



REGULAR MEETING OF THE RENT BOARD OF THE CITY OF RICHMOND

AGENDA
Wednesday, February 16, 2022

Link to Rent Board Meeting Agendas and Accompanying Materials:
www.ci.richmond.ca.us/3375/Rent-Board

Board Chair
Virginia Finlay

Board Vice Chair
Shiva Mishek

Boardmembers
Alana Grice Conner
Carole Johnson
Michael Vasilas

ALL BOARDMEMBERS WILL PARTICIPATE VIA VIDEO OR TELECONFERENCE

REFER TO PAGE 2 FOR INSTRUCTIONS ON HOW TO PARTICIPATE BY COMPUTER, MOBILE DEVICE, OR PHONE AS A MEMBER OF THE PUBLIC

CORONAVIRUS DISEASE (COVID-19) ADVISORY

PURSUANT to the Governor of the State of California's Assembly Bill 361 and in the interest of the public health and safety, attendance at the City of Richmond Rent Board meeting will be conducted via videoconference and teleconference.

Both <https://www.coronavirus.cchealth.org/> and <http://www.ci.richmond.ca.us/3914/Richmond-Coronavirus-Info> provide updated coronavirus information.

Public comment will be confined to items appearing on the agenda and will be limited to the methods provided below. The following provides information on how the public can participate in this meeting.

How to observe and/or participate in the meeting from home:

By Computer, Tablet, or Mobile Device:

Step 1: Tune in to the videoconference at the following link:

<https://us02web.zoom.us/j/88689590195?pwd=YU5TNmxHWXJkT1NWK3E2cXNYd2h6UT09>

Step 2: Enter the following password: rentboard

By Telephone:

Step 1: Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or
+1 646 558 8656 or +1 301 715 8592

Step 2: Webinar ID: 886 8959 0195

Step 3: Enter the following passcode: 485363371

International numbers available: <https://us02web.zoom.us/j/88689590195?pwd=YU5TNmxHWXJkT1NWK3E2cXNYd2h6UT09>

How to make a Public Comment during the meeting:

Members of the public must submit a request to speak during the meeting by sending an email to Rent Board Clerk Cynthia Shaw at cynthia_shaw@ci.richmond.ca.us by **3:00 PM on Wednesday, February 16, 2022**. The request must include the following:

- (a) Your Name
- (b) Your Phone Number
- (c) The Item for which you wish to make a Public Comment

Requests for comments received via email during the meeting and up until the public comment period on the relevant agenda item is closed, will be accommodated as is reasonably possible and will be limited to a maximum of one to two minutes, depending on the number of commenters, as more fully described in the Rent Board meeting procedures below. The City cannot guarantee that its network and/or the site will be uninterrupted.

Accessibility for Individuals with Disabilities

Upon request, the City will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services and sign language interpreters, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting. Requests should be emailed to cynthia_shaw@ci.richmond.ca.us or submitted by phone at (510) 620-5552. Requests made by mail to the Rent Program Office, Rent Board meeting, 440 Civic Center Plaza, Suite 200, Richmond, CA 94804 must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

Effect of Advisory on In-Person Public Participation

During the pendency of Assembly Bill 361, the language in this Advisory portion of the agenda supersedes any language below in the meeting procedures contemplating in-person public comment.

NOTICE TO PUBLIC

The City of Richmond encourages community participation at public meetings and has established procedures that are intended to accommodate public input in a timely and time-sensitive way. As a courtesy to all members of the public who wish to participate in Rent Board meetings, please observe the following procedures:

Public Comment on Agenda Items: Persons wishing to speak on a particular item on the agenda shall file a speaker form with City staff PRIOR to the Rent Board's consideration of the item on the agenda. Once the clerk announces the item, only those persons who have previously submitted speaker forms shall be permitted to speak on the item. Each speaker will be allowed up to two minutes to address the Rent Board.

Public Forum: Individuals who would like to address the Rent Board on matters not listed on the agenda or on items remaining on the consent calendar may do so under Public Forum. All speakers must complete and file a speaker's card with City staff prior to the commencement of Public Forum. The amount of time allotted to individual speakers shall be determined based on the number of persons requesting to speak during this item. The time allocation for each speaker will be as follows: 15 or fewer speakers, a maximum of 2 minutes; 16 to 24 speakers, a maximum of 1 and one-half minutes; and 25 or more speakers, a maximum of 1 minute.

Conduct at Meetings: Richmond Rent Board meetings are limited public forums during which the City strives to provide an open, safe atmosphere and promote robust public debate. Members of the public, however, must comply with state law, as well as the City's laws and procedures and may not actually disrupt the orderly conduct of these meetings. The public, for example, may not shout or use amplifying devices, must submit comment cards and speak during their allotted time in order to provide public comment, may not create a physical disturbance, may not speak on matters unrelated to issues within the jurisdiction of the Rent Board or the agenda item at hand, and may not cause immediate threats to public safety.

City Harassment Policy: The City invites public comment and critique about its operations, including comment about the performance of its public officials and employees, at the public meetings of the City Council and boards and commissions. However, discriminatory or harassing comments about or in the presence of City employees, even comments by third parties, may create a hostile work environment, if severe or pervasive. The City prohibits harassment against an applicant, employee, or contractor on the basis of race, religious creed, color, national origin, ancestry, physical disability, medical condition, mental disability, marital status, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity, age or veteran status, or any other characteristic protected by federal, state or local law. In order to acknowledge the public's right to comment on City operations at public meetings, which could include comments that violate the City's harassment policy if such comments do not cause an actual disruption under the Council Rules and Procedures, while taking reasonable steps to protect City employees from discrimination and harassment, City Boards and Commissions shall adhere to the following procedures. If any person makes a harassing remark at a public meeting that violates the above City policy prohibiting harassment, the presiding officer of the meeting may, at the conclusion of the speaker's remarks and allotted time: (a) remind the public that the City's Policy Regarding Harassment of its Employees is contained in the written posted agenda; and (b) state that comments in violation of City policy are not condoned by the City and will play no role in City decisions. If any person makes a harassing remark at a public meeting that violates the above City policy, any City employee in the room who is offended by remarks violating the City's policy is excused from attendance at

the meeting. No City employee is compelled to remain in attendance where it appears likely that speakers will make further harassing comments. If an employee leaves a City meeting for this reason, the presiding officer may send a designee to notify any offended employee who has left the meeting when those comments are likely concluded so that the employee may return to the meeting. The presiding officer may remind an employee or any council or board or commission member that he or she may leave the meeting if a remark violating the City's harassment policy is made.

REGULAR MEETING OF THE RICHMOND RENT BOARD

AGENDA

5:00 PM

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. AGENDA REVIEW

E. PUBLIC FORUM

F. RENT BOARD CONSENT CALENDAR

- | | | |
|-------------|--|-------------------------|
| F-1. | APPROVE the minutes of the January 19, 2022, Regular Meeting of the Richmond Rent Board. | <i>Cynthia Shaw</i> |
| F-2. | RECEIVE the Fiscal Year 2021-22 Monthly Activity Report through January 2022. | <i>Cynthia Shaw</i> |
| F-3. | RECEIVE the Rent Program FY 2021-22 Monthly Revenue and Expenditure Report through January 2022. | <i>Fred Tran</i> |
| F-4. | APPROVE late fee waiver(s) for January 2022 pursuant for Regulation 425. | <i>Nicolas Traylor</i> |
| F-5. | ADOPT a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference. | <i>Charles Oshinuga</i> |

G. STUDY AND ACTION SESSION

- | | | |
|-------------|---|--|
| G-1. | RECEIVE an overview and discuss the objective of the Fiscal Year 2022-23 Rent Program operating | <i>Nicolas Traylor</i>
<i>Fred Tran</i> |
|-------------|---|--|

budget options and corresponding Rental Housing
Fee Study and PROVIDE direction to staff.

H. REPORTS OF OFFICERS

I. ADJOURNMENT

Any documents produced by the City and distributed to a majority of the Rent Board regarding any item on this agenda will be made available at the Rent Program Office located on the second floor of 440 Civic Center Plaza and will be posted at www.richmondrent.org.

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 16, 2022

Final Decision Date Deadline: February 16, 2022

STATEMENT OF THE ISSUE: The minutes of the January 19, 2022, 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 January 19, 2022, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-1.

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RICHMOND, CALIFORNIA, January 19, 2022

The Regular Meeting of the Richmond Rent Board was called to order at 5:00 P.M.

Due to the coronavirus (Covid-19) pandemic, Contra Costa County and Governor Gavin Newsom have issued multiple orders requiring sheltering in place, social distancing, and reduction of person-to-person contact. Accordingly, Governor Gavin Newsom has issued executive orders that allow cities to hold public meetings via teleconferencing.

Public comments were confined to items appeared on the agenda and were limited to the methods provided below. DUE TO THE SHELTER IN PLACE ORDERS, and consistent with Executive Order N29-20, the meeting utilized video/teleconferencing only. The following provides information on how the public participated in this meeting.

The public was able to view the meeting using Zoom at the following link:

<https://us02web.zoom.us/j/86724914286?pwd=K2t4Sk1WR0U1Z2RqTS9GcUFnYXNvZz09>

Password: rentboard

Or By Telephone:

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or
+1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656

Webinar ID: 867 2491 4286

International numbers available:

<https://us02web.zoom.us/j/kv9mlbeGJ>

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, January 19, 2022, to the Rent Board Clerk, Cynthia Shaw at cynthia_shaw@ci.richmond.ca.us, to be considered into the record.

PLEDGE TO THE FLAG

ROLL CALL

Board Members Present: Conner, Vasilas, Vice Chair Mishek, and Chair Finlay.

Staff Present: General Counsel Charles Oshinuga, Deputy Director Fred Tran, and Executive Director Nicolas Traylor.

Absent: Board Member Johnson.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Executive Director Nicolas Traylor noted for the record a typo in Item F-1, December 15, 2021, Minutes under Consent Calendar, to correct the spelling of past through to pass through and a second typo in Item F-1, under Consideration of Appeals, to correct the spelling of impressible to impermissible. Executive Director Nicolas Traylor acknowledged that the corrections had been made. Since the recommended corrections didn't result in substitutive changes, no formal action was taken on this item.

PUBLIC FORUM

Cordell Hindler invited the Board to attend the Counsel of Industries Zoom Webinar at noon on February 16, 2022. He also commented on Item F-6 under Consent Calendar regarding City legislative bodies continuing to meet via videoconference and teleconference. He mentioned that he already expressed his concerns at the December 15, 2021, meeting but wants to readdress this issue. He feels that the Board should consider a hybrid model for Rent Board meetings. He mentioned that the City of Berkeley held their meeting utilizing a hybrid model and feels Richmond Rent Board should also consider a hybrid model. He also expressed that he misses the in-person interaction with Rent Board Members in the Council Chambers. He also mentioned that he agrees with Consent Calendar Items F-1 through F-5 but is unsure about Item F-6. He also added that he hopes the Board considers his comments.

RENT BOARD CONSENT CALENDAR

On motion of Vice Chair Mishek, seconded by Board Member Vasilas, the item(s) marked with an (*) were approved with Board Member Johnson absent:

*F-1. Approve the minutes of the December 15, 2021, Regular Meeting of the Richmond Rent Board.

*F-2. Receive the Fiscal Year 2021-22 Monthly Activity Report through December 2021.

*F-3. Receive the Rent Program FY 2021-22 Monthly Revenue and Expenditure Report through December 2021.

*F-4. Receive the Budgeted versus Actual Revenue and Expenditures Report for the Second Quarter ending December 31, 2021.

*F-5. Approve Late Fee Waiver(s) for December 2021 pursuant for Regulation 425.

*F-6. Adopt a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference.

RENT BOARD AS A WHOLE

G-1. The matter to direct staff members to redact the information from the Agenda on December 16, 2020, in a manner consistent with Attachment 1, was presented by General Counsel Charles Oshinuga. The presentation included an overview about the Request for Proposal (RFP) for interpretation services, discussion, and the recommended action. Discussion ensued. There were no public comments on this item. A motion by Board Member Conner, seconded by Vice Chair Mishek, to direct staff members to redact the information from its Agenda on December 16, 2020, in a manner consistent with Attachment 1, passed by the following vote: **Ayes:** Board Members Conner, Vasilas, Vice Chair Mishek and Chair Finlay. **Noes:** None. **Abstentions:** None. **Absent:** Board Member Johnson.

STUDY AND ACTION SESSION

H-1. The matter to receive an overview and historic timeline of the budget and fee study process and appropriate content was presented by Deputy Director Fred Tran. The presentation included the statement of the issue, fiscal impact, background, Fiscal Year 2022-2023 timeline, Rent Program Budget and Fee Study, discussion, Fees – history, Fee layers and associated tasks, further discussion items and the recommended action. Discussion ensued. There were no public comments on this

item. The Board received the overview and historic timeline of the Budget and Fee Study process and appropriate content, and no formal action was taken on this item.

REPORTS OF OFFICERS

Executive Director Nicolas Traylor gave a brief report that Rent Program staff finished a special mailer to all Richmond Landlords (approx. 5,700 individuals), informing them of their rights and responsibilities on evictions during the pandemic. It included websites and important information on the new laws associated with the Tenant protections and landlord responsibilities. He also added that this project was funded through the State Emergency Rent Assistance Program (ERAP) \$5,000.00 grant that the Program received.

