

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: January 20, 2021

Final Decision Date Deadline: January 20, 2021

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:
F-2.

This page intentionally left blank

Cynthia Shaw

From: Evelyne Bolling <e.bolling@ymail.com>
Sent: Saturday, December 12, 2020 11:20 AM
To: Cynthia Shaw
Subject: September and October Rent Board Meeting Minutes + Support for changes

Hello Ms. Shaw,

In catching up with the meetings minutes of the past few months, I have 1 brief question and 1 comment expressing agreement with Chair Maddock:

SEPTEMBER MINUTES - Question

“1010(C) 3: revise language regarding the change of address/contact information form to include shall contain a statement informing the Tenant that failure to update the Landlord and to remove and/or the Rent Program and add language that the Rent Program may facilitate an update of change of address between the displaced Tenant and Landlord.”

Can you please explain or rephrase the paragraph above? It seems there may be words missing and I cannot catch the intended meaning.

OCTOBER MINUTES - Comment

“1010(C) 3: Chair Maddock recommended that staff remove the language in regards to the Rent Program facilitating an update of the change of address between the displaced Tenant and Landlord. The proposed language stated: “Where the Rent Program chooses to facilitate an update of the displaced Tenant’s change of address, the Rent Program shall send the Landlord written notification of the displaced Tenant’s new address. This written notification shall be sent to the address that the Landlord performed an eviction pursuant to RMC Section 11.100.050(a) (6).” She expressed that the displaced Tenant should be responsible for providing any change of address to the Landlord.

1010 (C) 5: Chair Maddock recommended that staff remove the entire section that references if the Landlord does not have the displaced Tenant’s contact information, the Landlord shall request the Rent Program provide the Landlord with the Tenant’s contact information. The proposed language states, “in such an event, the Rent Program shall seek written permission of the displaced Tenant to release their contact information to the Landlord. If the displaced Tenant elects not to provide the sought after permission, the Rent Program shall serve as the intermediary, and assist the Landlord in providing the displaced Tenant with the Landlord’s written offer for re-renting the Rental Unit to the displaced Tenant.” She expressed that the displaced Tenant should be responsible for providing any change of address and communicate directly with the Landlord.”

I agree with Chair Maddock that the responsibility for compliance with address change be placed on the Tenant. Additionally, while the Tenant is displaced through no fault of his/her own, the law(s) provide(s) the Tenant with compensation and ways to re-occupy the dwelling when available. Consequently, the Tenant should be forthcoming with information and promptly reply to notices. Failure to do so should be viewed as “not interested”.

And finally, the Rent Program should not be “in the middle” with permissions and the likes...if a Tenant does not feel confident enough to provide the Landlord with a new address, the likelihood of the Tenant wants to return to the dwelling is minimal, don’t you think? So, let’s not force the issue.

Best,
 E. Bolling

This page intentionally left blank

Cynthia Shaw

From: Ilona Clark <in70clark@gmail.com>
Sent: Saturday, December 12, 2020 10:51 PM
To: Cynthia Shaw; Paige Roosa; Alana Conner; Emma Gerould; Lauren Maddock; Nicolas Traylor; Rent Program; Paul Cohen; Virginia Finlay
Subject: OMI regulations

to the Richmond Rent Board and Staff,

Having read the latest packet, I request that you consider the unintended consequences of your proposals.

Measure L already requires that a unit be re-offered at previous rent levels to evicted renters, forever.

Further limiting OMI to one per property (unless owner becomes disabled) is unnecessary and would decrease rentals on the market since no owner would rent another unit on the property willingly knowing they would never be able to recover the unit if needed.

Remember, 80% of Richmonds housing providers are small-timers. We have families and need the flexibility to move them or ourselves in, keep our kids local and our elders close.

Furthermore, if the limit of OMI's is one per property, forever, subsequent owners will not rent, knowing they may never legally recover their property. This will further limit much-needed rental units - forever.

Measure L has left this point in your hands, please oppose this proposal as written.

