

# Item G-3: Rent Board Regulation 17-04

Regular Meeting of the Richmond Rent Board | July 19, 2017

## Item G-3: Statement of the Issue

- The Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance requires all Landlords file with the Board a copy of all notices concerning rent increases, termination of tenancies, and changes in terms of tenancy prior to service on a tenant.
- The adoption of a regulation is necessary to clarify which types of Rental Units must file each type of notice with the Board, and establish a reasonable timeframe in which landlords are required to do so.

# Regulation 17-04: Filing of Rent Increase Notices

- As written, Regulation 17-04 requires rent increase notices to be filed with the Rent Board **ONLY** for Controlled Rental Units subject to rent control.
  - Owners of Rental Units exempt from rent control, but subject to the Ordinance generally, do NOT need to file rent increase notices.
- Landlords of Controlled Rental Units must file all notices of a rent increase **BOTH**:
  - BEFORE the notice is served on the tenant (as required by Section 11.100.060(s)(1); AND
  - File a proof of service with the Rent Program within 2 business days AFTER service

Assessor Data Extract of Residential Properties in Richmond dated Jan 2017

Property Type	Residential Parcels in Richmond	Units in Parcel	Total Residential Units	Properties with Occupancy After February 1, 1995	Units in Properties Not Exempt under Costa-Hawkins	Homeowner Exemptions on File	Rental Units Subject to Rent Stabilization	All Rental Units *** (Subject to Just- Cause)
Single Family *	15,406	1	15,406	14,767	0	8,152	0	
Single Family	51	1	51	50	0	22	0	
Single Family	250	1	250	206	0	72	0	
Single Family	4,087	1	4,087	4,051	0	1,746	0	
Single Family	1,071	1	1,071	713	0	599	0	
Single Family	2,209	1	2,209	942	0	1,339	0	
Condo/Coop	3,145	1	3,145	2,586	0	1,334	0	
<b>All Single Family</b>	<b>26,219</b>		<b>26,219</b>	<b>23,315</b>	<b>0</b>	<b>13,264</b>		<b>12,955</b>
Duplex	895	2	1,790	880	1,760	201	1,559	1,589
Triplex	230	3	690	224	672	30	642	660
Quad	615	4	2,460	608	2,432	29	2,403	2,431
Combo	80	Estimate from Assessor Count**	240	79	237	13	224	227
5-12	219	Assessor Count***	1,503	216	1,481	4	1,477	1,499
13-24	21	Assessor Count***	402	20	386	0	386	402
25-59	20	Assessor Count***	658	15	526	0	526	658
60+	25	Assessor Count***	4,376	18	3,252	0	3,252	4,376
<b>All Multiple Family</b>	<b>2,105</b>		<b>12,119</b>	<b>2,060</b>	<b>10,746</b>	<b>277</b>	<b>10,469</b>	<b>11,842</b>
<b>Totals</b>	<b>28,324</b>		<b>38,338</b>	<b>25,375</b>	<b>10,746</b>	<b>13,541</b>	<b>10,469</b>	<b>24,797</b>

# Regulation 17-04: Filing of Termination of Tenancy and Change in Terms of Tenancy Notices

- Landlords of all Rental Units must file all termination of tenancy and change in terms of tenancy notices BOTH:
  - BEFORE the notice is served on the tenant (as required by Section 11.100.060(s)(1); AND
  - File a proof of service with the Rent Program within 2 business days AFTER service

