

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: September 15, 2021

Final Decision Date Deadline: September 15, 2021

STATEMENT OF THE ISSUE: Since the onset of the COVID-19 pandemic, many Tenants have been unable to pay rent caused by financial hardships of the pandemic. As a result, State, County and local government have established various eviction moratoria to help prevent mass displacement and the negative health impacts. Due to the slow roll out the State emergency rental assistance program and delay in funding many Landlords are now struggling financially. This realization inspired the Rent Program to establish an internal policy that allows Landlords to either request a deferral of the Residential Rental Housing Fee or a payment plan. Landlords requesting a deferral must complete an online application and sign under penalty of perjury that they have been negatively impacted by the COVID-19 Pandemic. Finally, in March of 2020, the Rent Program helped spearhead the creation and development of Richmond's first Rent Assistance Program. This was achieved by organizing and leading weekly meetings between the Rent Program, the City of Richmond Community Development Department, and local non-profits already administering rent assistance programs. The framework for Richmond's Rent Assistance Program eventually incorporated itself into the Richmond Rapid Response Fund (R3F). The Rent Program has also conducted outreach and plans to perform addition rental assistance communications in the form of mass mailings to both Tenants and Landlords. Finally, the Rent Program has created a special rental assistance resources webpage and posted an instructional video on how to apply for rental assistance, available on the Rent Program website at (<http://www.ci.richmond.ca.us/3541/Workshops>). This link will be distributed to the community by the Rent Program listserv blasts and social media posts.

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> | |

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|---|--|---------------------------------|
| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) | | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Regulation | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Contract/Agreement | <input checked="" 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 the Agenda Report and presentation on the Richmond Rent Program's efforts to assist Landlords who are facing financial hardship due to the COVID-19 pandemic. This report examines the existing Rental Housing Fee deferral and payment plan policy, as well as the Rent Program's role in spearheading the creation of Richmond's first rental assistance program, including other rental assistance outreach efforts. Rent Program Staff seeks the Rent Board's DIRECTION regarding a proposed regulation to codify a Rent Program Rental Housing Fee payment plan/payment deferral policy – Rent Program (Nicolas Traylor/510-620-6564).

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AGENDA REPORT

DATE: September 15, 2021

TO: Chair Finlay and Members of the Rent Board

FROM: Nicolas Traylor, Executive Director

SUBJECT: Rent Program Policies to Assist Landlords Facing Financial Hardship Due to the COVID-19 Pandemic

STATEMENT OF THE ISSUE:

Since the onset of the COVID-19 pandemic, many Tenants have been unable to pay rent caused by financial hardships of the pandemic. As a result, State, County and local government have established various eviction moratoria to help prevent mass displacement and the negative health impacts. Due to the slow roll out the State emergency rental assistance program and delay in funding many Landlords are now struggling financially. This realization inspired the Rent Program to establish an internal policy that allows Landlords to either request a deferral of the Residential Rental Housing Fee or a payment plan. Landlords requesting a deferral must complete an online application and sign under penalty of perjury that they have been negatively impacted by the COVID-19 Pandemic. Finally, in March of 2020, the Rent Program helped spearhead the creation and development of Richmond's first Rent Assistance Program. This was achieved by organizing and leading weekly meetings between the Rent Program, the City of Richmond Community Development Department, and local non-profits already administering rent assistance programs. The framework for Richmond's Rent Assistance Program eventually incorporated itself into the Richmond Rapid Response Fund (R3F). The Rent Program has also conducted outreach and plans to perform addition rental assistance communications in the form of mass mailings to both Tenants and Landlords. Finally, the Rent Program has created a special rental assistance resources webpage and posted an instructional video on how to apply for rental assistance, available on the Rent Program website at (<http://www.ci.richmond.ca.us/3541/Workshops>). This link will be distributed to the community by the Rent Program listserv blasts and social media posts.

RECOMMENDED ACTION:

RECEIVE the Agenda Report and presentation on the Richmond Rent Program's efforts to assist Landlords who are facing financial hardship due to the COVID-19 pandemic. This report examines the existing Rental Housing Fee deferral and payment plan policy, as well as the Rent Program's role in spearheading the creation of Richmond's first rental

assistance program, including other rental assistance outreach efforts. Rent Program Staff seeks the Rent Board’s DIRECTION regarding a proposed regulation to codify a Rent Program Rental Housing Fee payment plan/payment deferral policy.