Respectfully

Ilona Clark

--

A mistake that makes you humble is better than an achievement that makes you arrogant

This page intentionally left blank



**Atchison Village Mutual Homes
Corporation**

270 Curry Street
Richmond, California 94801
Tel 510-234-9054 Fax 510-234-9072
avmhc2@yahoo.com

December 16, 2020

Alana Grice Conner
City of Richmond Rent Program
440 Civic Center Plaza, Suite 200
Richmond, CA 94804

Dear Ms. Conner,

I am writing to you regarding the assertion by the staff of the Richmond Rent Board that Atchison Village Mutual Homes Corporation is subject to the oversight of the Rent Board, and to request that you reverse this decision.

If you are not familiar with Atchison Village, we are a community of 450 homes, constructed by the Richmond Housing Authority with federal funding in 1941 to meet the housing crisis created by the influx of war industry workers into Richmond who built ships at the Kaiser shipyard and jeeps and tanks at the Ford plant. We are one of the only such communities still standing in the United States. In 1957, after the government announced its intention to sell off the Atchison Village Defense Housing Project, the residents of Atchison Village joined together to form the Atchison Village Mutual Homes Corporation, launching our proud history of home ownership. Many of our units are owned by the original homeowners, or their children or grandchildren. We have served as an affordable route to home ownership in Richmond for over 60 years.

Atchison Village is on the US National Register of Historic Places, and is part of the Rosie the Riveter National Historic District.

Our legal structure as a mutual homes corporation is highly unusual, one of only a handful of such communities in the country. We are not condos, nor are we an apartment complex. Instead, we are a community in which our members share ownership of the entire property, with individual homeowners possessing the right to

perpetual use of our homes. We all think of ourselves as homeowners. We buy and sell our homes on the open market. We have the right to modify, decorate and landscape our homes (subject to city codes and historic trust rules) that any homeowners enjoy. We each pay property taxes on our individual homes.

And we have enormous pride in our homes. There is active involvement in Village governance through an engaged and energetic community, evidenced through high turnout in our Board elections, and large attendance at community town halls and Board meetings. We support each other, from grocery shopping for disabled neighbors during the pandemic, to a group that helps lower income neighbors pay their property taxes. We are a community of owner-occupied homes. In fact, our by-laws require homeowners to be residents. The only "tenants" in the Village are people who are renting rooms from the homeowners, who are housemates of the homeowners.

Few of us would be able to own homes in the Bay Area without Atchison Village, as one of the few affordable places to buy a home in the entire metropolitan area. Again, we are very proud of our homes and our community,

During the years I have lived in Atchison Village, I have heard many different ways of describing our community. The one common thread in all of those descriptions is the fact that we are homeowners. We disagree about many things, as people in such a large and diverse community inevitably do. But we universally consider ourselves homeowners.

The immediate past president of our Board of Directors was one of the primary shapers of Richmond's Rent Control ordinance. Atchison Village was specifically discussed while developing the ordinance, and it was clear to him that there was never any intention of attempting to consider Atchison Village subject to the ordinance, but that we were clearly outside its purview.

I ask that the Rent Board overturn the demands of your staff to bring us under your oversight. I am attaching a letter from our attorney regarding the legal underpinnings of our request.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Tara Ayres". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Tara Ayres
President
Atchison Village Mutual Homes Corporation

cc Richmond City Council

3150 Kinsrow Avenue, #289
Eugene, Oregon 97401
Tel.: (701) 330-2098
e-mail: mbelopez@protonmail.com
Admitted in the State of California

Mr. Charles Oshinuga, Esq.
Staff Attorney
Richmond Rent Program
440 Civic Center Plaza, 2nd Floor
Richmond, California 94804

VIA UNITED STATES CERTIFIED MAIL

**RE: Richmond Rent Program Correspondence Concerning Possible
Enrollment of Atchison Village Mutual Homes Corporation**

December 15, 2020

Dear Mr. Oshinuga,

I write concerning your October 21, 2020 e-mail correspondence to Atchison Village Mutual Homes Corporation (“Atchison Village”), as attorney for Atchison Village. This will serve as Atchison Village’s reply concerning the Richmond Rent Program’s (“Rent Program”) efforts to force Atchison Village’s inclusion under the auspices of the Rent Program’s operations, including both “enrolling” Atchison Village in the Rent Program, and requiring the payment of fees for such inclusion therein.

