, or authority owns, operates or manages, (b) in which governmentally subsidized Tenants reside if applicable federal or state law or administrative regulation specifically exempts such Units from rent control, (c) exempt from rent control pursuant to the Costa-Hawkins Rental Housing Act (California Civil Code, section 1954.52) or (d) that are permitted, small second housing units built in compliance with the Small, Second Unit Ordinance of the City of Richmond (Section 15.04.810, RMC) [Section 11.100.030 (d) (3)(4) and (5)] are **not** required to file with the Board a copy of a notice of rent increase.

3. **Notices of Termination of Tenancy or Change in Terms of Tenancy – All Rental Units.** Landlords of Controlled Rental Units and Landlords of Rental Units as described in Section 2 of this Regulation shall file with the Board a copy of all notices of termination of tenancy and change in terms of tenancy *before* serving the Tenant such notice, using the appropriate online form on the Rent Program website. Within two (2) business days *after* service of the notice on the Tenant of a termination of tenancy or change in terms of tenancy, the Landlord shall file a copy of such notice, with a proof of service of the notice, including time and date of service. Absent extraordinary circumstances, such form shall be filed using the appropriate online form on the Rent Program website.

4. **Definition of Notice of Termination of Tenancy.** “Notice of Termination of Tenancy” as used in this Regulation shall mean any notice served on a Tenant in accordance with State law which seeks to recover possession of a Rental Unit. This includes, but is not limited to, three-day notices to pay rent or quit, notices to perform covenant or quit, and all other termination notices permitted under State law.

5. **Enrollment with the Richmond Rent Program.** Prior to filing with the Board, or serving any Tenant, with any notice of a rent increase, change in terms of tenancy or termination of tenancy, a Landlord must enroll with the Rent Board all of a Landlord’s Controlled Rental Units and those Rental Units set forth in Section 2 of this Regulation. Absent extraordinary circumstances, the enrollment form must be completed and submitted online, using the form on the Rent Program website.

6. **Failure of a Landlord to Enroll or File.** If a Landlord has not enrolled the Landlord’s Rental Units with the Board as provided in this Regulation, and/or has not filed with the Board a notice of a rent increase, change in terms of tenancy or termination of tenancy as provided in this Regulation, a Tenant in an unlawful detainer action may obtain from a Rent Program staff