FISCAL IMPACT:

While deferrals and payment plans delay the payment of the Rental Housing Fee, presently the number of deferrals and payment plans approved internally has not impacted the ability of the Rent Program to fund the Rent Program budget or operate the Rent Program.

DISCUSSION:

Background

On March of 2020, considering the financial hardship experienced by Landlords caused by the COVID-19 Pandemic, the Richmond Rent Program established a Rental Housing Fee payment deferral and payment plan policy. This policy allows Landlords to request either a payment plan or deferral of the Rental Housing Fee. Landlords who are experiencing financial hardship due to the COVID-19 Pandemic may apply for a payment plan or deferral by claiming one of the following reasons:

- 1. Tenants unable to pay rent
- 2. Reduction in work hours
- 3. Layoff or terminations due to COVID-19
- 4. Increase in out-of-pocket medical expenses
- 5. Other (please explain below)

To apply for a deferral or payment plan, Landlords must complete the following online form below:

Richmond California BUSINESS
COR Connect
Environment

RICHMOND CITY HALL
450 Civic Center Plaza
Richmond, CA 94804
Directions | Phone Numbers

Payment Deferral Application - For Landlords Facing Financial Hardship Due to COVID-19 Sign in to Save Progress

Steps
1. Step One
2. Step Two
3. Step Three

Step One

Landlord Name (First, Last)* Landlord Phone Number*
Landlord FRJC Number* Landlord Email Address
As listed on your Rental Housing Fee invoice

Please select the reasons for which you have experienced financial hardship caused by the COVID-19 pandemic.*
 Tenants unable to pay rent
 Reduction in work hours (please provide employer contact information below)
 Layoffs or terminations due to COVID-19
 Increase in out-of-pocket medical expenses
 Other (please explain below)
Check all that apply.
Other (please explain below)

If you selected "Other" for the question above, please describe the reason for financial hardship caused by the COVID-19 pandemic.

Employer Name Employer Address
Contact Person Employer Phone Number
Employer Email Address

Continue

* indicates a required field

The Purpose of and Facts about the Payment Deferral and Payment Plan Policy

The purpose of having a Rental Housing Fee deferral and payment plan option is to encourage Landlords to come into compliance with the Rent Ordinance's requirements as well as provide a relief incentive to pay the Rental Housing Fee without causing more negative impact to the Landlord.

The Executive Director has discretion to allow for a deferral of the Rental Housing Fee or a payment plan in cases where the Landlord is experiencing financial hardship not directly related to the COVID-19 Pandemic. For example, there have been a handful of cases, where a Landlord had failed to enroll their rental properties or pay the Rental Housing Fee since the inception of the Program. As a result, the Landlord was facing four years of Rental Housing Fees. Owners of multi-unit properties, who had accumulated many years of fees and late fees, may request a waiver of the late fees based on the grounds listed in the Request for a Waiver of Late Fees form (Attachment 1). If a late fee waiver was approved based on one or more of these grounds and the total Rental Housing Fees due had accumulated to a level where the Landlord was unable to pay the Fee at one time, that same Landlord could request a payment plan or payment deferral.

Both the payment deferral and payment plan policies allow for payment to be deferred or extended for a time period of **no more than 6 months, with the caveat that any payment plan or deferral of the Rental Housing Fee must be fully executed within any given fiscal year.**

Deferral and Payment Plan Numbers

The Rental Housing Fee deferral and payment plan policy was put in place at the beginning of the COVID-19 pandemic in anticipation and to provide assistance to Landlords who have suffered financial strain as a result of the pandemic. To date, there have been seven (7) payment deferrals and fifteen (15) payment plans granted since the beginning of the COVID-19 pandemic.

Richmond's Rent Assistance Program

Prior to the COVID-19 pandemic, the Richmond Rent Program began meeting with various stakeholders, including the City of Richmond, past Richmond Rent Board members and Richmond City Council members, to discuss the creation of a rent assistance program. The COVID-19 pandemic laid bare the necessity of rent assistance in helping prevent unnecessary displacement. Even before the COVID-19 pandemic began in the spring of 2020, it was evident from the many counseling cases that revolved around non-payment of rent (or inability to pay rent), and from conversations with organizations such as Seasons of Sharing and Catholic Charities, that rent assistance resources were inadequate to keep up with the demand.