As you are aware, Atchison Village is not and has never been a landlord to the many generations of families that have resided within its boundaries. Instead, wise people saw the terrible ravages of multiple World Wars, and the rise and fall of stock markets that wiped out savings and left people destitute and homeless, and they worked collectively to ensure that none of their families would be without homes. The members of Atchison Village came together, pooling their resources, raising money (through such activities as bake sales), and collectively purchased the property and buildings from the United States Government. Indeed, original contracts from the 1950s note each member’s obligation to make good on that member’s share of the promissory note to the United States Government for the purchase of Atchison Village.

Since its founding Atchison Village has **been owned by the members**. Moreover, through democratic efforts the members of Atchison Village (as has been the case from its inception to present), collectively decide how to allocate shared resources for the repair and maintenance of Atchison Village, payment for office staff, and the procurement of insurance to protect Atchison Village. Every member has one vote. No one is charged a “rent.” And, as you are further

aware, Atchison Village does not exist to earn a “pecuniary profit.” It is also not a provider of “low income” housing, nor a limited equity cooperative. Finally, Atchison Village does not “artificially” restrict the price at which a member can transfer his or her Unit, and furthermore, Atchison Village does not receive any profit from such private transfer.

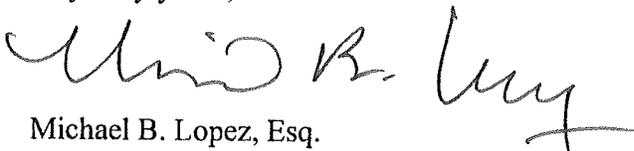
Although legal creatures establishing mutual ownership—for the benefit of a community of members—once were not as historically well-known in the United States, such models have long-since existed in jurisdictions like Norway, Germany, and Sweden. And, of course, such models of **mutual ownership** are now established in the United States, and recognized by governmental entities like the United States Department of Housing and Urban Development.

Atchison Village is a proud community of 450 members who own their homes. Some have lived their entire lives in Atchison Village, others have raised generations of families within its historic enclave. All are proud to have the dignity associated with homeownership, and civic pride in taking active part in the governance of their mutually owned corporation. Consequently, Atchison Village will decline the Rent Program’s offer to transform its members from a group of homeowners into one of renters.

Finally, it is my understanding that privileged work-product produced for Atchison Village was shared as part of a private consultation with the Rent Program by Directors of Atchison Village who were not represented at that meeting by counsel. I respectfully ask that you return or destroy all copies of that privileged work-product, and certify such compliance to me in writing.

Should you wish to discuss anything that I have written here, you may contact me by telephone, my direct dial is: (701) 330-2098, or via e-mail: mbelopez@protonmail.com.

Very truly yours,



Michael B. Lopez, Esq.

Attorneys for Atchison Village Mutual Homes Corporation



**Atchison Village Mutual Homes
Corporation**

270 Curry Street
Richmond, California 94801
Tel 510-234-9054 Fax 510-234-9072
avmhc2@yahoo.com

December 16, 2020

Emma Gerould
City of Richmond Rent Program
440 Civic Center Plaza, Suite 200
Richmond, CA 94804

Dear Ms. Gerould,

I am writing to you regarding the assertion by the staff of the Richmond Rent Board that Atchison Village Mutual Homes Corporation is subject to the oversight of the Rent Board, and to request that you reverse this decision.

If you are not familiar with Atchison Village, we are a community of 450 homes, constructed by the Richmond Housing Authority with federal funding in 1941 to meet the housing crisis created by the influx of war industry workers into Richmond who built ships at the Kaiser shipyard and jeeps and tanks at the Ford plant. We are one of the only such communities still standing in the United States. In 1957, after the government announced its intention to sell off the Atchison Village Defense Housing Project, the residents of Atchison Village joined together to form the Atchison Village Mutual Homes Corporation, launching our proud history of home ownership. Many of our units are owned by the original homeowners, or their children or grandchildren. We have served as an affordable route to home ownership in Richmond for over 60 years.

Atchison Village is on the US National Register of Historic Places, and is part of the Rosie the Riveter National Historic District.

