

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: October 21, 2020

Final Decision Date Deadline: October 21, 2020

STATEMENT OF THE ISSUE: Members of the community have sent letters to the Rent Board and Rent Program staff members. Staff members recommend letters that do not pertain to a specific item on the Rent Board agenda be included as consent items for consideration by the Rent Board.

INDICATE APPROPRIATE BODY

- | | | | | |
|---|---|--|--|---|
| <input type="checkbox"/> City Council | <input type="checkbox"/> Redevelopment Agency | <input type="checkbox"/> Housing Authority | <input type="checkbox"/> Surplus Property Authority | <input type="checkbox"/> Joint Powers Financing Authority |
| <input type="checkbox"/> Finance Standing Committee | <input type="checkbox"/> Public Safety Public Services Standing Committee | <input type="checkbox"/> Local Reuse Authority | <input checked="" type="checkbox"/> Other: <u>Rent Board</u> | |

ITEM

- | | | |
|---|--|--|
| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) | | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Regulation | <input checked="" type="checkbox"/> Other: <u>CONSENT CALENDAR</u> |
| <input type="checkbox"/> Contract/Agreement | <input type="checkbox"/> Rent Board As Whole | |
| <input type="checkbox"/> Grant Application/Acceptance | <input type="checkbox"/> Claims Filed Against City of Richmond | |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Video/PowerPoint Presentation (contact KCRT @ 620.6759) | |

RECOMMENDED ACTION: RECEIVE letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100 – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

G-3.

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Cynthia Shaw

From: Ilona Clark <in70clark@gmail.com>
Sent: Saturday, September 12, 2020 12:13 AM
To: Cynthia Shaw; Paige Roosa; Emma Gerould; Lauren Maddock; Nicolas Traylor; Rent Program; Paul Cohen; Virginia Finlay; Alana Conner
Subject: Owner-Move-in Proposed Regulations

To the members of the Rent Board,

I urge you to reject the proposed OMI regulations as written because they are not consistent with the direction you have given Rent Program Staff or with the community feedback they received.

For example:

1009. C. 1 and 2. limit one OMI except in case of Owner needing "Reasonable Accommodation" This is not per building or per owner (when property changes hands) or per century. This means one OMI eviction and that's it - EVER. *Packet page 409*

Staff policy direction per the Board was to allow anyone with 50% ownership to conduct OMI, not to limit OMI to one owner ever for and and all buildings involved. *Question 1, Packet page 407*

In your community outreach, all groups of owners and almost 40% of renters, agreed that 50% ownership should be the criteria in Q2 and Q4. *Packet page 69 and 71*. Furthermore, The question was not asked, once an OMI takes effect, should any owner be allowed to do another OMI ever? I'm sure, if it had, you would have gotten even more resounding an answer of Yes. and a discussion of timelines would have ensued.

Another example:

1009. D. 5. further prohibits OMI if a housing provider has "attempted" to evict anyone. *Packet page 430*

The same section makes it more difficult to do an OMI with renters paying low rent thus incentivizing charging high rents across the board. *Packet page 409*

1010. C. 1. dictates that housing providers must be ready to re-offer the unit to the displaced renter if the unit is "ever" re-rented. *Packet page 414*

Yet your community engagement surveys Q8 have 177 out of 193 respondents (including renters!) saying 0 to 5 years and almost none said more than 10 years. This question was not addressed in the policy direction discussions with the Board except to say "as long as the obligation exists" *Packet page 75*

1010.C.4. states "...maintain the Tenant's contact information until a time of which the Tenant's right of first refusal has either vested or been extinguished." There is no definition of what it means to "vest" *Packet page 414*

These regulations must include a provision for "sabbatical" leases in SFRs so that owners can return without paying the relocation fee or be convicted of and OMI eviction and subject to this regulation. When owners want or need to leave to care for sick family members or assist with child care or follow a temporary job assignment, they need to be able to return to their homes at the end of those periods. Otherwise, these units will remain empty or owners will find a way around your regulations. Renters lose housing and you lose business.

Given that there have been fewer than 50 OMI evictions since this Rent Program started tracking at the beginning of 2017, Few than 50 among thousands of units over more than 2 years; There is no rush to do this wrong. Please re-think the regulations and do it right, for the sake of renters as well and housing providers and for the sake of your own credibility as public servants.