When it became clear that the many tenants would be unable to pay the rent due to financial hardship caused by the COVID-19 pandemic, the Rent Program's former Deputy

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Director and the Executive Director organized a meeting in the spring of 2020, with the City of Richmond's Community Development department.

After several initial meetings between Rent Program Staff (Paige Roosa-Deputy Director, Magaly Chavez- Rent Program Services Analyst II, Sarah Schaff-Administrative Student Intern and Nicolas Traylor-Executive Director) and Community Development Staff (Lina Velasco-Director of Community Development and Charice Duckworth-Community Development Project Manager), the group decided to invite several local non-profits (Seasons of Sharing, Sparkpoint, the EDfund, Richmond Community Foundation and Catholic Charities) that administer and or fund existing rent assistance programs, to glean feedback on how to develop a Richmond specific rent assistance program. The meeting between the City of Richmond, the Rent Program and the local non-profits made clear that the most effective way to create and implement a new rent assistance program was to do so through a coalition of non-profits which have existing expertise in seeking funding for and administering rent assistance programs. Eventually, the coalition of non-profits grew to include the Richmond Neighborhood Housing Services, the Office of Mayor Tom Butt, and the Richmond Land (Trust). Meeting weekly to strategize efforts, this coalition has raised hundreds of thousands of dollars, integrated itself into the Richmond Rapid Response Fund and disbursed over \$150,000 in rent assistance to Richmond renters and Landlords.

After being led by former Rent Program Deputy Director, Paige Roosa until May of 2021, Jasmine Jones, the Executive Director of the West Contra Costa ED Fund (hereafter ED Fund) has overseen the development of the Richmond Rapid Response Rent Assistance Program. In July of 2021, the ED Fund (which also helps oversee the Richmond Rapid Response Fund) hired Jessica Travenia as its first Rent Assistance Program Director to help create the governing structure of the organization and to continue seeking funding for the Richmond Rapid Response rent assistance fund. Now, with billions of dollars of state Emergency Rent Assistance funding available, Richmond's Rent Assistance Program continues to seek rent assistance funding and has shifted its immediate focus to assisting Landlords and Tenants with applying for state ERAP monies and providing grants to County and local organizations to assist Landlords and Tenants apply for ERAP monies and perform rent assistance educational outreach. Additionally, the City of Richmond plans to set aside hundreds of thousands of dollars of federal funds (at last estimate at approx. \$700,000) help fund the R3F's rent assistance program. Currently, the Rent Program continues to meet with the coalition of non-profit and City staff every other week. The Rent Assistance Program coalition current includes the following organizations and individuals:

Richmond Rent Program: Nicolas Traylor, Monica Bejarano, and Fred Tran

City of Richmond Community Development department: Lina Velasco and Charice Duckworth

West Contra County ED Fund: Jasmine Jones and Jessa Travinia

Richmond Community Foundation: Betty Cantrell, Jim Becker

Richmond Neighborhood Housing Services: Nikki Beasley, Katrina Vizinou, Dietrich Torres and Cymone Goree

The Office of Mayor Tom Butt: Christopher Whitmore and David Padilla

Richmond Land Trust: Valerie Jameson

Additional Rent Program Rent Assistance Outreach to Richmond Landlords

In addition to helping create the City's first rent assistance program, the Rent Program has also conducted outreach to Landlords in the form of online educational webinars and a comprehensive fact sheet on the state's eviction moratorium (and the associated rent assistance component) and an instructional webinar on how to apply for the state emergency rent assistance (posted on September 10, 2021 at (<http://www.ci.richmond.ca.us/3541/Workshops>)). Rent Program staff has created a special webpage devoted to rent assistance resources, as well as issuing posts on Facebook and Instagram informing the community about available rent assistance.

By mid-September, 2021, a postcard on rent assistance resources will go to all Richmond households. Because the Emergency Rent Assistance Program requires the participation by the Tenant for the Landlord to receive emergency rent assistance, the initial mass outreach project was focused on Tenants and homeowners. The Rent Program has also received a grant for \$5,000 to conduct additional outreach to Landlords and Tenants. The Rent Program is planning to utilize the \$5,000 grant to conduct a targeted outreach to Richmond Landlords, in the form of another mass mailing of an informational postcard. Finally, the Rent Program has partnered with the Richmond Neighborhood Housing Services (RNHS) to refer and assist Landlords and Tenants who want to apply for state emergency rent assistance.