Our legal structure as a mutual homes corporation is highly unusual, one of only a handful of such communities in the country. We are not condos, nor are we an apartment complex. Instead, we are a community in which our members share ownership of the entire property, with individual homeowners possessing the right to

perpetual use of our homes. We all think of ourselves as homeowners. We buy and sell our homes on the open market. We have the right to modify, decorate and landscape our homes (subject to city codes and historic trust rules) that any homeowners enjoy. We each pay property taxes on our individual homes.

And we have enormous pride in our homes. There is active involvement in Village governance through an engaged and energetic community, evidenced through high turnout in our Board elections, and large attendance at community town halls and Board meetings. We support each other, from grocery shopping for disabled neighbors during the pandemic, to a group that helps lower income neighbors pay their property taxes. We are a community of owner-occupied homes. In fact, our by-laws require homeowners to be residents. The only "tenants" in the Village are people who are renting rooms from the homeowners, who are housemates of the homeowners.

Few of us would be able to own homes in the Bay Area without Atchison Village, as one of the few affordable places to buy a home in the entire metropolitan area. Again, we are very proud of our homes and our community,

During the years I have lived in Atchison Village, I have heard many different ways of describing our community. The one common thread in all of those descriptions is the fact that we are homeowners. We disagree about many things, as people in such a large and diverse community inevitably do. But we universally consider ourselves homeowners.

The immediate past president of our Board of Directors was one of the primary shapers of Richmond's Rent Control ordinance. Atchison Village was specifically discussed while developing the ordinance, and it was clear to him that there was never any intention of attempting to consider Atchison Village subject to the ordinance, but that we were clearly outside its purview.

I ask that the Rent Board overturn the demands of your staff to bring us under your oversight. I am attaching a letter from our attorney regarding the legal underpinnings of our request.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Tara Ayres". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Tara Ayres
President
Atchison Village Mutual Homes Corporation

cc Richmond City Council

3150 Kinsrow Avenue, #289
Eugene, Oregon 97401
Tel.: (701) 330-2098
e-mail: mbelopez@protonmail.com
Admitted in the State of California

Mr. Charles Oshinuga, Esq.
Staff Attorney
Richmond Rent Program
440 Civic Center Plaza, 2nd Floor
Richmond, California 94804

VIA UNITED STATES CERTIFIED MAIL

**RE: Richmond Rent Program Correspondence Concerning Possible
Enrollment of Atchison Village Mutual Homes Corporation**

December 15, 2020

Dear Mr. Oshinuga,

I write concerning your October 21, 2020 e-mail correspondence to Atchison Village Mutual Homes Corporation (“Atchison Village”), as attorney for Atchison Village. This will serve as Atchison Village’s reply concerning the Richmond Rent Program’s (“Rent Program”) efforts to force Atchison Village’s inclusion under the auspices of the Rent Program’s operations, including both “enrolling” Atchison Village in the Rent Program, and requiring the payment of fees for such inclusion therein.

As you are aware, Atchison Village is not and has never been a landlord to the many generations of families that have resided within its boundaries. Instead, wise people saw the terrible ravages of multiple World Wars, and the rise and fall of stock markets that wiped out savings and left people destitute and homeless, and they worked collectively to ensure that none of their families would be without homes. The members of Atchison Village came together, pooling their resources, raising money (through such activities as bake sales), and collectively purchased the property and buildings from the United States Government. Indeed, original contracts from the 1950s note each member’s obligation to make good on that member’s share of the promissory note to the United States Government for the purchase of Atchison Village.

Since its founding Atchison Village has **been owned by the members**. Moreover, through democratic efforts the members of Atchison Village (as has been the case from its inception to present), collectively decide how to allocate shared resources for the repair and maintenance of Atchison Village, payment for office staff, and the procurement of insurance to protect Atchison Village. Every member has one vote. No one is charged a “rent.” And, as you are further

aware, Atchison Village does not exist to earn a “pecuniary profit.” It is also not a provider of “low income” housing, nor a limited equity cooperative. Finally, Atchison Village does not “artificially” restrict the price at which a member can transfer his or her Unit, and furthermore, Atchison Village does not receive any profit from such private transfer.

