

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: April 17, 2019

Final Decision Date Deadline: April 17, 2019

**STATEMENT OF THE ISSUE:** The minutes of the March 20, 2019, Regular Meeting of the Richmond Rent Board require approval.

## 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:** APPROVE the minutes of the March 20, 2019, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**F-1.**

**RICHMOND, CALIFORNIA, March 20, 2019**

The Regular Meeting of the Richmond Rent Board was called to order at 5:03 P.M.

**PLEDGE TO THE FLAG**

**ROLL CALL**

**Present:** Boardmembers Finlay, Maddock, and Chair Gray.  
**Absent:** Vice Chair Gerould.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**AGENDA REVIEW**

None.

**PUBLIC FORUM**

Cordell Hindler invited the Rent Board to attend community events that will be held during the month of March. He also invited Rent Boardmembers to attend the Contra Costa Mayors conference in the month of May, in the city of Lafayette, CA. He will provide additional information on that event at the April meeting. He also reported that he received comments from the Richmond Heights Neighborhood Council that they enjoyed the presentation on Rent Control that Executive Director, Nicolas Traylor gave at their meeting held in March. He also mentioned that he will reach out to other Neighborhood Councils to coordinate a time for the Rent Program to provide a presentation on Rent Control.

Mitchell Jamerson expressed concern about 45 fraudulent foreclosed homes that he claims that Mr. Traylor is listing that Dalin LLC owns. He feels that the Rent Program is profiting from the fraudulent foreclosed homes. He also expressed concerns about his photo posted in the Civic Center lobby. He mentioned that Mr. Traylor should file a police report against him if he feels that he is causing problems rather than posting his photo in the Civic Center lobby. He also encouraged Mr. Traylor to be honest and to do the right thing.

**RENT BOARD CONSENT CALENDAR**

On motion of Boardmember Finlay, seconded by Chair Gray, the item(s) marked with an (\*) were approved with Vice Chair Gerould absent.

\*F-1. Approve the minutes of the February 20, 2019, Regular Meeting of the Richmond Rent Board.

\*F-2. Receive the February 2019 Rent Program Monthly Report.

\*F-3. Receive the Rent Program FY 2018-19 Monthly Revenue and Expenditure Report through February 2019.

\*F-4. Receive Proposed Rent Program Calendar

**PUBLIC HEARING**

G-1. The matter to (1) adopt revised Fiscal Year 2019-20 Budget Option A; (2) receive and approve the Fiscal Year 2019-20 Residential Rental Housing Fee Study; (3) direct staff to prepare a resolution, consistent with the Rent Board's approved Fee Study and Budget, recommending to the City Council approval of the Fiscal Year 2019-20 Residential Rental Housing Fees in the amount of \$212.00 per Controlled Rental Unit and \$112.00 per Partially Covered Rental Unit, which includes Governmentally Subsidized Rental Units; and (4) approve a revision to the salary of the Executive Director to reflect the budgeted amount in the proposed Fiscal Year 2019-20 budget, effective on July 1, 2019, was presented by Deputy Director Paige Roosa. The presentation included a statement of the issue, a revised FY 2019-20 Budget Option which included: incorporation of Rent Board feedback, additional modifications, and a budget summary; a revised FY 2019-20 Rental Housing Fee Study which included: rental housing fees for each budget options A & B, comparison of proposed FY 2019-20 fee to prior years, the proposed elimination of a "third tier" lesser fee for governmentally-subsidized rental units, a comparison to peer jurisdictions, next steps and the recommended action. Discussion ensued. The following individuals gave comments: Cordell Hindler, Brian (no last name given) and Ilona Clark. A motion by Boardmember Finlay, seconded by Chair Gray, to adopt revised Fiscal Year 2019-20 Budget Option A and approve the Fiscal Year 2019-20 Residential Rental Housing Fee Study and direct staff to prepare a resolution, consistent with the Rent Board's approved Fee Study and Budget, recommending to

the City Council approval of the Fiscal Year 2019-20 Residential Rental Housing Fees in the amount of \$212.00 per Controlled Rental Unit and \$112.00 per Partially Covered Rental Unit, which includes Governmentally Subsidized Rental Units; and to approve a revision to the salary of the Executive Director to reflect the budgeted amount in the proposed Fiscal Year 2019-20 budget, effective on July 1, 2019, with a friendly amendment to the motion regarding the Executive Director's salary made by Chair Gray, to approve the budgeted salary amount in Budget Option A and direct staff to return to the board with recommendations of a process for performance reviews for the Board to review, passed by the following vote: **Ayes:** Boardmembers Finlay, Maddock, and Chair Gray. **Noes:** None. **Absent:** Vice Chair Gerould.

### **CONSIDERATION OF APPEALS**

H-1. Staff Attorney Charles Oshinuga presented on the matter of Appeal regarding Petition No. RC18-T008 (1918 Roosevelt Ave., Upstairs and Downstairs units). Landlord appeals a Hearing Examiner's decision that (1) found that the subject property contains two dwelling units, thus subjecting it to the full provisions of the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance; and (2) voided the Landlord's attempted rent increase. The presentation included a general overview of the appeal process which included the overview of terms, appeal process, appeal steps, submitting appeal form, responding to an appeal, what happen when an appeal is filed, general structure of an appeal hearing, appeal hearing that is not De Novo, the De Novo appeal hearing process, ruling on an appeal, and decorum. All parties of the case were present. The appellant requested a De Novo appeal hearing. After conversation, the Board voted not to have the De Novo hearing. The appeal hearing began and the following individuals presented their case: Attorney Robert Lane, Juan Pedro Flores Guzman and Manuel Magdaleno. After hearing the issues brought on appeal and considering the testimony of all parties on appeal, the Board adopted Legal Staff's recommendation and Affirmed the Hearing Examiner's Decision.

### **REPORTS OF OFFICERS**

Executive Director Nicolas Traylor gave a brief report on the upcoming Navigating the Eviction Process in Richmond workshop on Saturday, March 30, 2019. He also gave thanks to Rent Program Services Analyst Philip Verma for doing a great job translating the Board's first appeal. He also mentioned that he will

research the information for conducting performance evaluations for senior staff members. Chair Gray added that he will provide information as well to assist with Mr. Traylor's research.

Chair Gray thanked Rent Program staff members, Staff Attorney Charles Oshinuga and Administrative Analyst Cynthia Shaw for their patience, coordinating the hearing, preparing appeal documents and assisting Boardmembers with navigating the appeal process. He also thanked the Boardmembers for their patience, and acknowledged their hard work in preparing for our first appeal hearing.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 8:04 P.M.

Cynthia Shaw and Ramona Howell  
Staff Clerks

(SEAL)

Approved:

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David Gray, Chair