

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: September 19, 2018

Final Decision Date Deadline: September 19, 2018

**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-2.**

## ITEM G-2 ATTACHMENT 1

**From:** Ilona Clark [mailto:in70clark@gmail.com]

**Sent:** Saturday, August 11, 2018 6:08 AM

**To:** Cynthia Shaw; Paige Roosa; David Gray; Emma Gerould; Lauren Maddock; Nancy coombs; Nicolas Traylor; Rent Program; Richmond Rent hearing officer, Paul Cohen; Virginia Finlay

**Subject:** Current packet for next weeks meeting

To the rent board and staff,

The latest packet contains several fallacies: Page 93 of the packet, Baar claims that Oakland rent increases equal 100% of CPI. They do not. Oakland uses a combination of CPI and CPI indexed (minus housing component) to calculate their AGA's. This is why Oakland's AGA are consistently lower than Richmond's, often by a full percentage point.

On page 93, Baar's table indicates that Oakland allows CapEx without consideration of fair return or rent history. While this used to be the case, the city of Oakland changed the way it does CapEx increases on February 1st of 2015.

Given how much we are paying your "expert", I am dismayed at how quick he is to spread misinformation. and I'm also disappointed at the carelessness you show by not checking information which is so easily verified. It makes me doubt the veracity of the rest of the claims on which you rationalize regulations that affect our community.

A couple points I would like to bring up regarding the new language you are proposing:

The description of initiating rents based on a vacancy say this may be done under specific listed circumstances:

Proposed Regulations 703.5 and 706.5 would permit both Landlords and Tenants to challenge the resetting of initial rental rate based on change of occupancy status

As mentioned, Chapter 7 of the Rent Board Regulations explains the circumstances whereby a Landlord may reset the initial rental rate to whatever the market can bear.

These circumstances rely on whether there has been a complete turnover of Original Occupants and are encapsulated in two occurrences: 1) where the Original Occupants no longer maintain the Rental Unit as a Primary Residence or 2) where all the Original Occupants voluntarily vacate the Rental Unit.

However the actual language proposed seem to imply that such a rent raise would require a petition to be filed regardless of the circumstances:

706.5. Challenging a new initial rent based on Tenant status.

A. A Landlord or Tenant *may file a petition for a determination as to whether the provisions of Regulation 706, et seq., or other applicable Regulations of this Chapter have been met warranting the setting of a new initial rent.* Where a Landlord or Tenant files a petition pursuant to this Regulation, the petition must conform to the procedural requirements set forth in Chapter 8 of these Regulations. In addition, the Petition shall contain a statement of the issue, the relief being sought, and shall include supporting evidence.*(italics mine)*

This in addition to changing language that confirms a true vacancy from written notice (from the tenant) to simply "notice" puts the burden of proof on the housing provider to create a true vacancy for the purposes of a rent raise.

## ITEM G-2 ATTACHMENT 1

**To be frank, we realize this is an attempt to chip away at vacancy de-control. At the very least call it what it is so that the board will be totally aware of what they are voting on.**

On another point, new language regarding CapEx implies that raises are only to apply to " local code requirements." In that case, you should delete projects that do not pertain to CapEx such as AC, gates, Tenant Assistance, Furniture, Landscaping; none of which pertain to code enforcement as I understand it:

Cap Ex will only apply if:

"The improvement is not an ordinary repair, replacement, and/or maintenance, and is necessary to bring the property into compliance or maintain compliance with applicable local code requirements affecting health and safety in accordance with Richmond Municipal Code Section 11.100.070(g)."

**Again, call this what it is, a way to limit (prevent) any rent increases above CPI, as is your 22 page application for such raises, which, by itself, is a significant barrier to keeping up with the costs of providing housing in Richmond.**

Respectfully  
Ilona Clark  
AURHP

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Be kind, for everyone you meet carries a heavy burden.