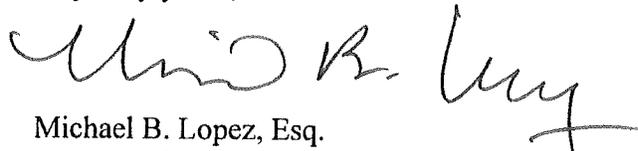
Although legal creatures establishing mutual ownership—for the benefit of a community of members—once were not as historically well-known in the United States, such models have long-since existed in jurisdictions like Norway, Germany, and Sweden. And, of course, such models of **mutual ownership** are now established in the United States, and recognized by governmental entities like the United States Department of Housing and Urban Development.

Atchison Village is a proud community of 450 members who own their homes. Some have lived their entire lives in Atchison Village, others have raised generations of families within its historic enclave. All are proud to have the dignity associated with homeownership, and civic pride in taking active part in the governance of their mutually owned corporation. Consequently, Atchison Village will decline the Rent Program’s offer to transform its members from a group of homeowners into one of renters.

Finally, it is my understanding that privileged work-product produced for Atchison Village was shared as part of a private consultation with the Rent Program by Directors of Atchison Village who were not represented at that meeting by counsel. I respectfully ask that you return or destroy all copies of that privileged work-product, and certify such compliance to me in writing.

Should you wish to discuss anything that I have written here, you may contact me by telephone, my direct dial is: (701) 330-2098, or via e-mail: mbelopez@protonmail.com.

Very truly yours,



Michael B. Lopez, Esq.

Attorneys for Atchison Village Mutual Homes Corporation



**Atchison Village Mutual Homes
Corporation**

270 Curry Street
Richmond, California 94801
Tel 510-234-9054 Fax 510-234-9072
avmhc2@yahoo.com

December 16, 2020

Lauren Maddock
City of Richmond Rent Program
440 Civic Center Plaza, Suite 200
Richmond, CA 94804

Dear Ms. Maddock,

I am writing to you regarding the assertion by the staff of the Richmond Rent Board that Atchison Village Mutual Homes Corporation is subject to the oversight of the Rent Board, and to request that you reverse this decision.

If you are not familiar with Atchison Village, we are a community of 450 homes, constructed by the Richmond Housing Authority with federal funding in 1941 to meet the housing crisis created by the influx of war industry workers into Richmond who built ships at the Kaiser shipyard and jeeps and tanks at the Ford plant. We are one of the only such communities still standing in the United States. In 1957, after the government announced its intention to sell off the Atchison Village Defense Housing Project, the residents of Atchison Village joined together to form the Atchison Village Mutual Homes Corporation, launching our proud history of home ownership. Many of our units are owned by the original homeowners, or their children or grandchildren. We have served as an affordable route to home ownership in Richmond for over 60 years.

Atchison Village is on the US National Register of Historic Places, and is part of the Rosie the Riveter National Historic District.

Our legal structure as a mutual homes corporation is highly unusual, one of only a handful of such communities in the country. We are not condos, nor are we an apartment complex. Instead, we are a community in which our members share ownership of the entire property, with individual homeowners possessing the right to

perpetual use of our homes. We all think of ourselves as homeowners. We buy and sell our homes on the open market. We have the right to modify, decorate and landscape our homes (subject to city codes and historic trust rules) that any homeowners enjoy. We each pay property taxes on our individual homes.

And we have enormous pride in our homes. There is active involvement in Village governance through an engaged and energetic community, evidenced through high turnout in our Board elections, and large attendance at community town halls and Board meetings. We support each other, from grocery shopping for disabled neighbors during the pandemic, to a group that helps lower income neighbors pay their property taxes. We are a community of owner-occupied homes. In fact, our by-laws require homeowners to be residents. The only "tenants" in the Village are people who are renting rooms from the homeowners, who are housemates of the homeowners.

