

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 20, 2019

Final Decision Date Deadline: November 20, 2019

**STATEMENT OF THE ISSUE:** The minutes of the October 29, 2019, Special 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 October 29, 2019 Special Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**F-2.**

**RICHMOND, CALIFORNIA, October 29, 2019**

The Special Meeting of the Richmond Rent Board was called to order at 6:00 P.M.

**PLEDGE TO THE FLAG**

**ROLL CALL**

**Present:** Boardmembers Finlay, Duncan, Chair Maddock and Executive Director.

**Absent:** Boardmember Conner and Vice Chair Gerould.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**AGENDA REVIEW**

None.

**PUBLIC FORUM**

Cordell Hindler invited the Rent Board to attend the Contra Costa Mayors Conference, held at the Berkeley Country Club, in the month of November. He also invited the Board to attend the Council of Industry monthly luncheon, held at the Hotel Mac, also held during the month of November. He also mentioned a presentation by staff regarding other Rent Control jurisdictions and their Boardmembers receiving stipends for their service, that was presented to the Board at a previous meeting and suggested that our Rent Boardmembers should receive some sort of stipend for their service, be considered as a future agenda item.

**CONSIDERATION OF APPEALS**

F-1. Staff Attorney Charles Oshinuga presented on the matter of Appeal regarding appeals filed by both parties regarding Petition No. RC18-L003. Both parties appeal a Hearing Examiner's decision that granted the Landlord's Maintenance of Net Operating Income petition and found that the Landlord was entitled to an Individual Rent Adjustment for all four Rental Units in the amount of \$105.71 per unit, subject to proper procedures required by State law and the Richmond Fair Rent, Just Cause, and Homeowner Protection Ordinance. On appeal, Tenant challenges the Hearing Examiner's award of an individual rent adjustment on

grounds that their Rental Unit contains various habitability issues that need to be addressed. Landlords filed a timely response to Tenant's appeal, asserting that many of the complained of issues that Tenant asserts have either been addressed or are the fault of the Tenants. Additionally, Landlords timely filed an appeal of the Hearing Examiner's decision. In their appeal, Landlords challenge the methodology used by the Hearing Examiner in conducting a fair return analysis and assert that an adjustment in the Base Year gross income should reflect 67% of actual market rents as such a reflection is fair. Landlords also challenge the Hearing Examiner's methodology in determining the amount by which the Base Year gross income was adjusted, as they argue that the Hearing Examiner unreasonably disregarded two out of five comparable apartment rents provided by an appraiser. There were no public comments on this item. All parties of the case were present. The appeal hearing began and the following individuals presented their case: Teresa Drisker, Jerrilee Doss and Ray Felix. After hearing the issues brought on appeal and considering the testimony of all parties on appeal, the Board adopted Legal Staff's recommendation unchanged and affirmed in part, modified in part, and remanded in part the Hearing Examiner's Decision.

**REPORTS OF OFFICERS**

Executive Director Nicolas Traylor gave a brief report on the Navigating the Eviction Process in Richmond for Landlords workshop held on Saturday, October 26, 2019, noting that it was successful and well attended. He also mentioned that our new Public Information Unit Supervisor, Palomar Sanchez conducted the presentation and he received great reviews.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 7:41 P.M.

Cynthia Shaw and Ramona Howell  
Staff Clerks

(SEAL)

Approved:

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Lauren Maddock, Chair