Chair Finlay gave a brief statement about the budget process. She mentioned that the Budget discussions would begin in February through April, and by May (not at the May meeting), we will need to have a completed budget to proceed. She also added that she hopes that Board Members will take time and read the reports received because it is a complex process and requires many hard decisions. She also added that the prior board had made those hard decisions in the past. Some of those decisions included reductions in the amount of money that we would usually put into our excess fund or budget to cover distress items.

She also added that at one point, staff took a reduction in their salaries to assure that the fees were affordable as possible for our constituents. She said that we have always taken the budget seriously and hoped that everyone would take it seriously as we go through this process. She concluded that she wished everyone good luck because we all know how important this discussion is, and we could only hope that our constituents would understand as well. We must base the budget on keeping our program afloat because of our economic instability. She said we must remember that we are independent, and we don't have the city to back us up and no other financial funding. It's what we do in the budget process that creates the future success of the Program.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:34 P.M.

Cynthia Shaw
Staff Clerk

(SEAL)

Approved:

Virginia Finlay, Rent Board Chair

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 16, 2022

Final Decision Date Deadline: February 16, 2022

STATEMENT OF THE ISSUE: The Monthly Activity Report is designed to provide members of the Rent Board and Richmond community with a quantitative summary of the Rent Program's activities for the month and fiscal year-to-date.

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

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|---|--|--|
| <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 the Fiscal Year 2021-22 Monthly Activity Report through January 2022 - Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-2.

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**Monthly Report - FY 21-22
January 2022**

	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	
	MTD ACTUAL	YTD TOTAL						
Public Information & Enrollment Unit								
Rent/Eviction Counseling Appointments Walk-ins	-		-	-	-			-
Rent/Eviction Counseling Appointments By Phone	209	208	160	168	140	140	137	1,162
Rent/Eviction Counseling Appointments By In-Person	71	102	65	68	105	51	71	462
Rent/Eviction Counseling Questions Addressed By Email	212	176	89	163	104	68	209	812
TOTAL RENT/EVICTION COUNSELING APPOINTMENTS	492	486	314	399	349	259	293	2,299
Rent/Eviction Counseling Sessions Conducted in Spanish			52	42	35	30	44	203
Rent/Eviction Counseling Sessions Conducted in Mandarin		-	-			-		-
Rent/Eviction Counseling Sessions Conducted in Cantonese			-			-		-
Rent/Eviction Counseling Sessions Conducted in Another Language	45	55	52	42	35	-		229
TOTAL RENT/EVICTION COUNSELING APPOINTMENTS IN A LANGUAGE OTHER THAN ENGLISH	45	55	104	84	70	30	44	388
Legal Service Referrals	15	18	8	4		4	15	49
Written Legal Referrals - Eviction Defense Center	-			8	12	4	6	30
Verbal Legal Referrals - Eviction Defense Center	-			1		6		7
Written Legal Referrals - Bay Area Legal Aid				8	1	9	2	20
Verbal Legal Referrals - Bay Area Legal Aid				4	5	16		25
Mediations Conducted	2				2	3	3	7
Assists from Front Office Staff	266	133		35	70	203	238	707
Courtesy Compliance Letters Sent	15		4	25	24	24	8	92
Community Workshop Attendees	1		32	37		-		70
Hard Copy Rent Increase Notices Processed	7	27	12	32	53	98	16	229
Hard Copy Termination of Tenancy Notices Processed	5	46	9	8	2	7	8	77

ITEM F-2

TOTAL HARD COPY NOTICES PROCESSED	12		57	102	79	105	296	355
Billing/Enrollment/Registration Counseling								
Appointments In-Person	7	4	-	2	3	-		16
Billing/Enrollment/Registration Counseling								
Appointments By Phone	83	68	51	24	24	41	38	291
Billing/Enrollment/Registration Counseling Questions								
Addressed By Email	131	49	29	14	35	33	29	291
TOTAL BILLING/ENROLLMENT/REGISTRATION								
COUNSELING APPOINTMENTS	214	117	80	40	62	74	67	587
Enrollment/Tenancy Registration Packets Mailed	77	5	32	1	7	-		122
Enrollment Forms Processed	31	12	10	44	20	21	9	138
Rental Housing Fee Invoices Generated	4,729	124	78	8	40	130	4	5,109
Checks Processed	881	650	29	39	27	13	13	1,639
Checks Returned	2	2	4	22	15	-		45
Rental Units Discovered Not in Database	1	3	2	3	1	10	1	20
Property Information Updated	153	58	21	14	54	117	46	417
Compliance Actions (Reviewing Records, Exemption								
Statuses, Addresses)	-			258	31	14	7	303
Applications for Administrative Determination of								
Exempt/Inapplicable Status Received	8	5		2	-	1	4	16
Administrative Determination of Exempt/Inapplicable								
Status Issued	-	1		6	10	2		19
Declarations of Exemption Processed	4	12		6	4	2		28
LEGAL UNIT								-
Public Records Act Requests Received	1	1	2	4	-	-	2	8
Owner Move-In Eviction Termination of Tenancy Notices								
Reviewed	-	-	1	1	-	-		2
Withdrawal from the Rental Market (Ellis Act)								
Termination of Tenancy Notices Reviewed	2	-	1	-	1	1		5
Substantial Repairs Termination of Tenancy Notices								
Reviewed	-	-	-	-	-	1		1
Appeal Hearings Held	-	-	-	-	-	1		1
HEARINGS UNIT								-
Consultations with Hearings Unit Coordinator In Person					1	-	-	1

ITEM F-2

Consultations with Hearings Unit Coordinator By Phone	3	6	3	2	10	15	15	39
Hearings-Related Questions Addressed by Email	17	12	20	26	31	51	69	157
TOTAL HEARINGS-RELATED CONSULTATIONS	20	18	23	28	42	66	84	197
MNOI Petitions Received (Attachment A)						-	10	-
Increased in Occupants Petitions Received (Attachment B)						-		-
Increase in Space or Services Petitions Received (Attachment C)	-					-		-
Restoration of Denied AGA Petitions Received (Attachment D)						-		-
Landlord Individual Rent Adjustment Petitions Received	1	2				-		3
Landlord Petition to Determine Exempt Status Received	-					2	1	2
TOTAL LANDLORD PETITIONS RECEIVED	1	2	-	-	-	2	11	5
Excess Rent or Failure to Return Sec Dep Petitions Received (Attachment A)	-	2		1	1	1		5
Decrease in Space/Services or Habitability Petitions Received (Attachment B)		3		1	2	3	3	12
Reduction in Number of Tenants Petitions Received (Attachment C)	-					-		-
Tenant Petition Based on Multiple Grounds						1	1	1
Tenant Petition for Rent Withholding Petitions Received	-					-		-
Tenant Petition for Failure to Pay Relocation Payment Petitions Received	-			2		4		6
TOTAL TENANT PETITIONS RECEIVED	-	5	-	4	3	9	4	21
Petition for Determination of Occupancy Status						-		-
Petition for Initial Rent Determination						-		-
Request to Expedite Hearing Process	-					-		-
Request for a Continuance of the Hearing Process	-				1	-		1
Subpoena(s)	-					-		-
TOTAL OTHER PETITIONS RECEIVED	-					-		-
Decisions Ordered	1					-	2	1
Cases Settled	-				1	1		2
Cases Dismissed	1	2				-	2	3

Petitions Withdrawn	2	1	2	1		2	2	8
TOTAL CASES CLOSED	4	3	2	1	1	3	6	14
Appeals Received	-	1				-		1
Total Open Cases (Tenant Petitions)	2	3	6	10	14	18	18	53
Total Open Cases (Landlord Petitions)	2	3	1	1	1	1	12	9
Total Open Cases (Other Petitions)	-			2	3			5
TOTAL OPEN CASES	4	6	7	11	15	19	30	62
Form Submissions								-
Agent Authorization		-	-		1	-		1
Proof of Excess Rent Refund	-	-	-	-	-	-		-
Proof of Permanent Relocation Payment			1	2	-	1	1	5
Proof of Temporary Relocation Payment	-	-	-	-	-	-		-
Change in Terms of Tenancy	1	-	2	2	-	1	1	6
TOTAL RENT INCREASE NOTICES FILED	69	69	79	4	212	2	106	435
Termination of Tenancy - Nonpayment of Rent	1	12	31	39	17	24	9	124
Termination of Tenancy - Breach of Lease	3	3	10	10	7	2	6	35
Termination of Tenancy - Failure to Give Access	-	-		-	-	-		-
Termination of Tenancy - Nuisance	-	2	2	1	-	1		6
Termination of Tenancy - Withdrawal from the Rental Market	2		1	-	1	-		4
Termination of Tenancy - Owner Move-In	-			4	-	1		5
Termination of Tenancy - Substantial Repairs	-			-	-	-		-
Termination of Tenancy - Temporary Tenancy	-		2	-	-	1		3
TOTAL TERMINATION OF TENANCY NOTICES FILED	6	17	46	54	25	29	15	177

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 16, 2022

Final Decision Date Deadline: February 16, 2022

STATEMENT OF THE ISSUE: Utilizing the City's MUNIS software system, management staff can generate financial reports on a monthly basis detailing the Rent Program's revenues and expenditures. These reports allow management staff and the Rent Board to closely monitor the Program's financial circumstances.

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 the Rent Program FY 2021-22 Monthly Revenue and Expenditure Report through January 2022 – Rent Program (Fred Tran 620-6537).

AGENDA ITEM NO:

F-3.

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**RICHMOND RENT PROGRAM
MONTHLY REVENUE AND EXPENDITURES REPORT
FISCAL YEAR 2021-22**