Few of us would be able to own homes in the Bay Area without Atchison Village, as one of the few affordable places to buy a home in the entire metropolitan area. Again, we are very proud of our homes and our community,

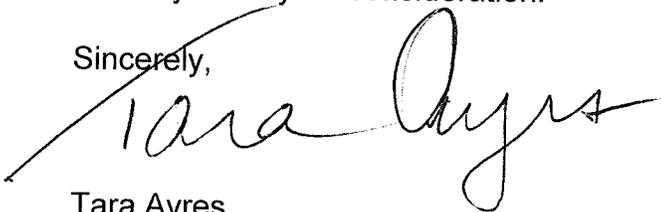
During the years I have lived in Atchison Village, I have heard many different ways of describing our community. The one common thread in all of those descriptions is the fact that we are homeowners. We disagree about many things, as people in such a large and diverse community inevitably do. But we universally consider ourselves homeowners.

The immediate past president of our Board of Directors was one of the primary shapers of Richmond's Rent Control ordinance. Atchison Village was specifically discussed while developing the ordinance, and it was clear to him that there was never any intention of attempting to consider Atchison Village subject to the ordinance, but that we were clearly outside its purview.

I ask that the Rent Board overturn the demands of your staff to bring us under your oversight. I am attaching a letter from our attorney regarding the legal underpinnings of our request.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Tara Ayres". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Tara Ayres
President
Atchison Village Mutual Homes Corporation

cc Richmond City Council

3150 Kinsrow Avenue, #289
Eugene, Oregon 97401
Tel.: (701) 330-2098
e-mail: mbelopez@protonmail.com
Admitted in the State of California

Mr. Charles Oshinuga, Esq.
Staff Attorney
Richmond Rent Program
440 Civic Center Plaza, 2nd Floor
Richmond, California 94804

VIA UNITED STATES CERTIFIED MAIL

**RE: Richmond Rent Program Correspondence Concerning Possible
Enrollment of Atchison Village Mutual Homes Corporation**

December 15, 2020

Dear Mr. Oshinuga,

I write concerning your October 21, 2020 e-mail correspondence to Atchison Village Mutual Homes Corporation (“Atchison Village”), as attorney for Atchison Village. This will serve as Atchison Village’s reply concerning the Richmond Rent Program’s (“Rent Program”) efforts to force Atchison Village’s inclusion under the auspices of the Rent Program’s operations, including both “enrolling” Atchison Village in the Rent Program, and requiring the payment of fees for such inclusion therein.

As you are aware, Atchison Village is not and has never been a landlord to the many generations of families that have resided within its boundaries. Instead, wise people saw the terrible ravages of multiple World Wars, and the rise and fall of stock markets that wiped out savings and left people destitute and homeless, and they worked collectively to ensure that none of their families would be without homes. The members of Atchison Village came together, pooling their resources, raising money (through such activities as bake sales), and collectively purchased the property and buildings from the United States Government. Indeed, original contracts from the 1950s note each member’s obligation to make good on that member’s share of the promissory note to the United States Government for the purchase of Atchison Village.

Since its founding Atchison Village has **been owned by the members**. Moreover, through democratic efforts the members of Atchison Village (as has been the case from its inception to present), collectively decide how to allocate shared resources for the repair and maintenance of Atchison Village, payment for office staff, and the procurement of insurance to protect Atchison Village. Every member has one vote. No one is charged a “rent.” And, as you are further

aware, Atchison Village does not exist to earn a “pecuniary profit.” It is also not a provider of “low income” housing, nor a limited equity cooperative. Finally, Atchison Village does not “artificially” restrict the price at which a member can transfer his or her Unit, and furthermore, Atchison Village does not receive any profit from such private transfer.

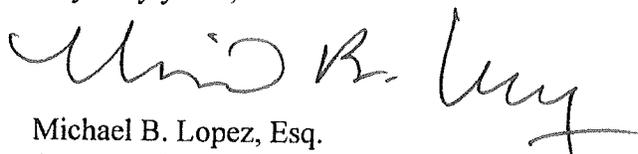
Although legal creatures establishing mutual ownership—for the benefit of a community of members—once were not as historically well-known in the United States, such models have long-since existed in jurisdictions like Norway, Germany, and Sweden. And, of course, such models of **mutual ownership** are now established in the United States, and recognized by governmental entities like the United States Department of Housing and Urban Development.

