

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: April 18, 2018

Final Decision Date Deadline: April 18, 2018

STATEMENT OF THE ISSUE: Approximately 150 petitions have been received by the Rent Program during the last 12 months. Those petitioners are now being contacted to complete and update their petitions and provide supporting documentation so that respondents can be contacted and hearings can be scheduled.

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

- Presentation/Proclamation/Commendation (3-Minute Time Limit)
- Public Hearing Regulation Other:
- Contract/Agreement Rent Board As Whole
- Grant Application/Acceptance Claims Filed Against City of Richmond
- Resolution Video/PowerPoint Presentation (contact KCRT @ 620.6759)

RECOMMENDED ACTION: RECEIVE an update concerning the petition and hearing processes – Rent Program (Nicolas Traylor/Paul Cohen 620-6564).

AGENDA ITEM NO:

I-1.



AGENDA REPORT

DATE: April 18, 2018

TO: Chair Gray and Members of the Rent Board

FROM: Nicolas Traylor, Executive Director
Paul Cohen, Hearing Examiner
Cynthia Shaw, Assistant Administrative Analyst

SUBJECT: IMPLEMENTATION OF PETITION AND HEARING PROCESSES

STATEMENT OF THE ISSUE:

Approximately 150 petitions have been received by the Rent Program during the last 12 months. Those petitioners are now being contacted to complete and update their petitions and provide supporting documentation so that respondents can be contacted and hearings can be scheduled.

RECOMMENDED ACTION:

RECEIVE an update concerning the petition and hearing processes.

FISCAL IMPACT:

There is no fiscal impact related to this item.

DISCUSSION:

Background

Rent Program staff members are reviewing all submitted Rent Adjustment Petitions, Excess Rent Complaints, and Unpaid Temporary or Permanent Relocation Payment Complaints to determine that they are complete and in compliance with the Ordinance. Those petitions that are incomplete due to a lack of documentation or the need for new information since being filed will be given an opportunity to become completed without a reset of the filing date (in other words, petitioners will have a period of time to submit the requested information without losing their "spot" on the list.)

Petitions that are deemed complete will trigger staff to send the Notice of Objection to the responding parties, allowing twenty-one days for a response from the date the

Notice is mailed. A Notice of Objection form that is received and is complete will prompt the setting of a hearing date as well as providing the option for a voluntary mediation process.

In the event no Notice of Objection form is received, the matter can be set for an administrative decision or a hearing can be set in order to create a full record of the decision. In accordance with Chapter 8, Section 825 of the Rent Board's adopted regulations, the scheduled Hearing date must be set 10 or more days after the Notice of Combined Settlement Conference and Hearing is mailed.

Hearing Process

The Richmond Rent Program Hearing Petition Process flow chart captures the efforts now underway to ensure that petitions that still remain valid and new petitions that are deemed complete can generally be heard based on the priority established when the original petition was filed (Attachment 1).

Proposed Timeline

The Richmond Rent Program Hearing Examiner began his employment with the Rent Program on April 2, 2018. Rent Program staff members have been diligently contacting petitioners to determine if they are ready to move forward or if their petition needs to be withdrawn based on a change of circumstances. Staff members have encountered both responses (Attachment 2).