ITEM F-3

OBJECT	ORIGINAL BUDGET	ADOPTED BUDGET	Period 1	Period 2	Period 3	Period 4	Period 5	Period 6	Period 7	ENCUMBRANCES	YTD TOTAL	AVAILABLE BUDGET	% USED
			July	August	September	October	November	December	January				
340445 Rental Housing Fees	(2,893,854.00)	(2,893,854.00)	(691,167.85)	(662,750.30)	(536,446.55)	(86,825.20)	(49,226.30)	(94,505.60)	(38,778.65)	-	(2,159,700.45)	(734,153.55)	74.6%
TOTAL LICENSES, PRMITS&FEES	(2,893,854.00)	(2,893,854.00)	(691,167.85)	(662,750.30)	(536,446.55)	(86,825.20)	(49,226.30)	(94,505.60)	(38,778.65)	-	(2,159,700.45)	(734,153.55)	74.6%
361701 Interest	(14,460.00)	(14,460.00)	-	-	-	(838.30)	-	-	(912.08)	-	(1,750.38)	(12,709.62)	12.1%
361705 Realized Gain	-	-	-	-	-	(1,287.30)	-	-	(630.03)	-	(1,917.33)	1,917.33	100.0%
TOTAL INTEREST INCOME	(14,460.00)	(14,460.00)	-	-	-	(2,125.60)	-	-	(1,542.11)	-	(3,667.71)	(10,792.29)	25.4%
364867 Revenue from Collections Agency	(30,000.00)	(30,000.00)	-	-	(2,220.00)	-	-	-	(8,012.25)	-	(10,232.25)	(19,767.75)	34.1%
337373 Other Grants	-	-	-	-	-	-	-	(5,000.00)	-	-	(5,000.00)	5,000.00	100.0%
TOTAL OTHER REVENUE	(30,000.00)	(30,000.00)	-	-	(2,220.00)	-	-	(5,000.00)	(8,012.25)	-	(15,232.25)	(19,767.75)	50.8%
TOTAL REVENUE	(2,938,314.00)	(2,938,314.00)	(691,167.85)	(662,750.30)	(538,666.55)	(88,950.80)	(49,226.30)	(99,505.60)	(48,333.01)	-	(2,178,600.41)	(759,713.59)	74.1%
400001 SALARIES & WAGES/Executive	677,048.00	677,048.00	45,587.34	49,595.08	57,704.02	57,704.02	57,704.02	57,704.02	58,915.50	-	384,914.00	292,134.00	56.9%
400002 SALARIES & WAGES/Mgmt-Local 21	323,312.00	323,312.00	11,836.06	11,836.06	11,836.06	11,836.06	11,836.06	11,836.06	11,836.06	-	82,852.42	240,459.58	25.6%
400003 SALARIES & WAGES/Local 1021	196,625.00	196,625.00	11,232.16	11,232.16	11,232.16	11,232.16	11,232.16	11,232.16	11,232.16	-	78,625.12	117,999.88	40.0%
400006 SALARIES & WAGES/PT- Temp	43,036.00	43,036.00	2,190.73	2,637.71	3,657.61	1,362.83	2,843.07	3,028.35	3,325.24	-	19,045.54	23,990.46	44.3%
400031 OVERTIME/General	-	-	642.96	708.11	(642.96)	-	-	-	-	-	708.11	(708.11)	100.0%
400048 OTHER PAY/Bilingual Pay	10,237.00	10,237.00	350.00	647.46	944.92	651.96	651.96	651.96	651.96	-	4,550.22	5,686.78	44.4%
400049 OTHER PAY/Auto Allowance	4,200.00	4,200.00	-	350.00	700.00	350.00	350.00	350.00	350.00	-	2,450.00	1,750.00	58.3%
400050 OTHER PAY/Medical- in Lieu of	2,400.00	2,400.00	-	-	-	-	-	-	-	-	-	2,400.00	0.0%
400058 OTHER PAY/Bonuses	-	-	-	-	-	15,200.00	-	19,000.00	-	-	34,200.00	(34,200.00)	100.0%
TOTAL SALARIES AND WAGES	1,256,858.00	1,256,858.00	71,839.25	77,006.58	85,431.81	98,337.03	84,617.27	103,802.55	86,310.92	-	607,345.41	649,512.59	48.3%
400103 P-ROLL BEN/Medicare Tax-ER Shr	16,440.00	16,440.00	1,044.80	1,120.22	1,242.38	1,429.52	1,230.60	1,508.80	1,255.42	-	8,831.74	7,608.26	53.7%
400105 P-ROLL BEN/Health Insurance Be	173,441.00	173,441.00	10,610.12	12,723.87	12,723.87	12,723.87	12,723.87	13,343.24	13,343.24	-	88,185.08	85,255.92	50.8%
400106 P-ROLL BEN/Dental Insurance	17,520.00	17,520.00	973.60	1,095.30	1,095.30	1,095.30	1,095.30	1,095.30	1,095.30	-	7,545.40	9,974.60	43.1%
400109 P-ROLL BEN/Employee Assistance	528.00	528.00	29.12	32.76	32.76	32.76	13.77	13.77	13.77	-	168.71	359.29	32.0%
400110 P-ROLL BEN/Professional Dev-Mg	6,750.00	6,750.00	-	-	-	-	-	-	-	-	-	6,750.00	0.0%
400111 P-ROLL BEN/Vision	2,316.00	2,316.00	114.48	128.79	128.79	128.79	128.79	128.79	128.79	-	887.22	1,428.78	38.3%
400112 P-ROLL BEN/Life Insurance	4,163.00	4,163.00	237.90	282.70	282.70	284.43	284.43	276.63	276.63	-	1,933.22	2,229.78	46.4%
400114 P-ROLL BEN/Long Term Disabilit	12,342.00	12,342.00	627.20	718.42	728.03	728.03	728.03	728.03	427.23	-	4,684.97	7,657.03	38.0%
400116 P-ROLL BEN/Unemployment Ins	5,472.00	5,472.00	342.00	380.00	418.00	418.00	(106.95)	418.00	456.00	-	2,325.05	3,146.95	42.5%
400117 P-ROLL BEN/Personal/Prof Dev	2,250.00	2,250.00	-	-	-	-	-	-	-	-	-	2,250.00	0.0%
400118 P-ROLL BEN/Worker Comp-Injury Appt	359.00	359.00	-	-	-	-	-	-	-	-	-	359.00	0.0%
400121 P-ROLL BEN/Worker Comp-Clerica	9,878.00	9,878.00	591.20	626.20	706.05	624.02	642.27	656.77	680.02	-	4,526.53	5,351.47	45.8%
400122 P-ROLL BEN/Worker Comp-Prof	58,021.00	58,021.00	3,330.60	3,563.05	4,033.36	4,033.36	4,033.36	4,033.36	4,103.62	-	27,130.71	30,890.29	46.8%
400127 P-ROLL BEN/OPEB	49,094.00	49,094.00	2,894.91	3,088.49	3,354.52	3,312.88	3,312.88	3,312.88	3,362.57	-	22,639.13	26,454.87	46.1%
400130 P-ROLL BEN/PARS Benefits	94.00	94.00	3.44	-	34.34	30.48	36.97	39.36	43.22	-	187.81	(93.81)	199.8%
400149 P-ROLL BEN/PERS-Misc	157,301.00	157,301.00	9,280.54	9,896.10	10,745.73	10,609.58	10,609.58	10,609.58	10,767.44	-	72,518.55	84,782.45	46.1%
400151 P-ROLL BEN/PERS-Misc (UAL)	327,048.00	327,048.00	20,862.27	20,862.27	23,180.30	20,862.27	20,862.27	20,862.27	178,694.08	-	148,353.92	178,694.08	45.4%
TOTAL FRINGE BENEFITS	843,017.00	843,017.00	50,935.18	54,518.27	58,706.13	56,313.29	55,595.17	57,034.58	56,815.52	-	389,918.04	453,098.96	46.3%
400201 PROF SVCS/Professional Svcs	18,350.00	21,350.00	217.00	567.29	217.00	755.79	715.21	852.74	1,745.36	12,949.61	5,070.39	3,330.00	84.4%
400206 PROF SVCS/Legal Serv Cost	210,000.00	210,000.00	-	22,916.00	4,166.00	16,666.00	16,666.00	16,666.00	16,666.00	100,004.00	93,746.00	16,250.00	92.3%
400245 TRAVEL & TRNG/Tuition Rmb/Cer	800.00	800.00	-	-	-	-	-	-	-	-	-	800.00	0.0%
400261 DUES & PUB/Memberships & Dues	1,650.00	1,650.00	-	-	-	-	-	153.82	1,042.88	-	1,196.70	453.30	72.5%
400271 AD & PROMO/Advertising&Promo	5,675.00	5,675.00	-	-	96.00	96.00	649.00	-	3,087.35	-	3,928.35	1,746.65	69.2%
400280 ADM EXP/Program Supplies	3,950.00	3,950.00	-	-	89.00	89.00	192.00	96.00	96.00	-	562.00	3,388.00	14.2%
TOTAL PROF & ADMIN SERVICES	240,425.00	243,425.00	217.00	23,483.29	4,568.00	17,606.79	18,222.21	17,768.56	22,637.59	112,953.61	104,503.44	25,967.95	89.3%
400231 OFF EXP/Postage & Mailing	22,647.00	22,647.00	892.42	100.34	9,258.27	79.61	105.43	158.19	-	5.06	10,594.26	12,047.68	46.8%
400232 OFF EXP/Printing & Binding	25,807.00	25,807.00	-	551.11	8.17	-	-	-	-	-	559.28	25,247.72	2.2%
400233 OFF EXP/Copying & Duplicating	500.00	500.00	-	-	-	-	-	-	-	-	-	500.00	0.0%
400304 RENTAL EXP/Equipment Rental	8,000.00	8,000.00	-	373.16	-	186.58	373.33	186.57	186.58	3,993.78	1,306.22	2,700.00	66.3%
400321 MISC EXP/Misc Contrib	3,000.00	3,000.00	-	-	-	-	-	-	-	3,000.00	-	-	100.0%
400322 MISC EXP/Misc Exp	2,925.00	2,925.00	-	-	-	-	173.33	-	-	-	173.33	2,751.67	5.9%
400341 OFF SUPP/Office Supplies	6,795.00	6,795.00	-	-	1,387.93	17.53	1,069.73	304.81	84.39	-	2,864.39	3,930.61	42.2%
TOTAL OTHER OPERATING	69,674.00	69,674.00	892.42	1,024.61	10,654.37	283.72	1,721.82	649.57	270.97	6,998.84	15,497.48	47,177.68	32.3%
400401 UTILITIES/Tel & Telegraph	500.00	500.00	-	90.56	-	45.28	45.27	90.54	-	-	271.65	228.35	54.3%
TOTAL UTILITIES	500.00	500.00	-	90.56	-	45.28	45.27	90.54	-	-	271.65	228.35	54.3%
400552 PROV FR INS LOSS/Ins Gen Liab	9,300.00	9,300.00	-	-	7,915.00	-	-	-	1,076.00	109.00	8,991.00	200.00	97.8%
TOTAL PROVISION FOR INS LOSS	9,300.00	9,300.00	-	-	7,915.00	-	-	-	1,076.00	109.00	8,991.00	200.00	97.8%
400574 COST POOL/(ISF)-Gen Liability	79,937.00	79,937.00	-	-	17,376.00	9,273.00	6,661.00	6,661.00	6,661.00	-	46,632.00	33,305.00	58.3%
400586 COST POOL/(CAP)- Admin Charges	52,481.00	52,481.00	-	-	-	-	21,869.00	4,372.00	4,371.00	-	30,612.00	21,869.00	58.3%
400591 COST POOL/(IND)Civic Ctr Alloc	50,286.00	50,286.00	-	-	-	16,758.00	4,191.00	4,191.00	4,191.00	-	29,331.00	20,955.00	58.3%
TOTAL COST POOL	182,704.00	182,704.00	-	-	17,376.00	26,031.00	32,721.00	15,224.00	15,223.00	-	106,575.00	76,129.00	58.3%
400601 NONCAP ASST/Comp Hrdware=5K	10,800.00	10,800.00	-	-	-	-	-	-	-	-	-	10,800.00	0.0%
TOTAL ASSET/CAPITAL OUTLAY	10,800.00	10,800.00	-	-	-	-	-	-	-	-	-	10,800.00	0.0%
TOTAL EXPENDITURES	2,613,278.00	2,616,278.00	123,883.85	156,123.21	184,651.31	198,617.11	192,922.74	194,569.80	182,334.00	120,061.45	1,233,102.02	1,263,114.53	51.7%
NET OPERATING (SURPLUS)/DEFICIT	(325,036.00)	(322,036.00)	(567,284.00)	(506,627.09)	(354,015.24)	109,666.31	143,696.44	95,064.20	134,000.99	120,061.45	(945,498.39)	503,400.94	

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 16, 2022

Final Decision Date Deadline: February 16, 2022

STATEMENT OF THE ISSUE: Statement of the Issue: At the November 17, 2021 Regular Meeting of the Richmond Rent Board, the Board adopted Regulation 425, titled, "Waiver of Delinquent Residential Housing Fee Assessment. As required by Regulation 425, the Executive Director of his or her designee shall review all late fee waiver requests and issue a recommendation for the Rent Board to approve the waiver, in full or in part, or deny the waiver, based on the Landlord's reason for requesting the waiver and their payment history. Attached to this recommendation, for the month of January 2022, are the compiled late fee waiver requests and associated documentation.

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 late fee waiver(s) for January 2022 pursuant for Regulation 425 - Rent Program (Nicolas Traylor/510-620-6564).

AGENDA ITEM NO:

F-4.

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To: Members of the Richmond Rent Board
 From: Nicolas Traylor, Executive Director
 Re: Late Fee Waiver Recommendation
 Date: February 16, 2022

Late Fee Waiver Recommendations Pursuant to Regulation 425

As required by Regulation 425, the Executive Director of his or her designee shall review all late fee waiver requests and issue a recommendation for the Rent Board to approve the waiver, in full or in part, or deny the waiver, based on the Landlord’s reason for requesting the waiver and their payment history. Attached to this recommendation are the compiled late fee waiver requests and associated documentation including the table below with details on each month’s request.

Summary of Late Fee Waiver Requests and Recommendation for January 2022:

Property Owner	Date of Request	Reason for Request	Recommendation to Approve or Deny	Late Fee Amount	Total Late Fees Waived if Approved	Recommended Late Fee Amount (if any)
Louis Wong, Luis Wong and Leanna Wong	1/25/22	New Owner, did not receive invoice.	Waive all late fees	\$783	\$783	None

Good Cause and Late Payment History

Regulation 425 requires a showing of Good Cause prior to waiving any late fee assessment. Good Cause is defined as the taking of reasonable efforts, while acting with due diligence to remit timely payment of the Residential Rental Housing Fee. In other words, it is an evaluation of whether the Landlord took reasonable efforts and acted with due diligence in their attempt to pay the Residential Rental Housing Fee. Regulation 425 guides this inquiry by requiring the Executive Director evaluate applicable enumerated factors (Attachment 1) prior to making a determination of whether there exist Good Cause to grant the request. Finally, Regulation 425 establishes that a Rent Program billing error would always constitute Good Cause to waive the late fee assessment.

Claim of “Good Cause”

In his request, dated January 25, 2021, (Attachment 2) property owner of 583 8th St. (duplex), Louis Wong, indicated that the reason for paying late was that he was a new owner and therefore did not receive an invoice. Upon investigating this claim, staff found the following (Attachment 3- Email from Moises Serano, Rent Program Administrative Aide):

- 1) Mr. Wong recently purchased 583 8th St. on October 29, 2021 (Attachment 4- Parcel Quest Report) and inherited unpaid fees from the previous owners. (Attachment 5- Unpaid past due Invoice for 583 8th St.).
- 2) Mr. Wong has since brought the property into compliance by paying all the fees due (minus late fees), enrolling the property, and registering both tenancies (Attachment 6- Invoice paid by Mr. Wong on December 30, 2021).

Payment History

Where a requestor has made timely payments in the prior two (2) fiscal years, their request shall be ministerially granted. Such requests do not require a showing of Good Cause and are not subject to the provisions of Regulation 425 (D) and Regulation 425 (E). Regulation 435 (D) and (E), provide the factors required when making a determining of good cause.

In this case, Mr. Wong could not have made timely payments in the prior two fiscal years, since he was not the owner of record. Therefore, Mr. Wong's late fee waiver request cannot be granted ministerially and without a claim of Good Cause. This is the first time that Mr. Wong has requested a late fee waiver.

Evaluation of Owner's Claim of Good Cause

No Late Fee waiver request shall be granted unless there is a sufficient demonstration of Good Cause. In their consideration, the Executive Director must evaluate the following factors, whenever present, when making a determination of Good Cause:

1. *Whether the failure to remit timely payment was due to a Rent Program billing error, such as an incorrect address, an incomplete invoice, or an invoice sent to the wrong owner;*
2. *Whether the requestor is a successor in interest who has not received an invoice.*
3. *Whether the requestor is experiencing a financial hardship that is caused by circumstances beyond the Landlord's control;*
4. *Whether the requestor experienced a medical emergency, medical treatment, hospitalization, or death in the family within the billing period;*
5. *Whether the requestor had submitted a request for an Administrative Determination of Exempt/Applicability Status within the billing period;*
6. *Whether the requestor's Tenant(s) have experienced a COVID-19 related financial hardship that has impacted the Tenant's ability to pay Rent;*
7. *Late payment History.*
8. *Any other circumstances relevant to the inquiry of Good Cause.*

Mr. Wong's claim of Good Cause that he was a new owner and therefore did not receive an invoice has been sufficiently demonstrated. Mr. Wong has only owned 583 8th St. since October 29, 2021 and is the successor in interest who did not receive an invoice.