Atchison Village is a proud community of 450 members who own their homes. Some have lived their entire lives in Atchison Village, others have raised generations of families within its historic enclave. All are proud to have the dignity associated with homeownership, and civic pride in taking active part in the governance of their mutually owned corporation. Consequently, Atchison Village will decline the Rent Program’s offer to transform its members from a group of homeowners into one of renters.

Finally, it is my understanding that privileged work-product produced for Atchison Village was shared as part of a private consultation with the Rent Program by Directors of Atchison Village who were not represented at that meeting by counsel. I respectfully ask that you return or destroy all copies of that privileged work-product, and certify such compliance to me in writing.

Should you wish to discuss anything that I have written here, you may contact me by telephone, my direct dial is: (701) 330-2098, or via e-mail: mbelopez@protonmail.com.

Very truly yours,



Michael B. Lopez, Esq.

Attorneys for Atchison Village Mutual Homes Corporation



**Atchison Village Mutual Homes
Corporation**
270 Curry Street
Richmond, California 94801
Tel 510-234-9054 Fax 510-234-9072
avmhc2@yahoo.com

December 16, 2020

Virginia Finlay
City of Richmond Rent Program
440 Civic Center Plaza, Suite 200
Richmond, CA 94804

Dear Ms. Finlay,

I am writing to you regarding the assertion by the staff of the Richmond Rent Board that Atchison Village Mutual Homes Corporation is subject to the oversight of the Rent Board, and to request that you reverse this decision.

If you are not familiar with Atchison Village, we are a community of 450 homes, constructed by the Richmond Housing Authority with federal funding in 1941 to meet the housing crisis created by the influx of war industry workers into Richmond who built ships at the Kaiser shipyard and jeeps and tanks at the Ford plant. We are one of the only such communities still standing in the United States. In 1957, after the government announced its intention to sell off the Atchison Village Defense Housing Project, the residents of Atchison Village joined together to form the Atchison Village Mutual Homes Corporation, launching our proud history of home ownership. Many of our units are owned by the original homeowners, or their children or grandchildren. We have served as an affordable route to home ownership in Richmond for over 60 years.

Atchison Village is on the US National Register of Historic Places, and is part of the Rosie the Riveter National Historic District.

Our legal structure as a mutual homes corporation is highly unusual, one of only a handful of such communities in the country. We are not condos, nor are we an apartment complex. Instead, we are a community in which our members share ownership of the entire property, with individual homeowners possessing the right to

perpetual use of our homes. We all think of ourselves as homeowners. We buy and sell our homes on the open market. We have the right to modify, decorate and landscape our homes (subject to city codes and historic trust rules) that any homeowners enjoy. We each pay property taxes on our individual homes.

And we have enormous pride in our homes. There is active involvement in Village governance through an engaged and energetic community, evidenced through high turnout in our Board elections, and large attendance at community town halls and Board meetings. We support each other, from grocery shopping for disabled neighbors during the pandemic, to a group that helps lower income neighbors pay their property taxes. We are a community of owner-occupied homes. In fact, our by-laws require homeowners to be residents. The only "tenants" in the Village are people who are renting rooms from the homeowners, who are housemates of the homeowners.

Few of us would be able to own homes in the Bay Area without Atchison Village, as one of the few affordable places to buy a home in the entire metropolitan area. Again, we are very proud of our homes and our community,

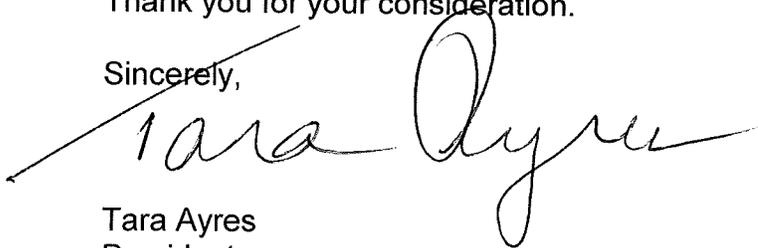
During the years I have lived in Atchison Village, I have heard many different ways of describing our community. The one common thread in all of those descriptions is the fact that we are homeowners. We disagree about many things, as people in such a large and diverse community inevitably do. But we universally consider ourselves homeowners.