Ilona Clark
AURNP.org

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Richmond Can Do Better!

Cynthia Shaw

From: Tally Craig <tallycraig4aca@gmail.com>
Sent: Saturday, September 12, 2020 6:02 PM
To: Cynthia Shaw; Paige Roosa; Emma Gerould; Lauren Maddock; Nicolas Traylor; Rent Program; Paul Cohen; Virginia Finlay; Alana Conner
Cc: Ilona Clark
Subject: Fwd: Owner-Move-in Proposed Regulations

Dear Rent Board,

I am in my 70s, with no family in Richmond. I love it here and care about my city and community. Your proposal would wreak havoc on my future. The fires and pandemic have made me realize that moving closer to my family for a period of time could be the best option for me. I would need to rent or sell my house in order to do this. If your proposal is adopted, I would have no choice but to sell my house and never return -- a chilling prospect. Your proposal would limit my ability to sell, because the rent restrictions in Richmond are so stiff that potential "mom and pop" landlords could not run the risk.

Ilona Clark's comments are thoughtful and well-analysed. I thank her for calling my attention to this proposal.

Please take the long view -- listen to homeowners, listen to tenants, do the homework instead of instituting more restrictions that will hurt tenants and owners alike.

Thank you,
Tally Craig
5614 Huntington Ave.

On Sat, Sep 12, 2020 at 12:11 AM Ilona Clark <in70clark@gmail.com> wrote:

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Ilona Clark
AURNP.org

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Cynthia Shaw

From: Ilona Clark <in70clark@gmail.com>
Sent: Tuesday, September 22, 2020 5:00 PM
To: Cynthia Shaw; Paige Roosa; Alana Conner; Emma Gerould; Lauren Maddock; Nicolas Traylor; Rent Program; Paul Cohen; Virginia Finlay; Ben Choi; City Clerk Dept; Demnlus Johnson III; Eduardo Martinez; Nat Bates; Tom Butt - external; Trina Jackson

To the Richmond Rent Board and Staff,

The present draft of OMI (owner move-in) regulations is missing a crucial piece.
per Measure L:

"R.M.C. 11.100.040 (a) (1) Temporary Rentals Allowed. A homeowner who is the Primary Resident of a single-family home may create a temporary tenancy. The temporary Tenant must be provided, in writing at the inception of the tenancy, the length of the tenancy and a statement that the tenancy maybe(sic) terminated at the end of the temporary tenancy (pursuant to Section 11.100.050 (8) below) (sic) and relocation shall not be required."

This means owners can return to their homes without paying the relocation fee. When owners want or need to leave to care for sick family members, assist with child care, follow a temporary job assignment or join the armed forces, they need to be able to return to their homes at the end of those periods without penalty. The authors of measure L recognized this need and made it part of the homeowners protections that voters supported in 2016.

This exemption makes clear that the intent of Measure L and the voters was to protect Richmond residents who own properties and live in them. Measure L also does not prohibit or discourage similar exceptions in OMI regulations.

Please direct staff to add language exempting homeowners of all types of properties from all OMI regulations. Single Family Homes are not the only places that are truly homes to their owners. Many property owners bought a multi-unit building because they could not afford to pay a mortgage by themselves and needed the assistance that rental income would give them. Whether an owner is moving back into a unit or a house, they should have the same rights and protections. These residences should also be exempted from relocation and OMI regulations.

We strongly urge you to exempt all owner-occupied units from all OMI regulations.

Ilona Clark, RN
AURHP.org

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Richmond Can Do Better!

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9/21/20

HERITAGE PARK HILLTOP RESIDENTS TO RENT CONTRAL BOARD

Why have part of our rental unit being denied to the people that it was meant for their use.

Not only did management lock the whole cooling center from the residents...

But they locked the restrooms, and made then their restrooms for their private use.

The rest rooms are by the mail boxes for a reason.

102 degrees air condition going full blast In the office, while residents have suffer in the heat, while there is a air condition place for them to go to get out of heat.

They paid in their rent to avoid the discomfort of this weather.

