



REGULAR MEETING OF THE RENT BOARD OF THE CITY OF RICHMOND

CITY COUNCIL CHAMBERS, COMMUNITY SERVICES BUILDING
440 Civic Center Plaza, Richmond, CA 94804

Wednesday, June 20, 2018

Boardmembers

Nancy Combs
Virginia Finlay
Emma Gerould
David Gray
Lauren Maddock

Link to Rent Board Meeting Agendas and Accompanying Materials:

www.ci.richmond.ca.us/3375/Rent-Board

COMMUNICATION ACCESS INFORMATION

This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact Bruce Soublet, ADA Coordinator, at (510) 620-6509 at least three business days before the meeting date.

NOTICE TO PUBLIC

The City of Richmond encourages community participation at public meetings and has established procedures that are intended to accommodate public input in a timely and time-sensitive way. As a courtesy to all members of the public who wish to participate in Rent Board meetings, please observe the following procedures:

Public Comment on Agenda Items: Persons wishing to speak on a particular item on the agenda shall file a speaker form with City staff PRIOR to the Rent Board's consideration of the item on the agenda. Once the clerk announces the item, only those persons who

have previously submitted speaker forms shall be permitted to speak on the item. Each speaker will be allowed up to two minutes to address the Rent Board.

Public Forum: Individuals who would like to address the Rent Board on matters not listed on the agenda or on items remaining on the consent calendar may do so under Public Forum. All speakers must complete and file a speaker's card with City staff prior to the commencement of Public Forum. The amount of time allotted to individual speakers shall be determined based on the number of persons requesting to speak during this item. The time allocation for each speaker will be as follows: 15 or fewer speakers, a maximum of 2 minutes; 16 to 24 speakers, a maximum of 1 and one-half minutes; and 25 or more speakers, a maximum of 1 minute.

Conduct at Meetings: Richmond Rent Board meetings are limited public forums during which the City strives to provide an open, safe atmosphere and promote robust public debate. Members of the public, however, must comply with state law, as well as the City's laws and procedures and may not actually disrupt the orderly conduct of these meetings. The public, for example, may not shout or use amplifying devices, must submit comment cards and speak during their allotted time in order to provide public comment, may not create a physical disturbance, may not speak on matters unrelated to issues within the jurisdiction of the Rent Board or the agenda item at hand, and may not cause immediate threats to public safety.

City Harassment Policy: The City invites public comment and critique about its operations, including comment about the performance of its public officials and employees, at the public meetings of the City Council and boards and commissions. However, discriminatory or harassing comments about or in the presence of City employees, even comments by third parties, may create a hostile work environment, if severe or pervasive. The City prohibits harassment against an applicant, employee, or contractor on the basis of race, religious creed, color, national origin, ancestry, physical disability, medical condition, mental disability, marital status, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity, age or veteran status, or any other characteristic protected by federal, state or local law. In order to acknowledge the public's right to comment on City operations at public meetings, which could include comments that violate the City's harassment policy if such comments do not cause an actual disruption under the Council Rules and Procedures, while taking reasonable steps to protect City employees from discrimination and harassment, City Boards and Commissions shall adhere to the following procedures. If any person makes a harassing remark at a public meeting that violates the above City policy prohibiting harassment, the presiding officer of the meeting may, at the conclusion of the speaker's remarks and allotted time: (a) remind the public that the City's Policy Regarding Harassment of its Employees is contained in the written posted agenda; and (b) state that comments in violation of City policy are not condoned by the City and will play no role in City decisions. If any person makes a harassing remark at a public meeting that violates the above City policy, any City employee in the room who is offended by remarks violating the City's policy is excused from attendance at the meeting. No City employee is compelled to remain in attendance

where it appears likely that speakers will make further harassing comments. If an employee leaves a City meeting for this reason, the presiding officer may send a designee to notify any offended employee who has left the meeting when those comments are likely concluded so that the employee may return to the meeting. The presiding officer may remind an employee or any council or board or commission member that he or she may leave the meeting if a remark violating the City's harassment policy is made.