The immediate past president of our Board of Directors was one of the primary shapers of Richmond's Rent Control ordinance. Atchison Village was specifically discussed while developing the ordinance, and it was clear to him that there was never any intention of attempting to consider Atchison Village subject to the ordinance, but that we were clearly outside its purview.

I ask that the Rent Board overturn the demands of your staff to bring us under your oversight. I am attaching a letter from our attorney regarding the legal underpinnings of our request.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Tara Ayres". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Tara Ayres
President
Atchison Village Mutual Homes Corporation

cc Richmond City Council

3150 Kinsrow Avenue, #289
Eugene, Oregon 97401
Tel.: (701) 330-2098
e-mail: mbelopez@protonmail.com
Admitted in the State of California

Mr. Charles Oshinuga, Esq.
Staff Attorney
Richmond Rent Program
440 Civic Center Plaza, 2nd Floor
Richmond, California 94804

VIA UNITED STATES CERTIFIED MAIL

**RE: Richmond Rent Program Correspondence Concerning Possible
Enrollment of Atchison Village Mutual Homes Corporation**

December 15, 2020

Dear Mr. Oshinuga,

I write concerning your October 21, 2020 e-mail correspondence to Atchison Village Mutual Homes Corporation (“Atchison Village”), as attorney for Atchison Village. This will serve as Atchison Village’s reply concerning the Richmond Rent Program’s (“Rent Program”) efforts to force Atchison Village’s inclusion under the auspices of the Rent Program’s operations, including both “enrolling” Atchison Village in the Rent Program, and requiring the payment of fees for such inclusion therein.

As you are aware, Atchison Village is not and has never been a landlord to the many generations of families that have resided within its boundaries. Instead, wise people saw the terrible ravages of multiple World Wars, and the rise and fall of stock markets that wiped out savings and left people destitute and homeless, and they worked collectively to ensure that none of their families would be without homes. The members of Atchison Village came together, pooling their resources, raising money (through such activities as bake sales), and collectively purchased the property and buildings from the United States Government. Indeed, original contracts from the 1950s note each member’s obligation to make good on that member’s share of the promissory note to the United States Government for the purchase of Atchison Village.

Since its founding Atchison Village has **been owned by the members**. Moreover, through democratic efforts the members of Atchison Village (as has been the case from its inception to present), collectively decide how to allocate shared resources for the repair and maintenance of Atchison Village, payment for office staff, and the procurement of insurance to protect Atchison Village. Every member has one vote. No one is charged a “rent.” And, as you are further

aware, Atchison Village does not exist to earn a “pecuniary profit.” It is also not a provider of “low income” housing, nor a limited equity cooperative. Finally, Atchison Village does not “artificially” restrict the price at which a member can transfer his or her Unit, and furthermore, Atchison Village does not receive any profit from such private transfer.

Although legal creatures establishing mutual ownership—for the benefit of a community of members—once were not as historically well-known in the United States, such models have long-since existed in jurisdictions like Norway, Germany, and Sweden. And, of course, such models of **mutual ownership** are now established in the United States, and recognized by governmental entities like the United States Department of Housing and Urban Development.

Atchison Village is a proud community of 450 members who own their homes. Some have lived their entire lives in Atchison Village, others have raised generations of families within its historic enclave. All are proud to have the dignity associated with homeownership, and civic pride in taking active part in the governance of their mutually owned corporation. Consequently, Atchison Village will decline the Rent Program’s offer to transform its members from a group of homeowners into one of renters.

Finally, it is my understanding that privileged work-product produced for Atchison Village was shared as part of a private consultation with the Rent Program by Directors of Atchison Village who were not represented at that meeting by counsel. I respectfully ask that you return or destroy all copies of that privileged work-product, and certify such compliance to me in writing.

Should you wish to discuss anything that I have written here, you may contact me by telephone, my direct dial is: (701) 330-2098, or via e-mail: mbelopez@protonmail.com.

Very truly yours,



Michael B. Lopez, Esq.

Attorneys for Atchison Village Mutual Homes Corporation