Staff Recommendation

Based on research conducted by Rent Program staff, Mr. Wong is a successor in interest who had not received an invoice. Therefore, staff recommend waiving all \$783 in late fees that had accrued prior to Mr. Wong becoming the owner. Furthermore, Mr. Wong demonstrated good faith by enrolling the property on November 2, 2021, registering the tenancies on December 27,

2021 and paying all of the Rental Housing Fees on December 30, 2021, that had accrued and been left unpaid by the previous owner, totaling \$2,002.

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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: _____

Declaration & Signature:

I declare under penalty of perjury under the laws of the State of California that every statement in this Late Fee Waiver Request is true and correct to the best of my knowledge and belief.

Signature of Landlord/Property Manager: _____ Date: ____/____/____

Printed Name: _____

Rent Program Staff Use Only:

This request has been conditionally granted by the Rent Board, provided the owner pays the Rental Housing Fee before _____.

Executive Director Signature: _____ Staff Initials: _____

Date: ____/____/____

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ITEM F-4

**February 16, 2022
RENT BOARD MEETING**

ATTACHMENT 2



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: _____

Declaration & Signature:

I declare under penalty of perjury under the laws of the State of California that every statement in this Late Fee Waiver Request is true and correct to the best of my knowledge and belief.

Signature of Landlord/Property Manager: _____ Date: ____/____/____

Printed Name: _____

Rent Program Staff Use Only:

This request has been conditionally granted by the Rent Board, provided the owner pays the Rental Housing Fee before _____.

Executive Director Signature: _____ Staff Initials: _____

Date: ____/____/____

Nicolas Traylor

From: Moises Serano
Sent: Friday, February 4, 2022 3:17 PM
To: Nicolas Traylor
Cc: Ramona Howell
Subject: FW: Richmond Late Fee Waiver Request - 583 8th St
Attachments: 583 8th St. - Late Fee Waiver Request.pdf

Good Afternoon Nicolas,

This is a late fee waiver that was submitted by the new owner of the duplex 583 8th St. Mr. Wong recently purchased this duplex and unknowingly inherited unpaid fees from the previous owners. Mr. Wong has since brought the property into compliance by paying all the fees due, enrolling the property, and registering both units. Because Mr. Wong has shown good faith in getting his property into compliance as well as being a new owner unaware of the past fiscal year fees that were due, my recommendation is to have the late fee waiver approved and all the late fees removed. Please do not hesitate to reach out to me should you have any questions. Thank you!

Best,

Moises Serano

Administrative Aide
Billing & Registration Unit
City of Richmond Rent Program
440 Civic Center Plaza, Suite 200 | Richmond, CA 94804
(510) 234-RENT (7368) (main) | (510) 621-1359 (direct) | (510) 307-8149 (fax)
www.richmondrent.org

From: Moises Serano
Sent: Thursday, January 27, 2022 1:58 PM
To: Nicolas Traylor <nicolas_traylor@ci.richmond.ca.us>
Cc: Ramona Howell <ramona_howell@ci.richmond.ca.us>
Subject: FW: Richmond Late Fee Waiver Request

Good Afternoon Nicolas,

In this email you will find our second submission for a Late Fee Waiver Request. I have been brainstorming ideas on how to log and keep track of submissions so I will send you all an email once I create a procedures draft. Thank you!

Best,

Moises Serano

Administrative Aide
Billing & Registration Unit
City of Richmond Rent Program
440 Civic Center Plaza, Suite 200 | Richmond, CA 94804
(510) 234-RENT (7368) (main) | (510) 621-1359 (direct) | (510) 307-8149 (fax)
www.richmondrent.org

From: Louis Wong <law.re.management@gmail.com>
Sent: Thursday, January 27, 2022 11:40 AM
To: Moises Serano <Moises_Serano@ci.richmond.ca.us>
Subject: Richmond Late Fee Waiver Request

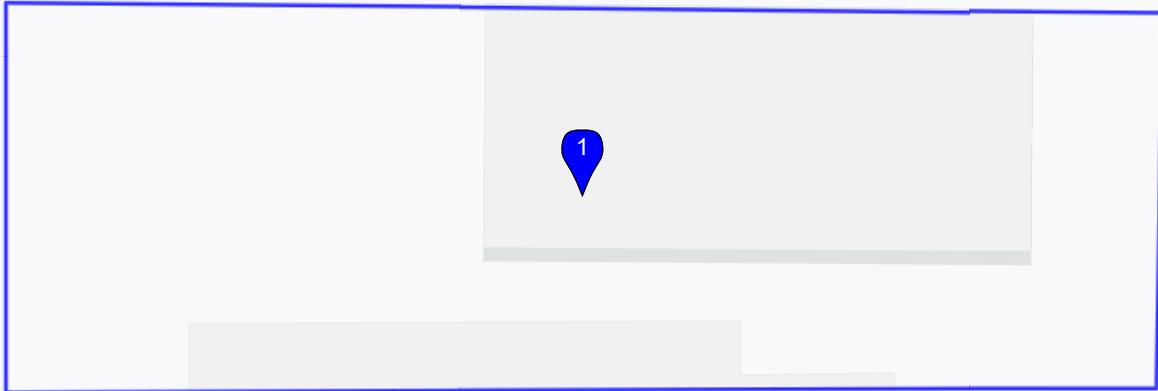
This email originated from outside of the City's email system. Do not open links or attachments from untrusted sources.

Hi Moises,

Please see the Late Fee Waiver Request form attached. I greatly appreciate your continued help on this matter.

Regards,

Louis A. Wong
(510) 305-0030



Google

2 m

Map data ©2022 Google

© 2015 ParcelQuest www.parcelquest.com (888) 217-8999



LIST 1
DETAIL

1 Property Address: 583 8TH ST RICHMOND CA 94801-2781

Ownership

County: **CONTRA COSTA, CA**
Assessor: **GUS KRAMER, ASSESSOR**
Parcel # (APN): **534-311-006-9**
Parcel Status:
Owner Name: **WONG LOUIS ALEXANDER WONG LUIS A & LEANNA I**
Mailing Address: **1217 SHERLOCK WAY CONCORD CA 94521-3442**
Legal Description: **TERMINAL TRACT LOT 17 POR 10 BLK 3**

Assessment

Total Value: **\$26,194** Use Code: **21** Use Type: **RESID. MULTIPLE FAMILY**
Land Value: **\$9,366** Tax Rate Area: **008-133** County Zoning:
Impr Value: **\$16,828** Year Assd: **2021** Census Tract: **3760.00/4**
Other Value: Property Tax: Price/SqFt: **\$337.62**
% Improved: **64%** Delinquent Yr:
Exempt Amt: HO Exempt: **N**

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	10/29/2021			10/29/2021
Document Number:	303435			303435
Document Type:				
Transfer Amount:	\$630,000			
Seller (Grantor):				

Property Characteristics

Bedrooms:	6	Fireplace:	Units:
Baths (Full):	2	A/C:	Stories: 2.0
Baths (Half):		Heating:	Quality:
Total Rooms:	11	Pool:	Building Class:
Bldg/Liv Area:	1,866	Park Type:	Condition: AVERAGE
Lot Acres:	0.100	Spaces:	Site Influence:
Lot SqFt:	4,370	Garage SqFt:	Timber Preserve:
Year Built:	1913		Ag Preserve:
Effective Year:	1913		

RENTAL HOUSING FEE INVOICE

INVOICE DATE: December 22, 2021

Property Owner/Landlord Mailing Address

WONG LOUIS
 1217 SHERLOCK WAY
 CONCORD, CA 94521

Pay today ONLINE!
 Visit etrakit.ci.richmond.ca.us
 Login using the *Contractor/Landlord*
 dropdown menu and finding the owner
 name printed above. Your password is
 set to 534311006.

FRJC Registration#: RC21-534311006

Page 1 of 1

APN/Situs Address	Applicable Fiscal Year	Amount Due
RC17-25502 / 534-311-006-9 / 583 8TH ST	FY 2017-2018	145.00
RC17-25502 / 534-311-006-9 / 583 8TH ST	FY 2018-2019	207.00
RC17-25502 / 534-311-006-9 / 583 8TH ST	FY 2019-2020	212.00
RC17-25502 / 534-311-006-9 / 583 8TH ST	FY 2020-2021	219.00
RC17-25502 / 534-311-006-9 / 583 8TH ST / LATE FEES	PRIOR LATE FEE	391.50
RC19-00505 / 534-311-006-9 / 585 8TH ST	FY 2017-2018	145.00
RC19-00505 / 534-311-006-9 / 585 8TH ST	FY 2018-2019	207.00
RC19-00505 / 534-311-006-9 / 585 8TH ST	FY 2019-2020	212.00
RC19-00505 / 534-311-006-9 / 585 8TH ST	FY 2020-2021	219.00
RC19-00505 / 534-311-006-9 / 585 8TH ST / LATE FEES	PRIOR LATE FEE	391.50

AMOUNT DUE if paid by: January 26, 2022 **2,349.00**

AMOUNT DUE if paid after: January 26, 2022 : 2,349.00 + 0.00 10% Late Fee FY 21-22 FEES **2,349.00**

AMOUNT DUE if paid after: February 25, 2022 : 2,349.00 + 0.00 25% Late Fee FY 21-22 FEES **2,349.00**

AMOUNT DUE if paid after: March 27, 2022 : 2,349.00 + 0.00 50% Late Fee FY 21-22 FEES **2,349.00**

PAYMENT must be made within 35 days of the date of this invoice. Failure to pay may incur late fees and penalties. (see [Fee Summary form for late fee schedule](#)). If you have any questions or concerns about this invoice, please contact our office. IF PAYING BY CREDIT OR DEBIT CARD A 2% PROCESSING FEE WILL BE ADDED

Pay Online	Pay By Check
(1) Visit https://etrakitti.richmond.ca.us (2) Login using the <i>Contractor/Landlord</i> dropdown menu and finding your name (3) Your password is set to 534311006 Amount Due: \$2,349.00	(1) Make payable to "City of Richmond" (2) Write your FRJC Number in the memo line FRJC # RC21-534311006 (3) Remit to: City of Richmond c/o Finance Department 450 Civic Center Plaza Richmond, CA 94804

In accordance with the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, Section 11.100.060(l)(1), all Landlords shall pay a business license tax if required by the Richmond Municipal Code plus a Residential Rental Housing Fee. Landlords must also maintain compliance with Fire Prevention Services and the Rental Inspection Program.