Finally, the Rent Program is planning on sending out special notices to Landlord and Tenants each time a Tenant is served a notice to pay rent or quit, informing both parties of the requirement, per SB 832, to seek out rent assistance resources prior to moving forward with an Unlawful Detainer (eviction lawsuit), as well as the option to mediate rent disputes (e.g. assisting both parties with setting up payment plans if necessary).

Next Steps

Upon receiving feedback and direction from the Rent Board, Rent Program staff will draft a proposed regulation that codifies the Rent Program's payment plan/deferral policy.

DOCUMENTS ATTACHED:

Attachment 1: Request for a Waiver of Late Fees (and corresponding grounds for waiver)

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Attachment 2: Sample (Redacted) Payment Plan

Attachment 3: Redacted Email RE: Deferral Plan

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**September 15, 2021
RENT BOARD MEETING**

ATTACHMENT 1

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Request to Remove Late Fees

Property Owner Name: _____

FRJC #: _____

Property Owner Phone Number or Email: _____

The Property Owner has requested the removal of late fees on their account totaling \$ _____ for the following reason:

- New Owner, did not receive invoice
- Wrong Mailing Address
- Owner believed property was exempt from the Rent Ordinance
- Financial hardship, caused by circumstances beyond the Landlord’s control, such as natural disaster, destruction or major damage to the Rental Property not due to the Landlords actions, bankruptcies and disputes over ownership of the property.
- Hospitalizations or medical treatments of the Landlord or Landlord’s family during the fee billing period, or a death in the family within the fee billing period
- The landlord was billed for a fewer number of units because of errors in property records maintained by the Rent Program where the error was not attributable to information supplied by the Landlord. The penalties are waived only for unbilled units; the billed units should be paid on time.
- A previously enrolled property was not billed as a result of staff error.
- An invalid or erroneous account number was assigned, which resulted in billing errors or improper crediting of payments by the landlord.
- The determination of whether or not the property was subject to the Ordinance required an analysis through the existing Administrative Determination of Exempt Status process. Penalties will be waived only while the determinations pending. If the Landlord raised the issue requiring administrative determination, penalties will be waived only from the date of the first written contact with the Board in which the issue was raised. Waiver of penalties will not be granted if the staff determines that the issue raised is already settled and/or has no substantial merit. If the issue was raised by Rent Board staff, the waiver period commences on the date on which the administrative determination was requested by the staff. In all situations in which a determination was requested, the waiver period terminates when the Landlord is notified of the determination regarding the status of his/her property.
- The property owner was unable to collect some or all of the rent due to the COVID-19 pandemic and the resulting hardship led to non-payment of the Rental Housing Fee. In this case, the property owner must declare under penalty of perjury, in detail, how COVID-19 has impacted their business (i.e. how many month’s tenants didn’t pay rent, illness in the family or self, etc.)
- Other: _____

This request has been conditionally granted by the Rent Program, provided the owner pays the Rental Housing Fee before _____.
(10 business days unless new owner or incorrect mailing address - then 30 days)

Executive/Deputy Director Signature / Staff Initials

Date

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**September 15, 2021
RENT BOARD MEETING**

ATTACHMENT 2

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RENTAL HOUSING FEE PAYMENT PLAN

To:

From: Paige Roosa, Deputy Director

Date: September 1, 2020

Subject: Rental Housing Fee Payment Plan for **XXXX Street Avenue**

Below is the payment plan for the rental unit located at *XXXX Street Avenue*, Richmond, California. These payments cover the Rental Housing Fee for Fiscal Years 2016-17, 2017-18, 2018-19, 2019-20, and 2020-21. **Please note that failure to make timely payments on the outstanding amounts as indicated in the table below will result in your matter being referred to a collection agency without exception.**

Rental Housing Fee Payment Schedule

Fiscal Year Fee	Invoice Amount	Due Date
2016-17 (includes 2017-18) & 2018-19	\$352	September 30, 2020
2019-20	\$212	November 30, 2020
2020-21	\$219	December 31, 2020

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Paige Roosa

From: Paige Roosa
Sent: Tuesday, October 20, 2020 7:25 AM
To: [REDACTED]
Cc: Ramona Howell; Moises Serano; Nicolas Traylor
Subject: RE: Online Form Submittal: Payment Deferral Application - For Landlords Facing Financial Hardship Due to COVID-19
Attachments: 4_13_21 Invoice.pdf
Importance: High

Dear [REDACTED],

I hope this message finds you well and safe. Thank you for submitting an application for deferral of payment of the Rental Housing Fee. I have reviewed your application and generated a revised invoice here that is due by April 13, 2021. I hope that this is amenable to your situation.