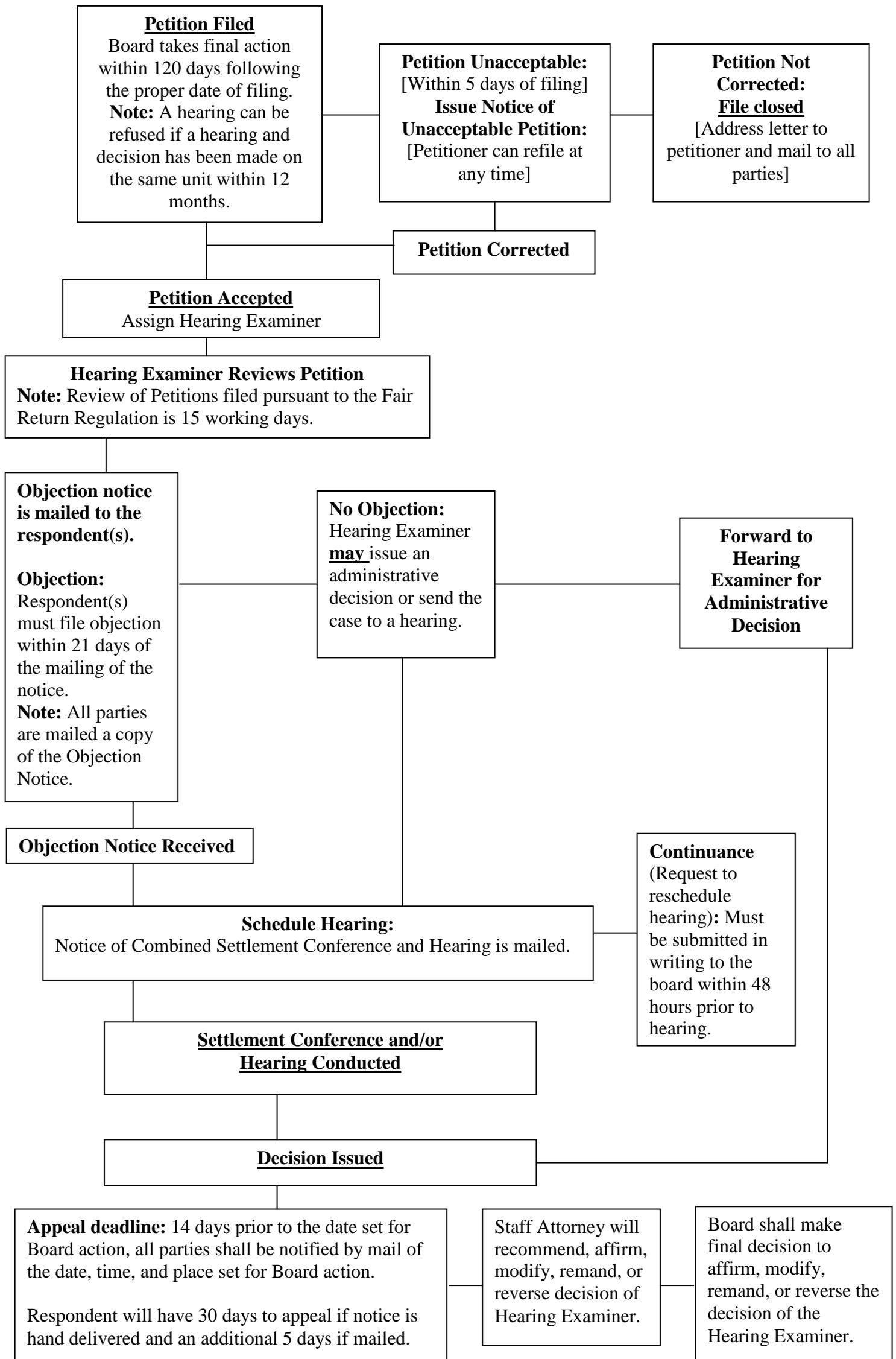
The first Notices of Objection will be sent out after each petition receives a final review. These Notices are likely to begin being sent out during the week of April 23, 2018, or during the first week of May. Hearings are likely to be first heard starting the week of May 21, 2018, or May 28, 2018, depending on how quickly Notices of Objections are received.

DOCUMENTS ATTACHED:

Attachment 1 – Richmond Rent Board Hearing Petition Process – Flow Chart

Attachment 2 – Petition Submission and Review Update (as of April 12, 2018)

Richmond Rent Board Hearing Petition Process



**ITEM I-1
ATTACHMENT 2**

Rent Program Petitions submitted as of 4/12/2018

<u>Type of Petition Filed</u>	Landlord Petitions filed	Tenant Petitions filed	Results of Landlords who would like a hearing	Results of Tenants who would like a hearing	Results of Landlords who would like to withdraw petition	Tenants who would like to withdraw petition
Landlord Rent Adjustment Petition (which includes: Capital Improvements, Increase in Occupants and Fair Return (MNOI))	77	N/A	Communications with petitioners are still in process	N/A	Communications with petitioners are still in process	N/A
Tenant Rent Adjustment Petition (which includes: Habitability, Decrease in space or services, and Rent reduction)	N/A	24	N/A	Communications with petitioners are still in process*	N/A	Communications with petitioners are still in process
Excessive Rent Complaint	N/A	44	N/A	Communications with petitioners are still in process**	N/A	9 These cases were resolved with the landlord.
Unpaid Permanent Relocation	N/A	6	N/A	6	N/A	
Unpaid Temporary Relocation	N/A	2	N/A	Communications with petitioners are still in process	N/A	Communications with petitioners are still in process
Total:	77	76	Pending	6	Pending	9

Total Petitions Submitted: **153.**

* These petitioners were contacted beginning the week of April 9, 2018 and we are in the process of following up on those calls.

** We have thus far left 32 voicemail messages with petitioners, 1 petitioner would like mediation and confirmed 2 Excessive Rent Complaint Petition, ready for hearing.