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CITY OF RICHMOND

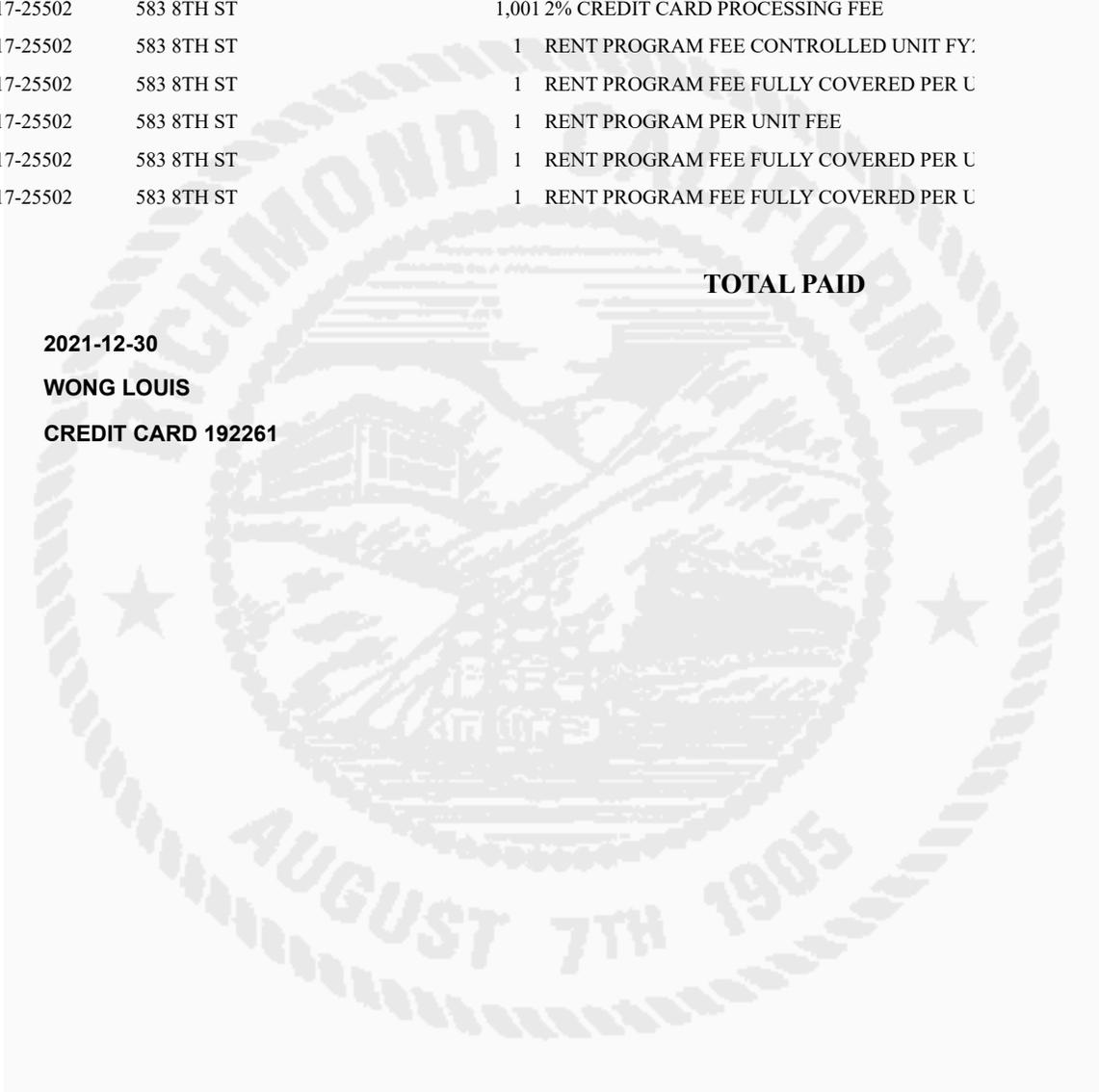
ITEM F-4
ATTACHMENT 6

1/25/2022

CALIFORNIA
RECEIPT
Number: B39407
FEES PAID

Record Type	Record Number	Address Number	QTY Description of Fee	Amount of Fee
PERMIT	RC17-25502	583 8TH ST	1,001 2% CREDIT CARD PROCESSING FEE	\$20.02
PERMIT	RC17-25502	583 8TH ST	1 RENT PROGRAM FEE CONTROLLED UNIT FY:	\$212.00
PERMIT	RC17-25502	583 8TH ST	1 RENT PROGRAM FEE FULLY COVERED PER U	\$207.00
PERMIT	RC17-25502	583 8TH ST	1 RENT PROGRAM PER UNIT FEE	\$145.00
PERMIT	RC17-25502	583 8TH ST	1 RENT PROGRAM FEE FULLY COVERED PER U	\$218.00
PERMIT	RC17-25502	583 8TH ST	1 RENT PROGRAM FEE FULLY COVERED PER U	\$219.00
TOTAL PAID				\$1,021.02

Date of Payment **2021-12-30**
Paid By **WONG LOUIS**
Method of Payment **CREDIT CARD 192261**



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CITY OF RICHMOND

ITEM F-4
ATTACHMENT 7

1/25/2022

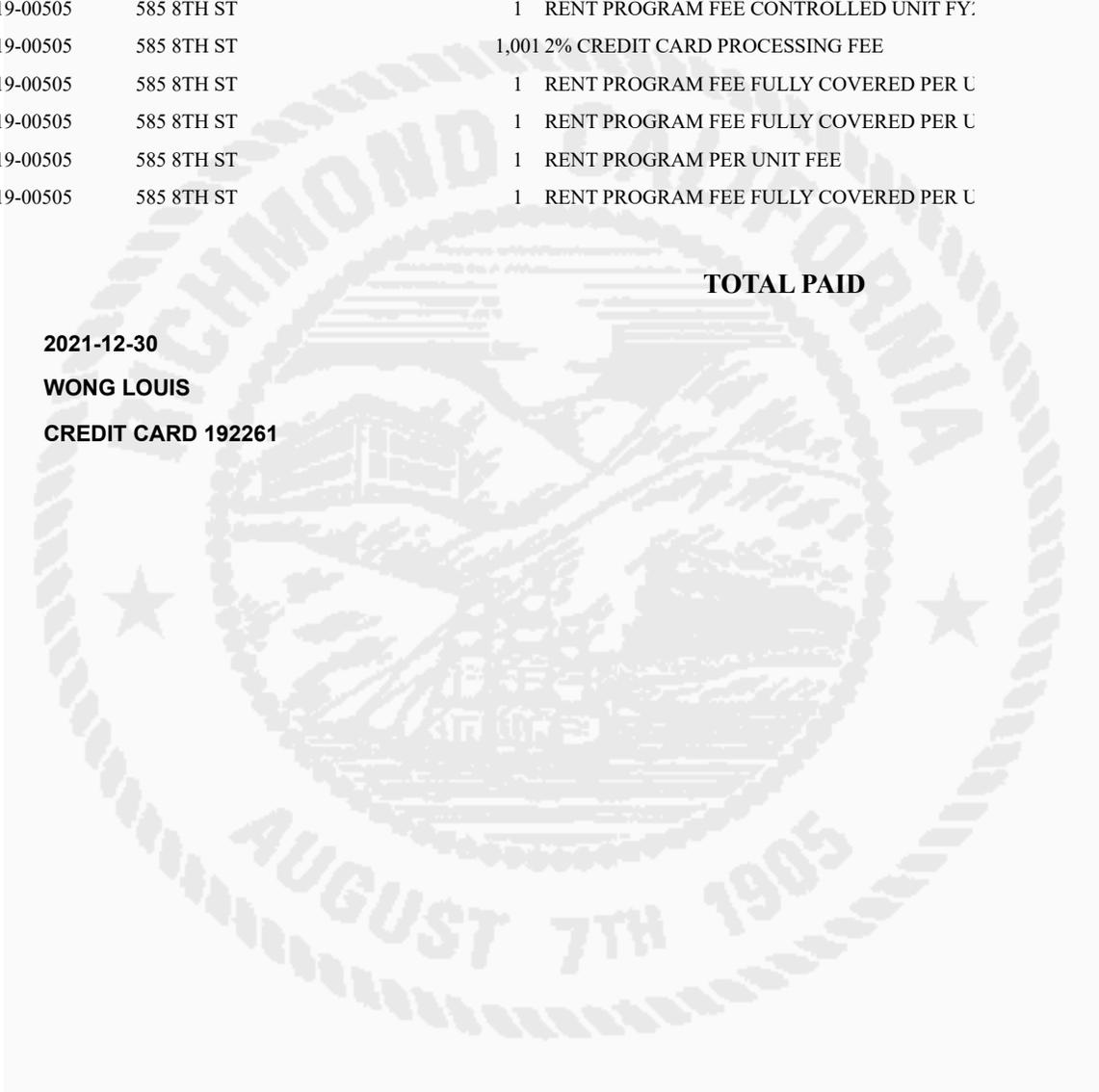
CALIFORNIA
RECEIPT
Number: B39406
FEES PAID

Record Type	Record Number	Address Number	QTY	Description of Fee	Amount of Fee
PERMIT	RC19-00505	585 8TH ST	1	RENT PROGRAM FEE CONTROLLED UNIT FY:	\$212.00
PERMIT	RC19-00505	585 8TH ST	1,001	2% CREDIT CARD PROCESSING FEE	\$20.02
PERMIT	RC19-00505	585 8TH ST	1	RENT PROGRAM FEE FULLY COVERED PER U	\$219.00
PERMIT	RC19-00505	585 8TH ST	1	RENT PROGRAM FEE FULLY COVERED PER U	\$207.00
PERMIT	RC19-00505	585 8TH ST	1	RENT PROGRAM PER UNIT FEE	\$145.00
PERMIT	RC19-00505	585 8TH ST	1	RENT PROGRAM FEE FULLY COVERED PER U	\$218.00

TOTAL PAID

\$1,021.02

Date of Payment **2021-12-30**
Paid By **WONG LOUIS**
Method of Payment **CREDIT CARD 192261**



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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 16, 2022

Final Decision Date Deadline: February 16, 2022

STATEMENT OF THE ISSUE: On March 17, 2020, Governor Newsom signed Executive Order N-29-20, which suspended certain portions of the Ralph M. Brown Act (Cal. Gov. Code § 54950 et seq.) related to the holding of teleconferenced meetings by City legislative bodies. Among other things, Executive Order N-29-20 suspended requirements that each location from which an official accesses a teleconferenced meeting be accessible to the public. These changes were necessary to allow teleconferencing to be used as a tool for ensuring social distancing. City legislative bodies have held public meetings via videoconference and teleconference pursuant to these provisions since March 2020. These provisions of Executive Order N-29-20 expired on September 30, 2021. Prior to its expiration, California legislators passed Assembly Bill 361 (Rivas), which, among other things, continues to permit public meetings via videoconference and teleconference, where the Board makes findings of the circumstances justifying the continuing need to meet via videoconference and Teleconference. This item requests that the Board review the circumstances of the continued state of emergency posed by the spread of COVID-19, and find that the state of emergency continues to directly impact the ability of the public and members of Board to meet safely in person, that holding public meetings in person would present imminent risks to the health and safety of attendees, and that state and local officials continue to promote social distancing, mask wearing and vaccination.

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: ADOPT a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference – Rent Program (Charles Oshinuga 621-1202).

AGENDA ITEM NO:

F-5.

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AGENDA REPORT

DATE: February 16, 2022

TO: Chair Finlay and Members of the Rent Board

FROM: Charles Oshinuga, Staff Attorney

SUBJECT: Resolution Making Required Findings Pursuant to the Government Code and Directing the Rent Board to Continue to Meet Via Videoconference and Teleconference

STATEMENT OF THE ISSUE:

On March 17, 2020, Governor Newsom signed Executive Order N-29-20, which suspended certain portions of the Ralph M. Brown Act (Cal. Gov. Code § 54950 et seq.) related to the holding of teleconferenced meetings by City legislative bodies. Among other things, Executive Order N-29-20 suspended requirements that each location from which an official accesses a teleconferenced meeting be accessible to the public. These changes were necessary to allow teleconferencing to be used as a tool for ensuring social distancing. City legislative bodies have held public meetings via videoconference and teleconference pursuant to these provisions since March 2020. These provisions of Executive Order N-29-20 expired on September 30, 2021. Prior to its expiration, California legislators passed Assembly Bill 361 (Rivas), which, among other things, continues to permit public meetings via videoconference and teleconference, where the Board makes findings of the circumstances justifying the continuing need to meet via videoconference and Teleconference. This item requests that the Board review the circumstances of the continued state of emergency posed by the spread of COVID-19, and find that the state of emergency continues to directly impact the ability of the public and members of Board to meet safely in person, that holding public meetings in person would present imminent risks to the health and safety of attendees, and that state and local officials continue to promote social distancing, mask wearing and vaccination.

RECOMMENDED ACTION:

ADOPT a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference.

FISCAL IMPACT:

There is no fiscal impact.

DISCUSSION:

Background

On March 17, 2020, Governor Newsom signed Executive Order N-29-20, which suspended certain portions of the Ralph M. Brown Act (Cal. Gov. Code § 54950 et seq.) related to the holding of teleconferenced meetings by City legislative bodies. Among other things, Executive Order N-29-20 suspended requirements that each location from which an official accesses a teleconferenced meeting be accessible to the public. These changes were necessary to allow teleconferencing to be used as a tool for ensuring social distancing. City legislative bodies have held public meetings via videoconference and teleconference pursuant to these provisions since March 2020. These provisions of Executive Order N-29-20 expired on September 30, 2021.

Prior to the Expiration of Executive Order N-29-20, on September 16, 2021, Assembly Bill 361 (Rivas), was signed into law by Governor Newsom, amending a portion of the Brown Act (Government Code Section 54953) to authorize the Board, during the state of emergency, to determine that, due to the spread of COVID-19, holding in-person public meetings would present an imminent risk to the health or safety of attendees, and therefore the Board must continue to meet via videoconference and teleconference. Assembly Bill 361 requires that the Board must review and ratify such a determination every thirty (30) days. Therefore, if the Board passes this resolution on October 20, 2021, the Board will need to review and ratify the resolution by November 20, 2021, and every Board meeting thereafter.

Discussion

COVID-19 continues to pose a serious threat to public health and safety. There are now approximately 27,094 confirmed cases of COVID-19 and at least 153 deaths in the City of Richmond. That is approximately an increase of 7,000 confirmed Covid cases and 7 deaths in 30 days. Additionally, the SARS-CoV-2 B.1.617.2 (“Delta”) variant of COVID-19 is no longer the dominant variant. Instead, the City of Richmond, along with the rest of the nation, is battling a new variant, the Omicron variant. Omicron’s communicability has been alarming health experts around the world, as it seems to infect both the vaccinated and unvaccinated population. As a result of the continued threat to public health posed by the spread of COVID-19, state and local officials continue to impose or recommend measures to promote social distancing, mask wearing and vaccination. Holding Board meetings in person would present imminent risks to the health and safety of the public and members of Board, and therefore public meetings cannot safely be held in person at this time.

ITEM F-5

The attached Resolution would enable the Board to continue to hold public meetings via videoconference and teleconference in order to continue to socially distance and limit the spread of COVID-19.

Recommended Action

Given the continual presence and impact of Covid-19, the need to take adequate precautions to limit the spread of the virus and subsequent death, is greater now more than ever. As such, staff members recommend that the Board adopt a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City policy bodies shall continue to meet via videoconference and teleconference.