All this under the disguise of the virus.(Making up rules to enhance their profits.)

WE have residents doors kicked in while the residents were inside their home at the time. Autos broken into parts stripped while on this property, plus autos stolen off this property.

Residents that's lived her ten, fifteen ago have stated things like they are now was never present until 5 years ago. Some resident have complained that one have to get on ones knees just to get a light bulb replaced.

Some of the residents know people the live in residences like the one here they don't have the problems that we have on our community. This says we need another company to manager this property. If we don't get a change here someone is going to get seriously injured, or worst.

What haven't been said here, some of the residents have lived 50 years before they present management even was born. And act if we are naïve as some ten years old. How many of the communities that you have with the majority is non black being treated like the residents at Heritage Park...

One final note, we have very high smoke in this area for weeks now but the COMMUNITY ROOM for weeks now, and the only place that we could get relief have been locked from us the very same people that need it at this time.

SENIOR CITIZEN LIVES MATTER...

Cynthia Shaw

From: Angela Xu <hcya001@hotmail.com>
Sent: Friday, September 25, 2020 10:34 AM
To: Cynthia Shaw; Nicolas Traylor; Paige Roosa; aconner@richmondrent.org; egerould@richmondrent.org; lmaddock@richmondrent.org; vfinlay@richmondrent.org; Ben Choi; info@demnlus.com; Eduardo Martinez; Melvin Willis; Nat Bates; Tom Butt - external; Trina Jackson; Jael Myrick; City Clerk Dept
Subject: OMI Regulations

To the Richmond Rent Board and Staff,

I am the resident of our city, I have been living here for over a decade, we are raising up our child, I had the moment to move because it has "RICHMOND" the name which we think our child deserve better....

Well, it changed my mind is we see the improvement of the city from all kinds of aspects, It's getting better and better of the neighborhood safety issue and economy boosting, We decide to stay and remodel our home, but come to one of my thoughts is Rent Control since I am a Real Estate professional, and I know too much about it, It has been a big interference to the smaller scale investors, i can say there are 5% bad apple landlords in the market but majority of the landlords are following the rules to manage their business.

Please keep the RC regulations to be more calmful and don't scare away those home owners who intend to invest and those people will make Richmond greater and greater. Also I witness too many tenants are taking the advantages of rental law by not paying the rent, lots of landlords can not afford to pay monthly mortgage and fees and property tax since they don't have rent, right now one of my friends who is suffering a tenant not paying rent for 5 months, that's her only rental property, she is thinking to sell it and get out of the market.

There is one reason Richmond is getting better and I think all of you knows it well, whoever runs in Real Estate and they all know it, Severely RC will kill this market, it turns out human interference but not a free market economy, I am not a fan of socialism since i came from that country, I wish our country and state to be a real "freedom" to home owners and tenants.

Please don't kill a chicken who is laying eggs!!!

Regarding the present draft of OMI (owner move-in) regulations is missing a crucial piece.
per Measure L:

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This exemption makes clear that the intent of Measure L and the voters was to protect Richmond residents who own properties and live in them. Measure L also does not prohibit or discourage similar exceptions in OMI regulations.

Please direct staff to add language exempting homeowners of all types of properties from all OMI regulations. Single Family Homes are not the only places that are truly homes to their owners. Many property owners bought a multi-unit building because they could not afford to pay a mortgage by themselves and needed the assistance that rental income

would give them. Whether an owner is moving back into a unit or a house, they should have the same rights and protections. These residences should also be exempted from relocation and OMI regulations.

We strongly urge you to exempt all owner-occupied units from all OMI regulations.

Warmly,

Angela Xu

COMPASS

Broker Associate

MBA | DRE#:01981330

Cell/text: 510.621.8100

Residential and Commercial

Warning

To the Rent control board.

We have a very serious fire hazard in C building. There is but one set of double doors to escape if fire were to start in the south first floor. There will be about 5 wheel chairs trying to exit at the same time through one pedestrian door.

Would you at least send the fire department up here to evaluate this condition.

We don't need another hotel fire like the one in Oakland Ca. Broken gates and entrance doors is one thing but a fire where residents can't escape ?.

A residents of C building.

Heritage Park Hill Top;

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