

RESOLUTION NO. 28-18

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, ESTABLISHING THE AMOUNT OF THE TEMPORARY
RELOCATION PAYMENT, RENT DIFFERENTIAL PAYMENT AND PERMANENT
RELOCATION PAYMENT IN ACCORDANCE WITH CHAPTER 11.102 OF THE
RICHMOND MUNICIPAL CODE ENTITLED RELOCATION REQUIREMENTS FOR
TENANTS OF RESIDENTIAL RENTAL UNITS**

WHEREAS, the “Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance” initiative was passed by the voters in the City of Richmond on November 8, 2016; and

WHEREAS, the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance requires that landlords seeking to recover possession under certain sections of that ordinance must make relocation payments to each tenant in amounts to be determined by the City Council through a Relocation Ordinance; and

WHEREAS, the provision of such relocation payments shall help to mitigate the challenges faced by tenants who are ordered to vacate a rental unit through no fault of the tenant; and

WHEREAS, the City Council adopted Ordinance No. 22-16 on December 20, 2016 (“the Relocation Ordinance”, codified in Chapter 11.102, Richmond Municipal Code); and

WHEREAS, in accordance with Section 11.102.050 of the Relocation Ordinance, the City Council adopted Resolution 115-16 (“the Relocation Payment Resolution”) to establish relocation payments for displaced tenants; and

WHEREAS, the Richmond Rent Board has recommended that the Relocation Ordinance be amended and that the Relocation Payment Resolution be revised; and

WHEREAS, the City Council has introduced Ordinance No. 10-18 N.S. to amend the Relocation Ordinance as recommended by the Rent Board and wished to revise the Relocation Payment Resolution as recommended by the Rent Board.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Richmond that pursuant to Chapter 11.102 of the Richmond Municipal Code, entitled Relocation Requirements for Tenants of Residential Rental Units, as amended, and as provided in adopted Rent Board Regulations, Landlords shall provide a Relocation Payment to each Eligible Tenant in the amounts set forth in the Relocation Payment Fee Schedule.

Section 1.

**Relocation Payment Fee Schedule
R.M.C. 11.102.050**

“Relocation Payment” means the per unit payment required to be paid by any Landlord on a pro-rata share to an Eligible Tenant who takes action to terminate a tenancy for reasons set forth in Section 11.102.030, separate from any security or other refundable deposits as defined in California Civil Code Section 1950.5.

Permanent Relocation Payment

Amounts shown are for calendar year 2018 and shall be adjusted annually, beginning January 1, 2019, based on the percentage change in the Consumer Price Index (All Urban Consumers – San Francisco-Oakland-San Jose region) as of November of each year.

Maximum Cap per Unit Type (a) (b)	Owner Move-In (R.M.C. 11.100.050(a)(6))		Withdrawal from Rental Market (R.M.C. 11.100.050(a)(7)) or Substantial Repairs (R.M.C. 11.100.050(a)(5)) or Due to a Governmental Agency's Order for the Tenant to Vacate the Rental Unit or other Conditions Described in Section 11.102.030(c), RMC	
	Base Amount	Qualified Tenant Household Amount (c)	Base Amount	Qualified Tenant Household Amount (c)
Studio	\$3,492	\$4,057	\$7,035	\$8,062
1 Bedroom	\$5,392	\$6,213	\$10,784	\$12,427
2+ Bedroom	\$7,343	\$8,421	\$14,635	\$16,843

Note:

- (a) If a Rental Unit is rented by one Tenant, then the entire Relocation Payment shall be paid to such Tenant. If more than one Tenant rents the Rental Unit, the Relocation Payment shall be paid on a pro-rata basis to each Eligible Tenant.
- (b) The Relocation Payment is calculated on a per Rental Unit basis, paid on a per Eligible Tenant basis, with a maximum amount per Rental Unit as shown.
- (c) A "Qualified Tenant Household" is defined in Section 11.102.020(j), Richmond Municipal Code.

Temporary Relocation Payment

Amounts shown are for calendar year 2018 and shall be adjusted annually, beginning January 1, 2019, based on the percentage change in the Consumer Price Index (All Urban Consumers – San Francisco-Oakland-San Jose region) as of November of each year.

**Substantial Repairs (R.M.C. 11.100.050(a)(5)) or Due to
Tenant Vacating the Rental Unit Due to a Governmental Agency's
Order for the Tenant to Vacate the Rental Unit or other conditions
described in Section 11.102.030(c), RMC**

<u>Per Diem Description</u>	<u>Amount</u>	<u>Term (a)</u>
Hotel or Motel	\$149	<i>per day per household</i>
Meal Expenses	\$30	<i>per day per person</i>
Laundry	\$1	<i>per day per household</i>
Pet Accommodations	Cat - \$29 Dog - \$52	<i>per day per animal</i> <i>per day per animal</i>

Note:

(a) Applicable amounts shall be paid on a weekly basis, calculated on a daily basis, at a minimum. Alternatively, the Landlord may provide comparable housing located in Richmond as provided in subsection (g) of Section 11.102.030 RMC.

RENT DIFFERENTIAL PAYMENT

(Substantial Repairs (RMC, section 11.100.050 (a)(5) or because a tenant vacated a rental unit due to a governmental agency's order to do so)

Fair Market Rent as determined by the Richmond Housing Authority Payment Standards for its Housing Choice Voucher Program as of July 2017. These amounts may change annually.

0 Bedroom	\$1,363/month
1 Bedroom	\$1,637/month
2 Bedroom	\$2,064/month
3 Bedroom	\$2,866/month
4 Bedroom	\$3,303/month

The Rent Differential Payment shall be calculated by subtracting the lawful rent the tenant was paying at the time the tenant was served with a notice of temporary termination of tenancy or at the time the tenant vacated the rental unit due to a governmental agency order to do so and for which no notice of a termination of tenancy was served from the Fair Market Rent, as set forth above, based on the number of bedrooms of the tenant's rental unit. See Section 11.102.030, Richmond Municipal Code.

Section 2. Resolution No. 115-16 is hereby rescinded.

Section 3. This Resolution shall be effective upon the effective date of Ordinance No. 10-18 N.S.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held May 1, 2018, by the following vote:

AYES: Councilmembers Beckles, Choi, Martinez, Myrick, Recinos, and Vice Mayor Willis.
NOES: Mayor Butt.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

TOM BUTT

Mayor

Approved as to form:

BRUCE GOODMILLER

City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 28-18**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on May 1, 2018.



Pamela Christian, Clerk of the City of Richmond