DOCUMENTS ATTACHED:

Attachment 1 – Resolution 22-02

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RESOLUTION NO. 22-02

MAKING FINDINGS TO ALLOW CONTINUED USE OF TELECONFERENCING FOR MEETINGS OF THE RICHMOND RENT BOARD PURSUANT TO THE PROVISIONS OF AB 361

WHEREAS, in response to the COVID-19 pandemic, the Governor adopted a series of Executive Orders allowing the legislative bodies of local governments to meet remotely via teleconference through September 30, 2021 so long as other provisions of the Ralph M. Brown Act were followed; and

WHEREAS, on September 16, 2021, the Governor signed into law as an urgency measure, AB 361 a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in state law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, the Richmond Rent Board is a local governmental body that was established as an independent agency and vested with broad powers of administering and executing the provisions of the Fair Rent, Just Cause, and Homeowner Protection Ordinance; and

WHEREAS, pursuant to Richmond Municipal Code Section 11.100.060(m), to ensure the integrity and autonomy of the Rent Board, Measure L mandates the Rent Board “be an integral part of the government of the City [of Richmond]”, and establishes that the Rent Board “shall exercise its powers and duties under [Chapter 11.100] independent from the City Council, City Manager, and City Attorney, except by request of the [Rent] Board”; and

WHEREAS, as an independent agency, the Richmond Rent Board operates independent from and is not subject the City of Richmond City Council’s Resolutions governing boards, commissions, and other local policy bodies; and

WHEREAS, given its degree of independence and autonomy from City Council, the City of Richmond Rent Board has separately considered the current state of health guidance related to public meetings in Contra Costa County and finds it necessary to continue with remote meetings for the next 30 days to promote public health and safety; and

WHEREAS, in its future considerations of whether remote meetings are still necessary, the City of Richmond Rent Board shall consider and take into account the City of Richmond City Council’s decision on whether to continue remotely, prior to reaching its ultimate findings on the issue; and

WHEREAS, the entire State of California remains under a proclaimed state of emergency as declared by the Governor of the state of California related to the COVID-19 pandemic; and

WHEREAS, the California Department of Public Health continues to require the use of face coverings in indoor settings in order to help stop the spread of the virus. The Health Officer for Contra Costa County published “Recommendations for Safely Holding Public Meetings” on September 20, 2021. Those recommendations “strongly recommend” on-online meetings, that local agencies should provide

options for the public to participate without having to attend meetings in person, and that social distancing should be used, including six feet of spacing between all in attendance; and

WHEREAS, without limiting any requirements under applicable federal, state or local pandemic-related rules, orders or directives of the Health Officer of Contra Costa County, who has advised that for group gatherings indoors, such as meetings of city council's, boards and commissions, people can increase safety and greatly reduce risks to health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks, using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with many attendees with unknown vaccination status and where ventilation may not be optimal; and

WHEREAS, the City of Richmond Rent Board has met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public who would be present with in-person meetings while this emergency continues.

NOW, THEREFORE, BE IT RESOLVED, That the City of Richmond Rent Board finds as follows:

1. As described above, the State of California, the County of Contra Costa and the City of Richmond remain in a state of emergency due to the COVI-19 pandemic. At this meeting the City of Richmond Rent Board has considered the circumstances of the state of emergency; and
2. As described above State and County officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings; and
3. As described above meetings of this body in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in public; and:

BE IT FURTHER RESOLVED That the City of Richmond Rent Board approves the continued use of teleconferencing for public meetings of City legislative bodies for the next 30 days based on the findings required by Government Code Section 549539(e), as amended by AB 361; and

BE IT FURTHER RESOLVED, That at least for the next 30 days, meetings of the City of Richmond Rent Board will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meeting of the City of Richmond Rent Board that occur by teleconferencing technology will provide an opportunity for members of the public to address the body and will otherwise occur in a manner that protects the statutory and constitutional rights of the public attending the meeting via teleconferencing, and;

BE IT FURTHER RESOLVED That the Executive Director of the Rent Program is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of the City of Richmond Rent Board within the next 30 days.

APPROVED by the City of Richmond Rent Board at a regular meeting on December 15, 2021 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

RENT BOARD CHAIR

APPROVED AS TO FORM:

ATTEST:

STAFF ATTORNEY

RENT BOARD CLERK

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 16, 2022

Final Decision Date Deadline: February 16, 2022

STATEMENT OF THE ISSUE: In accordance with Section 11.100.060(l) of the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, the amount of the Residential Rental Housing Fee will be determined by the City Council after a recommendation by the Board is provided to the City Council. Prior to July 1, the Board shall hold a public hearing on a proposed budget and adopt an annual budget for the ensuing fiscal year. The budget shall be funded by the Residential Rental Housing Fee. Staff members have prepared draft budget options and a corresponding draft fee study for the Rent Board's consideration and comment. The purpose of this item is to receive preliminary feedback from the Board prior to the scheduling of a public hearing for potential adoption of the Fiscal Year 2022-23 Budget.

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

- Presentation/Proclamation/Commendation (3-Minute Time Limit)
- Public Hearing Regulation Other: STUDY AND ACTION SESSION
- Contract/Agreement Rent Board As Whole
- Grant Application/Acceptance Claims Filed Against City of Richmond
- Resolution Video/PowerPoint Presentation (contact KCRT @ 620.6759)

RECOMMENDED ACTION: RECEIVE an overview and discuss the objective of the Fiscal Year 2022-23 Rent Program operating budget options and corresponding Rental Housing Fee Study and PROVIDE direction to staff. (Nicolas Traylor/Fred Tran – 620-6564).

AGENDA ITEM NO:

G-1.

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AGENDA REPORT

DATE: February 16, 2022

TO: Chair Finlay and Members of the Rent Board

FROM: Nicolas Traylor, Executive Director
Fred Tran, Deputy Director

SUBJECT: DISCUSSION FISCAL YEAR 2022-23 BUDGET AND FEE STUDY

STATEMENT OF THE ISSUE:

In accordance with Section 11.100.060(l) of the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, the amount of the Residential Rental Housing Fee will be determined by the City Council after a recommendation by the Board is provided to the City Council. Prior to July 1, the Board shall hold a public hearing on a proposed budget and adopt an annual budget for the ensuing fiscal year. The budget shall be funded by the Residential Rental Housing Fee. Staff members have prepared draft budget options and a corresponding draft fee study for the Rent Board's consideration and comment. The purpose of this item is to receive preliminary feedback from the Board prior to the scheduling of a public hearing for potential adoption of the Fiscal Year 2022-23 Budget.

RECOMMENDED ACTION:

RECEIVE an overview and discuss the objective of the Fiscal Year 2022-23 Rent Program operating budget options and corresponding Rental Housing Fee Study and PROVIDE direction to staff. (Nicolas Traylor/Fred Tran – 620-6564).

FISCAL IMPACT:

The estimated fiscal impact of the proposed budget options are as follows:

Budget Option A would result in a projected operating budget of \$2,978,210 and corresponding fees of \$219 for fully-covered Rental Units and \$124 for partially covered Rental Units (fees rounded up to the nearest dollar).

Budget Option B would result in a projected operating budget of \$3,096,210 and corresponding fees of \$228 for fully-covered Rental Units and \$129 for partially covered Rental Units (fees rounded up to the nearest dollar).

DISCUSSION:

Receive an oral report and presentation from staff.

DOCUMENTS ATTACHED:

Attachment 1 – Adopted FY 21-22 Budget

Attachment 2 – Fiscal Year 2021-22 Budget and Rental Housing Fee Study

Attachment 3 – Ten-Year Financial Projection and Recommendations and recommendations by Kevin Harper CPA and Associates

FY 2021-2022 BUDGET ADOPTED: March 9, 2021								
Object #	City Account Description	FY 18-19 ACTUALS	FY 19-20 ACTUALS	FY 20-21 ACTUALS THROUGH PERIOD 6	Projected to 6/30/21	FY 20-21 PROJECTED	FY 21-22 ADOPTED	Notes
REVENUES								
340445	Fees/Admin Fees	2,189,703	2,681,689	2,187,010	324,041	2,511,051	2,893,854	(1)
361701	Int & Invest/Pooled-All Other	367	11,537	9,640	4,820	14,460	14,460	
364867	Revenue from Collections	133	13,042	18,658	9,329	27,988	30,000	
TOTAL REVENUES		2,190,203	2,706,268	2,215,308	338,190	2,553,498	2,938,314	
EXPENSES								
400001	Salaries & Wages/Executive	530,092	639,594	333,524	333,524	667,048	677,798	(2)
400002	Salaries & Wages/Mgmt-Local 21	294,152	263,080	82,674	102,956	185,630	284,628	(2)
400003	Salaries & Wages/Local 1021	128,866	150,317	95,266	94,992	190,258	169,860	(2)
400006	Salaries & Wages/PT-Temp	49,557	45,905	14,338	14,336	28,673	43,036	(2)
400031	Overtime/General	4,778	2,094	409	650	1,060	2,500	
400048	Other Pay/Bilingual Pay	6,993	9,064	4,937	4,086	9,024	11,377	
400049	Other Pay/Auto Allowance	4,200	4,200	2,100	2,100	4,200	4,200	
400050	Other Pay/Medical-In Lieu of	2,700	1,500	-	-	-	2,400	
400079	Comp Absences/WC-Prof-Mgt-Tec	1,486	5,328	-	-	-	-	
Subtotal - Salaries & Wages		1,022,823	1,121,084	533,249	552,645	1,085,893	1,195,799	
400103	P-Roll Ben/Medicare Tax-ER Shr	14,937	16,389	7,781	7,279	15,060	15,992	(3)
400104	P-Roll Ben/PERS Benefits	-	-	-	-	-	-	
400105	P-Roll Ben/Health Insurance Be	146,557	136,575	63,625	68,508	132,132	140,309	
400106	P-Roll Ben/Dental Insurance	16,652	17,021	7,302	7,302	14,604	15,508	
400109	P-Roll Ben/Employee Assistance	430	473	218	218	437	464	
400110	P-Roll Ben/Professional Dev-Mg	3,728	5,200	159	956	1,116	3,750	
400111	P-Roll Ben/Vision	2,106	2,095	966	966	1,932	2,052	
400112	P-Roll Ben/Life Insurance	5,557	4,006	1,748	1,748	3,497	3,713	
400114	P-Roll Ben/Long Term Disabilit	9,408	10,100	4,743	4,746	9,489	10,076	
400116	P-Roll Ben/Unemployment Ins	1,860	5,100	2,660	2,736	5,396	5,730	
400117	P-Roll Ben/Personal/Prof Dev	750	1,493	1,500	-	1,500	5,250	
400118	P-Roll Ben/Worker Comp-Injury Appt	-	-	338	-	338	359	
400121	P-Roll Ben/Worker Comp-Clerica	13,806	12,154	8,435	9,684	18,119	19,240	
400122	P-Roll Ben/Worker Comp-Prof	69,352	60,744	37,319	37,350	74,669	79,290	
400127	P-Roll Ben/OPEB	39,338	43,623	21,437	-	21,437	22,763	
400130	P-Roll Ben/PARS Benefits	642	434	15	73	88	94	
400149	P-Roll Ben/Misc	123,021	140,616	70,857	71,944	142,801	151,638	
400151	P-Roll Ben/Misc (UAL)	162,985	235,683	126,812	128,763	255,574	271,391	
Subtotal Fringe Benefits		611,127	691,706	355,916	342,272	698,188	747,618	
400201	Prof Svcs/Professional Svcs	32,112	38,241	4,980	4,980	9,960	18,350	(4)
400206	Prof Svcs/Legal Serv Cost	137,614	193,742	33,332	99,996	133,328	210,000	(5)
400220	Prof Svcs/Info Tech Services	2,375	-	-	-	-	-	
400241	Travel & Trng/Meal Allowance	359	-	-	-	-	-	
400242	Travel & Trng/Mileage	1,284	17	-	-	-	-	
400243	Travel & Trng/Conf, Mtng Trng	280	-	-	-	-	-	
400245	Travel & Trng/Tuition Rmb/Cert	800	800	-	800	800	800	(6)
400261	Dues & Pub/Memberships & Dues	824	1,590	-	1,650	1,650	1,650	(7)
400263	Dues & Pub/Subscription	1,500	-	-	-	-	-	
400271	Ad & Promo/Advertising & Promo Materials	1,559	2,106	537	537	1,074	5,675	(8)
400272	Ad & Promo/Community Events	1,563	1,722	-	-	-	-	
400280	Adm Exp/Program Supplies	5,292	1,600	584	584	1,168	3,950	(9)
Subtotal Prof & Admin Services		185,563	239,819	39,433	108,547	147,980	240,425	
400231	Off Exp/Postage & Mailing	10,849	5,905	3,063	3,063	6,126	22,647	(10)
400232	Off Exp/Printing & Binding	12,071	3,295	1,815	1,815	3,630	25,807	(11)
400233	Off Exp/Copying & Duplicating	46	-	236	236	472	500	
400304	Rental Exp/Equipment Rental	8,721	4,532	985	6,000	6,985	8,000	(12)
400321	Misc Exp/Misc Contrib	3,000	-	-	3,000	3,000	3,000	(13)
400322	Misc Exp/Misc Exp	3,061	2,262	-	2,000	2,000	2,925	
400341	Off Supp/Office Supplies	8,721	6,024	1,254	1,254	2,508	6,795	
400344	Off Supp/Computer Supplies	18	783	-	-	-	-	
Subtotal Other Operating		46,486	22,801	7,353	17,368	24,721	69,674	
400401	Utilities/Tel & Telegraph	254	414	229	229	458	500	
400552	Prov Fr Ins Loss/Ins Gen Liab	8,029	8,765	7,950	1,200	9,150	9,300	
400574	Cost Pool/(ISF)-Gen Liab	55,701	75,144	34,755	34,755	69,510	79,937	
400586	Cost Pool/(CAP)-Admin Charges	51,454	51,454	25,726	25,726	51,452	52,481	
400591	Cost Pool/(IND)Civic Ctr Alloc	52,420	47,026	25,143	25,143	50,286	50,286	
400601	Noncap Asst/Comp Hrdware<5K	-	6,526	-	-	-	10,800	(14)
400604	Noncap Asst/Furniture <5K	13,328	-	-	-	-	-	
TOTAL EXPENSES		2,047,186	2,264,738	1,029,753	1,107,885	2,137,638	2,456,820	
BUDGETED OPERATING RESERVE		560,985	424,794	N/A	N/A	420,821	429,944	(15)
TOTAL BUDGET		2,804,925	2,923,584	N/A	N/A	2,896,242	2,886,764	