Please remit payment by the due date to the attention of Ramona Howell, copied here. Please mail any checks to the following address:

Richmond Rent Program
Attn: Ramona Howell
440 Civic Center Plaza, Suite 200
Richmond, CA 94804

If you wish to pay by phone, please email Ramona at ramona_howell@ci.richmond.ca.us to arrange a time to do so.

Please note that the new Tenant, Homeowner, and Small Landlord Relief and Stabilization Act of 2020 (AB 3088) protects qualifying tenants from eviction for non-payment of rent until February 2021. Under the law, tenants must pay back at least 25% of the rent they owe between September 1, 2020 and January 31, 2021 no later than January 31, 2021 to be protected from eviction. The law also provides mortgage relief to homeowners and landlords with four or fewer properties who have had difficulty making mortgage payments because of COVID-19. Property owners can find additional information from the [Business, Consumer Services and Housing Agency](#) and should contact their mortgage servicer directly for more information.

Additional information and answers to frequently asked questions are accessible at the following link: <http://www.ci.richmond.ca.us/DocumentCenter/View/55662/Updated-Rent-Program-Fact-Sheet-10012020-English-and-Spanish?bidId=>

Please feel free to contact me should you have any questions or require additional information.

Best,
Paige

Paige Roosa
Deputy Director | City of Richmond Rent Program
440 Civic Center Plaza, Suite 200 | Richmond, CA 94804
(510) 234-RENT (7368) (main) | (510) 620-6537 (direct) | (510) 307-8149 (fax)
www.richmondrent.org | [Subscribe to the Rent Program Email List](#)

The Rent Program is now on [Facebook](#) and [Instagram](#) – follow us to stay in touch!

From: noreply@civicplus.com [mailto:noreply@civicplus.com]

Sent: Tuesday, October 13, 2020 12:30 PM

To: Paige Roosa <Paige_Roosa@ci.richmond.ca.us>

Subject: Online Form Submittal: Payment Deferral Application - For Landlords Facing Financial Hardship Due to COVID-19

Payment Deferral Application - For Landlords Facing Financial Hardship Due to COVID-19

Step 1

Landlord Name (First, Last)

██████████

Landlord Phone Number

██████████

Landlord FRJC Number

██████████

Landlord Email Address

████████████████████

(Section Break)

Please select the reasons for which you have experienced financial hardship caused by the COVID-19 pandemic

Tenants unable to pay rent, Reduction in work hours (please provide employer contact information below), Layoffs or terminations due to COVID-19

Other (please explain below)

Field not completed.

Employer Name

██████████

Employer Address

████████████████████ ████████████████████

Contact Person

██

Employer Phone Number

██████████

Employer Email Address

████████████████████

Step 2

When do you anticipate is the soonest you would be able to pay the amount due on your invoice?

Next year after the rent moratorium is over and tenants start paying rent again. Until then, there is no way to pay this large amount. I'd like to request to waive this amount as this is due to a worldwide pandemic.

Step 3

Attach Supporting Documentation

You must provide written documentation in support of the claim of financial hardship related to COVID-19. The types of documentation that are acceptable include, but are not limited to, a letter or notice from tenants, establishing proof of their inability to pay rent, letter from employer, establishing proof of reduction in work hours or proof of employer/business shut down due to COVID-19, medical bills, etc. If Landlord is self-employed, please provide proof of self-employment including federal income tax returns and a signed explanation of the hardship.

SUPPORTING DOCUMENTATION [Rent.pdf](#)

ADDITIONAL SUPPORTING DOCUMENTATION *Field not completed.*

ADDITIONAL SUPPORTING DOCUMENTATION *Field not completed.*

ADDITIONAL SUPPORTING DOCUMENTATION *Field not completed.*

(Section Break)

Declaration Under Penalty of Perjury

I swear or affirm that the answers are true and reflect my current finances and status regarding COVID-19. I declare under penalty of perjury under the laws of the State of California that the foregoing, and all attached pages including supporting documentation, are true and correct to the best of my knowledge.

Signature 

Date 

Affirm Signature (Check the box below) By typing my name into the box above, I affirm that this is my signature for all legal purposes.

Email not displaying correctly? [View it in your browser.](#)

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