REGULAR MEETING OF THE RICHMOND RENT BOARD

AGENDA

5:00 PM

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. AGENDA REVIEW

E. PUBLIC FORUM

F. RENT BOARD CONSENT CALENDAR

- F-1.** APPROVE the minutes of the May 16, 2018, Regular Meeting of the Richmond Rent Board. *Cynthia Shaw*
- F-2.** RECEIVE the May 2018 Rent Program Monthly Report. *Paige Roosa*
- F-3.** APPROVE an amendment to the contract for community legal services with the Eviction Defense Center increasing the amount by \$75,000 for Fiscal Year 2018-19, to a total not to exceed \$112,500, and extending the term to June 30, 2019. *Nicolas Traylor*
- F-4.** APPROVE an amendment to the contract for community legal services with Centro Legal de la Raza increasing the amount by \$75,000 for Fiscal Year 2018-19, to a total not to exceed \$112,500, extending the term to June 30, 2019, and modifying the service plan to specify that Centro Legal de la Raza agrees to provide one hundred and twenty-five legal consultations to qualifying tenants per year. *Nicolas Traylor*
- F-5.** APPROVE an amendment to the contract for translation services with Document Tracking Services increasing the amount by \$10,000, to a total not to exceed \$19,999, and extending the term to June 30, 2019. *Nicolas Traylor*

- F-6.** APPROVE the Second Amendment to the Legal Services Agreement with Michael Roush increasing the amount by \$20,000 for the remainder of Fiscal Year 2017-18 and \$57,000 for Fiscal Year 2018-19 to a total not to exceed \$187,000, and extending the term to June 30, 2019. *Nicolas Traylor*
- F-7.** APPROVE an amendment to the contract for preparation of rent adjustment regulations for consideration by the Rent Board with Kenneth Baar extending the term to June 30, 2019. *Nicolas Traylor*

G. REGULATIONS

- G-1.** ADOPT Regulation 17-11, establishing the 2018 Annual General Adjustment in the amount of 3.6% for tenancies commencing prior to September 1, 2017. *Nicolas Traylor
Charles Oshinuga*
- G-2.** APPROVE the Chapterization of Regulation 17-01 and Regulation 17-03 into Chapter 2 and PROVIDE direction to staff regarding how future Chaptered Regulations should be presented to the Rent Board. *Nicolas Traylor
Charles Oshinuga*
- G-3.** AMEND Rent Board Regulation 400 to include a reference to Civil Code 1947.7, as amended, and AMEND Rent Board Regulation 402, authorizing the registration of tenant information and any other information reasonably requested by the Rent Program to effectuate the purpose of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance. *Nicolas Traylor
Charles Oshinuga*
- G-4.** ADOPT (1) Regulation 205, authorizing Staff to process landlord requests for an administrative determination as to the applicability of the Rent Ordinance to a particular unit or property; (2) Regulation 206, creating an administrative determination process and procedure as it relates to request made to determine the applicability of the Rent Ordinance to a particular unit or property; (3) Regulation 207, authorizing a tenant petition challenging the exempt status of particular unit or property; (4) *Nicolas Traylor
Charles Oshinuga*

Regulation 416, authorizing petitions and procedures for rent-withholding based on a landlord's failure to comply with Reporting requirements set forth in Richmond Municipal Code Section 11.100.060(s), including failure to pay the Residential Rental Housing Fee; (5) Regulation 417, describing the parties to a petition brought under Regulation 416; (6) Regulation 418, permitting the Board to initiate a rent withholding process in lieu of a tenant petition; (7) Regulation 419, explaining that the principles of substantial compliance apply to petitions brought under Regulation 416; (8) Regulation 420, describing that if compliance occurs prior to the set hearing, the tenant petition must be dismissed; (9) Regulation 421, creating standards that a Hearing Officer's decision must meet; and (10) Regulation 424, authorizing the use of an escrow account to hold the withheld rent until compliance occurs.

H. RENT BOARD AS A WHOLE

H-1. RECEIVE a presentation of a partial Client Report completed by Graduate Student Fellow Philip Verma, prepared in partial satisfaction for the degree of Master of City Planning, regarding promoting stability and quality in affordable housing developments in Richmond.

*Philip Verma
Paige Roosa*

H-2. (1) RECEIVE an update regarding rent increases in Low Income Housing Tax Credit (LIHTC) properties and (2) APPOINT an ad hoc Rent Board committee (consisting of two Boardmembers) to work with staff to develop an agreement with Low Income Housing Tax Credit (LIHTC) providers that would limit rent increases applied in any twelve-month period to Rental Units in LIHTC developments to the lesser of (a) the maximum rent permitted by the State Tax Credit Allocation Committee or (b) the Annual General Adjustment percentage rent increase for that year plus no more than five percent of deferred rent increases.

*Nicolas Traylor
Paige Roosa
Charles Oshinuga*

H-3. RECEIVE a presentation regarding the methodology employed for the first billing cycle of the Rental Housing Fee.

Nicolas Traylor

I. REPORTS OF OFFICERS

J. ADJOURNMENT

Any documents produced by the City and distributed to a majority of the Rent Board regarding any item on this agenda will be made available at the Rent Program Office located on the second floor of 440 Civic Center Plaza and will be posted at www.richmondrent.org.