Notes:

- (1) Assumes a Fiscal Year 2021-22 Rental Housing Fee of \$218 for Fully Covered unit and \$123 for Partially Covered units
- (2) See page 14 of the Budget and Fee Study report for detailed salary and wage assumptions
- (3) Fringe benefits are estimated at 62% of salaries and wages
- (4) Includes \$4,000 for a property information subscription, \$3,000 for a legal research subscription, \$6,000 for scheduled interpretation, \$5,100 for written translation, and \$250 for on-demand interpretation services.
- (5) Includes \$125,000 contract with the Eviction Defense Center to assist with Unlawful Detainer cases, \$75,000 for a contract with Bay Area Legal Aid for the weekly Housing Rights Clinics, and \$10,000 for legal filing fees in the event of litigation
- (6) In accordance with City personnel policies, eligible employees may receive reimbursement of up to \$800 for higher education tuition.
- (7) Anticipated cost of Bar Association dues for three attorneys (\$550 per Attorney).
- (8) Budgeted amount includes funds to satisfy the requirement to publish notices in the newspaper for public hearings as part of the budget adoption process, social media promotions, and promotional materials.
- (9) Budgeted amount includes the cost of email accounts for Rent Boardmembers, business cards, videoconference/webinar accounts, and labor for refurbishing the mural on Ohio Street.
- (10) Budgeted amount reflects anticipated postage costs for Rental Housing Fee invoices, tenancy registration mailings, and the Guide to Rent Control.
- (11) Budgeted amount reflects anticipated printing costs for Rental Housing Fee invoices, tenancy registration mailings, and the Guide to Rent Control.
- (12) Lease of copy machines including a cost-per-copy amount. 36-month lease ends in 2022.
- (13) Stipends for 2 UC Berkeley Public Service Center interns, ranging from \$1,000 - \$1,500 per intern.
- (14) Budgeted amount assumes the purchase of nine laptop computer purchases at \$1,200 each.
- (15) Budgeted reserve is equal to 17.5 percent of total operating expenses consistent with the Rent Board's proposed reserve policy.

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FY 2021-22 BUDGET & RENTAL HOUSING FEE STUDY

CITY OF RICHMOND RENT PROGRAM

APPROVED: MARCH 9, 2021



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I. RENT PROGRAM ORGANIZATION AND GOALS

Mission Statement

The mission of the Rent Program is to promote neighborhood and community stability, healthy housing, and affordability for Richmond Tenants through the regulating of those Landlord/Tenant matters that reasonably relate to rents and evictions, while maintaining a Landlord's right to a fair return.

Proposed Fiscal Year 2021-22 Organizational Chart and Labor Summary

The Richmond Rent Program was established following the adoption of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (Rent Ordinance) by a majority of Richmond voters in 2016. In accordance with the Rent Ordinance, an Executive Director appointed by a five-member Rent Board comprised of Richmond residents leads the Rent Program. No more than two members of the Rent Board may own or manage rental property or act as realtors.

The following figures illustrate how the proposed staffing plan for the upcoming year compares to prior years. Of particular note is the proposed addition of two new personnel classifications, including that of a General Counsel and a Senior Rent Program Services Analyst, as well as the consolidation of the Public Information and Billing and Registration Units into one combined Public Information and Enrollment Unit (PIE). The rationale for these proposed changes to the organizational chart is described in further detail below. Figure 1 contains the proposed organizational chart for the 2021-22 fiscal year, and Figures 2 and 3 provide a summary of full-time equivalents (FTEs) since Fiscal Year 2019-20.

Figure 1. FY 2021-22 Rent Program Organizational Chart

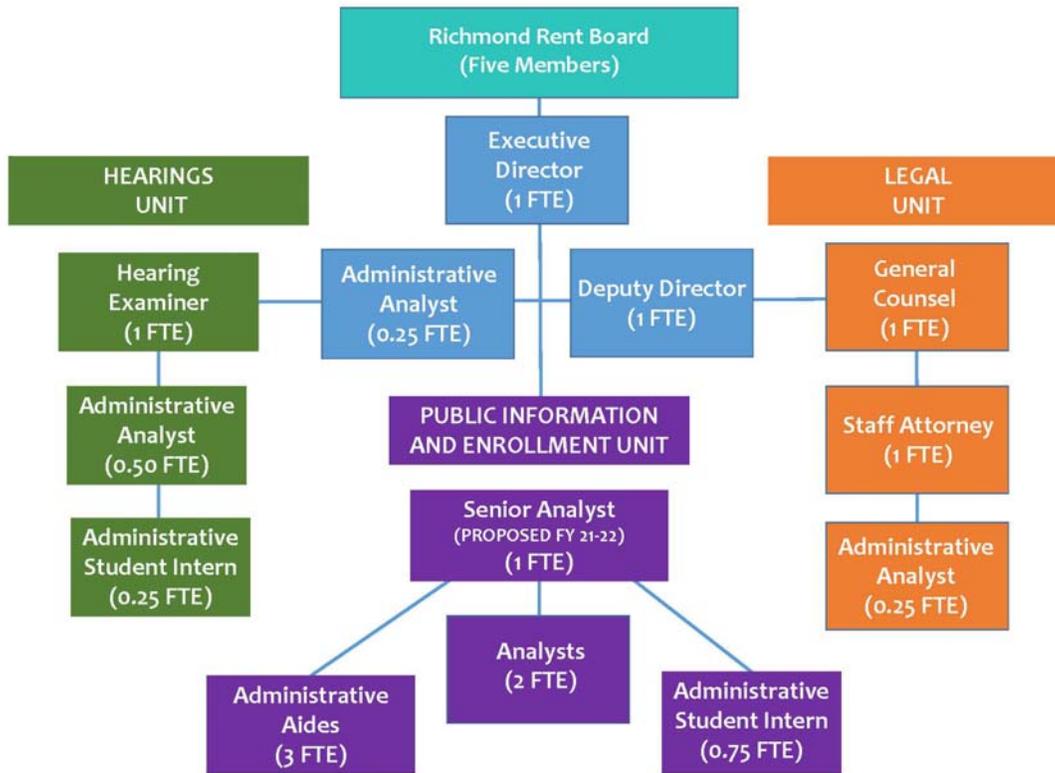


Figure 2. Proposed Fiscal Year 2021-22 Labor Summary

<u>Unit</u>	<i>Authorized Positions</i> <i>2019/2020</i>	<i>Authorized Positions</i> <i>2020/2021</i>	<i>Proposed Positions</i> <i>2021/2022</i>	<i>Amount of Change</i> <i>20/21 - 21/22</i>
Management	2.5	2.25	2.25	0
Legal	1.5	1.75	2.25	0.5
Public Information	4.6	4.6	N/A	N/A
Billing & Registration	2.9	2.9	N/A	N/A
Public Information & Enrollment	N/A	N/A	6.75	N/A
Hearings	1.5	1.5	1.75	0.25
TOTAL	13	13	13	0

Figure 3. Proposed Fiscal Year 2021-22 Permanent Staff by Classification

<u>Classification</u>	<u>Authorized Positions 2019/2020</u>	<u>Authorized Positions 2020/2021</u>	<u>Proposed Positions 2021/2022</u>	<u>Amount of Change 20/21 - 21/22</u>
Administrative Aide	3	3	3	0
Administrative Student Intern	1	1	1	0
Assistant Administrative Analyst	1	1	1	0
Deputy Director	1	1	1	0
Executive Director	1	1	1	0
General Counsel <i>(pending approval)</i>	N/A	N/A	1	1
Hearing Examiner	1	1	1	0
Rent Program Services Analyst I/II	3	3	2	-1
Senior Rent Program Services Analyst <i>(pending approval)</i>	N/A	N/A	1	1
Staff Attorney	2	2	1	-1
Total	13	13	13	0

Proposed General Counsel Personnel Classification

The proposed Fiscal Year 2021-22 budget includes a new General Counsel personnel classification, which would require approval by the City Council for establishment. The General Counsel position includes tasks that reach beyond the scope of the Staff Attorney role and are critical to the agency’s ability to fulfill the purpose and mission of the Rent Ordinance. The General Counsel position is distinct from that of the Staff Attorney in that the General Counsel position serves as Chief Counsel and legal advisor to the Rent Board and Executive Director and directs the work of the Legal Unit, whereas the Staff Attorney role receives direction from the Executive Director and participates in, but does not direct, the legal work of the agency. Furthermore, the General Counsel position, as proposed, (1) manages and advises on all phases of Rent Board legal work, including any action and/or conduct that implicates legal consequences; (2) represents the Rent Board in all civil matters and is the lead counsel in any civil litigation; (3) manages, directs, plans, and organizes the Rent Program Legal Unit; and (4) participates in recommending and implementing policy changes.

The Rent Program agency currently employs two Staff Attorneys. It is proposed that one of the Staff Attorney positions be reclassified as the General Counsel, pending approval. This proposed change would not increase the overall number of full-time equivalents (FTEs) employed by the agency.

Proposed Senior Rent Program Services Analyst Personnel Classification

In addition to the General Counsel position, the proposed Fiscal Year 2021-22 budget includes a Senior Rent Program Services Analyst classification, which would require approval from both the Personnel Board and City Council for establishment. The Senior Rent Program Services Analyst role is envisioned as distinct from the Rent Program Services Analyst I/II classification in that the Senior Analyst role would be responsible for managing the agency's largest unit (a consolidated Public Information and Enrollment Unit) as well as providing recommendations and support to management staff in their development of the agency budget and programmatic policies and procedures.

Historically, the Deputy Director role has maintained oversight of the Public Information and Billing and Registration Units, in addition to assisting the Executive Director with management of the agency, monitoring agency finances, and preparing reports and policies for consideration by the Rent Board and City Council. In Fiscal Year 2020-21, one Staff Attorney position was employed as a mid-level manager, who reported to the Deputy Director and was responsible for supervising the Rent Program Services Analysts in their roles as housing counselors, as well as assisting with legal unit tasks.

As the agency matures and its operations grow more complex, it is recommended that the agency replace the managing Staff Attorney with a Senior Rent Program Services Analyst position to supervise and provide direction and support to the Analysts, Administrative Aides, and Student Interns in the consolidated Public Information and Enrollment Unit. In addition to providing opportunities for Analysts to advance within the agency, this new position would relieve the Staff Attorney of management duties, allowing them to fully staff the Legal Unit. In Fiscal Year 2021-22, it is recommended that one of the vacant Rent Program Services Analyst positions be reclassified as a Senior Rent Program Services Analyst position, pending classification approval by the Personnel Board and City Council. This proposed change would not increase the overall number of full-time equivalents (FTEs) employed by the agency.

Consolidation of Public Information and Billing and Registration Units

The organizational chart for Fiscal Year 2021-22 includes a "Public Information and Enrollment Unit" that replaces the existing Public Information and Billing and Registration Units. This new organizational structure is anticipated to be advantageous to the agency for the following reasons:

- **Improved compliance with enrollment, registration, and fee payment requirements**
In their conversations with community members, Rent Program Services Analysts (housing counselors) frequently discover units that are not in compliance with the Rent Program in terms of property enrollment, tenancy registration, and fee payment requirements. Coordination between housing counselors and staff who oversee enrollment, registration, and fee payment operations is important, and the new organizational structure will support closer communication and collaboration to ensure that there is follow up after a unit found to be noncompliant is identified.

- **Greater efficiency in serving members of the public**
Distinct units can create unnecessary silos. The Rent Program is a relatively small agency and will be better equipped to face surges in demand or unforeseen circumstances if all Public Information and Enrollment Unit staff have a foundational understanding of both the Rent Ordinance and its requirements, as well as internal policies and procedures regarding property enrollment, tenancy registration, and payment of the Rental Housing Fee. Under the previous organizational structure, staff members in the Billing and Registration Unit would not typically assist with preparation for community workshops, and staff in the Public Information Unit may not have been familiar enough with Billing and Registration processes to fully assist community members with a billing issue. The new proposed structure would provide greater flexibility and redundancy among staff roles.

- **Promotes collaboration on large outreach projects**
With 6.75 FTE, the new consolidated Public Information and Enrollment Unit will be the largest unit in the agency and better able to manage completion of large projects, such as mailing the Guide to Rent Control, rent validation reports, and Rental Housing Fee invoices to thousands of Landlords and Tenants. Mass-mailing projects also present opportunities to share information that community members may not otherwise seek out; for example, mailing of Rental Housing Fee invoices to all Landlords is an opportunity to share information about other aspects of the Rent Ordinance.