# Case Study Research

## Timeline to File Notices with the Rent Board

	BERKELEY	EAST PALO ALTO	LOS ANGELES	OAKLAND	SANTA MONICA	WEST HOLLYWOOD	RICHMOND (PROPOSED)
Timeline to File Notices with the Rent Board:	Notice to Quit/Termination of Tenancy/Summons and Complaint: Within <b>10 days</b> of service on the Tenant.	Notice to Quit/Termination of Tenancy/Summons and Complaint: Within <b>5 days</b> of service on the Tenant.	Notice to Quit/Termination of Tenancy: The landlord must file a Declaration of Intent to Evict with the City <b>prior to service</b> on the Tenant.	Notice of Rent Increase Based in Whole or in Part to California Improvements: within <b>10 working days</b> of service on the Tenant.  Notice of Termination of Tenancy: Within <b>10 days</b> of service on the Tenant.	Notice of Termination of Tenancy (not including 3-day notices to pay rent or vacate) within <b>3 days</b> of service on the Tenant.	Notice to Quit/Termination of Tenancy/Summons and Complaint: Within <b>5 days</b> of service on the Tenant.	Notice of Rent Increase (Controlled Rental Units): <b>Prior to service</b> on the Tenant, and within <b>2 business days</b> of service on the Tenant.  Notice to Quit/Termination of Tenancy/Notice of Change in Terms of Tenancy: <b>Prior to service</b> on the Tenant, and within <b>2 business days</b> of service on the Tenant.
Section Reference	Rent Board Regulation 1312	Rent Stabilization Ordinance Section 14.04.160	LAMC §151.09 C.5	Residential Rent Adjustment Program Ordinance Section 8.22.070 (H)(1)(d)(ii) Just Cause for Eviction Ordinance Section 8.22.360(B)(7)	Santa Monica Rent Control Charter Amendment, Section 1806(e)	Rent Stabilization Ordinance, Section 17.52.070	Rent Board Regulation 17-04

# FAQ: How do I file notices with the Rent Board?

The screenshot shows the City of Richmond website's navigation and content. At the top left is the City of Richmond logo and name. A search bar is at the top right. Below the header is a navigation bar with categories: DEPARTMENTS, COMMUNITY, BUSINESS, GOVERNMENT, PUBLIC SAFETY, and CITY CONNECTION. The main content area is titled 'Richmond Rent Program' and includes a sidebar menu with 'Forms and Notices' circled in red. A dropdown menu is open from 'Forms and Notices', listing various forms and notices with red arrows pointing to 'Proof of Service', 'Rent Increase', 'Termination of Tenancy', and 'Change in Terms of Tenancy'. The main content area also features icons for 'Forms' and 'Fees'.

# Regulation 17-04: Enrollment Required

- Regulation 17-04 requires that prior to filing any notice of a rent increase, change in terms of tenancy, or termination of tenancy notice with the Rent Board, a Landlord must enroll all Rental Units with the Rent Program.

# FAQ: How do I enroll Rental Units with the Rent Board?

The screenshot shows the City of Richmond website's navigation and content for the Richmond Rent Program. At the top, the city logo and name are displayed. A search bar and social media links are in the upper right. A dark blue navigation bar contains categories: DEPARTMENTS, COMMUNITY, BUSINESS, GOVERNMENT, PUBLIC SAFETY, and CITY CONNECTION. Below this, a left sidebar lists various services, with 'Forms and Notices' expanded to show a list of options. A red arrow points to the 'Enrollment' link under the 'Tenants' sub-tab. The main content area features a breadcrumb trail, the program title, and tabs for 'Tenants' and 'Landlords'. Below the tabs are icons for 'Forms' and 'Fees'. The bottom of the page includes a 'NEWS & EVENTS' section.

**Richmond California**  
**BUSINESS**

COR Connect

Environment

Home › Departments › Richmond Rent Program

## Richmond Rent Program

Tenants Landlords

Enrollment

Agent Authorization

Excess Rent Complaint

Proof of Service

Rent Adjustment Petition

Rent Increase

Termination of Tenancy

Proof of Excess Rent Refund

Change in Terms of Tenancy

Rent Increase (Non Rent-Controlled Units)

Proof of Permanent Relocation Payment

Proof of Temporary Relocation Payment

Unpaid Permanent Relocation Payment Complaint

Unpaid Temporary Relocation Payment Complaint

NEWS & EVENTS

Forms

Fees

for Eviction, and Homeowner Protection Ordinance

the "base rent", or the rent paid on July 21, 2015 (or the first date that rent was paid after this date)

ral Adjustment (equivalent to up to a maximum of 3.0%) rent increase with 30-days' notice

collected in violation of the Ordinance following December 30, 2016

performing the duties of the Rent Board pursuant to RMC 11.100.060 (m)

# Regulation 17-04: Penalties for Failure to File or Enroll

- Regulation 17-04, and Section 11.100.060(s)(3) of the Ordinance, provides that if a Landlord has failed to enroll Rental Units or file a required notice with the Board, a Tenant in an unlawful detainer action may obtain from a Rent Program staff member a Declaration stating that the Rental Unit was not enrolled and/or the required notice was not filed with the Rent Board.

## Item G-3: Recommended Action

- **ADOPT 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.**

**Thank You**

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