Progress Towards the Achievement of Fiscal Year 2020-21 Goals

As part of the Fiscal Year 2021-22 Rent Program budget development process, staff members identified a series of goals that the proposed budget would support. As was the case for the greater City of Richmond and nation as a whole, the Covid-19 pandemic forced a reconsideration of goals and objectives for the 2020-21 fiscal year. Table 1, on the following page, provides a status update on the goals established for the 2020-21 fiscal year and notes the impacts of the Covid-19 pandemic.

Table 1. Progress towards achievement of Fiscal Year 2020-21 goals

Fiscal Year 2020-21 Goal	Progress Towards Achievement
<p>Continue to invest resources in staff training, particularly for the Rent Program Services Analysts, to ensure staff members are knowledgeable on the requirements of the Rent Ordinance, Rent Board Regulations, and related State and Federal laws.</p>	<p>Complete. Rent Program Services Analysts received regular and ongoing support and training from the managing Staff Attorney on the Rent Ordinance and related laws and regulations. Senior staff members provided specific trainings on new regulations and processes as needed. Rent Program Services Analysts provided weekly informational sessions to support staff in the Public Information Unit to keep them apprised of changes to the law and current topics of relevance.</p>
<p>Continue to implement the mediation program to provide free formal and informal mediation services to Landlords and Tenants as a means of resolving disputes that have a reasonable nexus to the Rent Ordinance through the assistance of a trained mediator.</p>	<p>Nearly complete, but significantly impacted by the Covid-19 pandemic. With mediation guidelines and administrative procedures in place, staff members continue to assess the bandwidth of the Public Information Unit to determine how many mediations may be scheduled per month. The Covid-19 pandemic delayed the process of filling vacancies in the Public Information Unit and eliminated the possibility of in-person mediations. The Executive and Deputy Directors facilitated mediations as necessary but the mediation program has yet to be fully launched.</p>
<p>Continue to develop an online filing system for the submission of Property Enrollment and Tenancy Registration forms, as well as the filing of rent increase and termination of tenancy notices on the City’s e-trakit website.</p>	<p>Progress is ongoing. Online submission of forms and notices has yet to be fully launched; staff members anticipate systems will continue to be developed in the 2021-22 fiscal year.</p>
<p>Publicize the Guide to Rent Control in Richmond and develop one-page fact sheets on common topics such as Just Cause for Eviction, Owner Move-In evictions, the Ellis Act, and the Relocation Ordinance.</p>	<p>Nearly complete but significantly impacted by the Covid-19 pandemic. The Guide to Rent Control has been completed and is slated to be distributed to Landlords and Tenants concurrent with the mailing of Rent Validation Reports for Fully Covered Rental Units. Landlords and Tenants of partially-covered Rental Units are anticipated to receive the Guide to Rent Control as well, in the absence of a Rent Validation Report. Originally planned to be completed during the 2020-21 fiscal year, the distribution of such materials was significantly delayed by the transition to remote work necessitated by the Covid-19 pandemic. Staff members anticipate completion of this task during the 2021-22 fiscal year as the severity of the pandemic decreases and restrictions lessen.</p> <p>One-page fact sheets pertaining to Just Cause for Eviction, Owner Move-In evictions, the Ellis Act, and the Relocation Ordinance have been drafted and are in the process of being displayed on the Rent Program website.</p>

**ITEM G-1
ATTACHMENT 2**

City of Richmond Rent Program
Revised Fiscal Year 2021-22 Budget and Rental Housing Fee Study

Fiscal Year 2020-21 Goal	Progress Towards Achievement
<p>Develop a Comprehensive Outreach Plan that includes, but is not limited to, continuing to bolster our social media presence, producing informational, infographic, and/or testimonial videos to highlight aspects of the Rent Ordinance and services provided by the Rent Program and expanding outreach efforts to local businesses, schools, non-profits, neighborhood councils, and other community stakeholders.</p>	<p>Progress is ongoing but was significantly impacted by the Covid-19 pandemic. During the 2019-20 fiscal year, the Executive Director, in partnership with Public Information Unit staff members, spearheaded an outreach strategy to conduct site visits and make connections with local businesses, churches, and community centers. While the initiative gained momentum in the preceding fiscal year, progress was severely stunted in Fiscal Year 2020-21 due to the risks of in-person contact during the Covid-19 pandemic. Instead, outreach was primarily conducted through the agency’s social media accounts, which proved to be an effective means of sharing information.</p>
<p>Launch Tenancy Registration Outreach by beginning to mail out Notices of the Maximum Allowable Rent (MAR) (sent to Landlords and Tenants when Tenancy Registration Forms are submitted), and create a database accessible to the public where community members can research the MAR for a particular Rental Unit.</p>	<p>Incomplete due to the limitations of remote work during the Covid-19 pandemic. More than half of all rent-controlled tenancies have been registered to date; however, thousands of forms still need to be entered into the database. Billing and Registration unit staff developed template forms and continue to work closely with the City’s IT department staff to ensure notices can be automatically generated and mailed to Landlords and Tenants to educate them about the Maximum Allowable Rent for their specific unit. Originally planned to be completed during the 2020-21 fiscal year, generating and mailing of such reports was significantly delayed by the transition to remote work necessitated by the Covid-19 pandemic. Staff members anticipate initiation of this task during the 2021-22 fiscal year as the severity of the pandemic decreases and restrictions lessen.</p>
<p>Continue to improve collection of the Rental Housing Fee (greater than 85% compliance) to build up the Rent Program’s reserves</p>	<p>On Track to Complete. As of period seven of the 2020-21 fiscal year, approximately 78% of revenue has been collected. Total Rental Housing Fee revenue is projected to approach 88% by the close of the fiscal year.</p>
<p>Continue to work collaboratively with other City departments to improve rental housing inspection options, seismic safety policy, enforcement of the Relocation Ordinance, and the collection of other City fees, such as the Business License Tax, Fire Prevention Services Fee, and Rental Inspection Program fee</p>	<p>Progress is ongoing. Rent Program staff continue to host monthly meetings with the Richmond Police Department, Code Enforcement, Richmond Housing Authority, and Community Development Department to foster open communication about issues pertaining to the Rent Ordinance. In addition to monthly meetings, staff members in the Public Information and Billing and Registration Unit are frequently in communication with the Finance and Community Development Departments to streamline operations and improve customer service provided to community members by facilitating information sharing and identifying opportunities for collaboration.</p>
<p>Implement more stringent exemption verification processes to require that claims of non-applicability or exemption are fully investigated and approved or denied by Rent Program staff (or the Rent Board, in the event of an appeal).</p>	<p>Complete. Rent Program staff drafted regulations adopted by the Rent Board to create processes through which claims of non-applicability or exemption are fully investigated and approved or denied by staff. Following adoption by the Board, staff members created the requisite forms and accompanying internal procedures. To date, the Rent Program has processed 65 claims of inapplicability or exemption.</p>

Proposed Fiscal Year 2021-22 Goals

The proposed Fiscal Year 2021-22 budget has been prepared for the Board's consideration in acknowledgement of the following goals in three broad categories: Program Development, Outreach, and Program Sustainability and Compliance.

PROGRAM DEVELOPMENT:

1. **Develop a training schedule for Rent Program Services Analysts (but accessible to all staff)**, to ensure housing counselors remain knowledgeable on the requirements of the Rent Ordinance and apprised of any changes to Rent Board Regulations and related State and Federal laws.
2. **Continue to implement the mediation program** to provide free formal and informal mediation services to Landlords and Tenants as a means of resolving disputes that have a reasonable nexus to the Rent Ordinance through the assistance of a trained mediator.
3. **Continue to develop an online filing system for the submission of Property Enrollment and Tenancy Registration forms**, as well as the filing of rent increase and termination of tenancy notices on the City's e-trakit website.

OUTREACH:

1. **Publish and distribute the Guide to Rent Control in Richmond and one-page fact sheets** on common topics such as Just Cause for Eviction, Owner Move-In evictions, the Ellis Act, and the Relocation Ordinance.
2. **Develop and Execute a Comprehensive Outreach Plan** that includes, but is not limited to, continuing to bolster our social media presence, producing informational, infographic, and/or testimonial videos to highlight aspects of the Rent Ordinance and services provided by the Rent Program and expanding outreach efforts to local businesses, schools, non-profits, neighborhood councils, and other community stakeholders.
3. **Launch Tenancy Registration Outreach** by beginning to mail out Notices of the Maximum Allowable Rent (MAR) (sent to Landlords and Tenants when Tenancy Registration Forms are submitted), and create a database accessible to the public where community members can research the MAR for a particular Rental Unit.

PROGRAM SUSTAINABILITY AND COMPLIANCE:

1. **Continue to improve collection of the Rental Housing Fee (greater than 90% compliance) through investing in effective compliance and outreach projects** to ensure that all Rental Units subject to the Rent Ordinance are assessed the Rental Housing Fee and all Landlords who should be paying the Rental Housing Fee receive an invoice and are made aware of their financial obligation to the Rent Program.

2. **Continue to work collaboratively with other City departments** to improve rental housing inspection options, seismic safety policy, enforcement of the Relocation Ordinance, the Richmond Rapid Response Fund (R3F) Rent Assistance Program for Displacement and Homelessness Prevention, and the collection of other City fees, such as the Business License Tax, Fire Prevention Services Fee, and Rental Inspection Program fee.

3. **Continue to implement the recommendations provided by Kevin Harper CPA and Associates**, including monitoring budgeted versus actual expenses and providing quarterly reports to the Rent Board, updating the Board's 10-year financial projection, and proposing budgetary policies for the Board's consideration.

II. PROPOSED FY 2021-22 BUDGET

The figure below contains the revised Fiscal Year 2021-22 budget based on feedback provided by the Rent Board at its February 17, 2021, meeting. Detailed descriptions of the components within each line item are contained in the sections that follow.

BUDGET								
Object #	City Account Description	FY 18-19 ACTUALS	FY 19-20 ACTUALS	FY 20-21 ACTUALS THROUGH PERIOD 6	Projected to 6/30/21	FY 20-21 PROJECTED	FY 21-22 PROPOSED	Notes
	REVENUES							
340445	Fees/Admin Fees	2,189,703	2,681,689	2,187,010	324,041	2,511,051	2,893,854	(1)
361701	Int & Invest/Pooled-All Other	367	11,537	9,640	4,820	14,460	14,460	
364867	Revenue from Collections	133	13,042	18,658	9,329	27,988	30,000	
	TOTAL REVENUES	2,190,203	2,706,268	2,215,308	338,190	2,553,498	2,938,314	
	EXPENSES							
400001	Salaries & Wages/Executive	530,092	639,594	333,524	333,524	667,048	677,798	(2)
400002	Salaries & Wages/Mgmt-Local 21	294,152	263,080	82,674	102,956	185,630	284,628	(2)
400003	Salaries & Wages/Local 1021	128,866	150,317	95,266	94,992	190,258	169,860	(2)
400006	Salaries & Wages/PT-Temp	49,557	45,905	14,338	14,336	28,673	43,036	(2)
400031	Overtime/General	4,778	2,094	409	650	1,060	2,500	
400048	Other Pay/Bilingual Pay	6,993	9,064	4,937	4,086	9,024	11,377	
400049	Other Pay/Auto Allowance	4,200	4,200	2,100	2,100	4,200	4,200	
400050	Other Pay/Medical-In Lieu of	2,700	1,500	-	-	-	2,400	
400079	Comp Absences/WC-Prof-Mgt-Tec	1,486	5,328	-	-	-	-	
	Subtotal - Salaries & Wages	1,022,823	1,121,084	533,249	552,645	1,085,893	1,195,799	
400103	P-Roll Ben/Medicare Tax-ER Shr	14,937	16,389	7,781	7,279	15,060	15,992	(3)
400104	P-Roll Ben/PERS Benefits	-	-	-	-	-	-	
400105	P-Roll Ben/Health Insurance Be	146,557	136,575	63,625	68,508	132,132	140,309	
400106	P-Roll Ben/Dental Insurance	16,652	17,021	7,302	7,302	14,604	15,508	
400109	P-Roll Ben/Employee Assistance	430	473	218	218	437	464	
400110	P-Roll Ben/Professional Dev-Mg	3,728	5,200	159	956	1,116	3,750	
400111	P-Roll Ben/Vision	2,106	2,095	966	966	1,932	2,052	
400112	P-Roll Ben/Life Insurance	5,557	4,006	1,748	1,748	3,497	3,713	
400114	P-Roll Ben/Long Term Disabilit	9,408	10,100	4,743	4,746	9,489	10,076	
400116	P-Roll Ben/Unemployment Ins	1,860	5,100	2,660	2,736	5,396	5,730	
400117	P-Roll Ben/Personal/Prof Dev	750	1,493	1,500	-	1,500	5,250	
400118	P-Roll Ben/Worker Comp-Injury Appt	-	-	338	-	338	359	
400121	P-Roll Ben/Worker Comp-Clerica	13,806	12,154	8,435	9,684	18,119	19,240	
400122	P-Roll Ben/Worker Comp-Prof	69,352	60,744	37,319	37,350	74,669	79,290	
400127	P-Roll Ben/OPEB	39,338	43,623	21,437	-	21,437	22,763	
400130	P-Roll Ben/PARS Benefits	642	434	15	73	88	94	
400149	P-Roll Ben/Misc	123,021	140,616	70,857	71,944	142,801	151,638	
400151	P-Roll Ben/Misc (UAL)	162,985	235,683	126,812	128,763	255,574	271,391	
	Subtotal Fringe Benefits	611,127	691,706	355,916	342,272	698,188	747,618	
400201	Prof Svcs/Professional Svcs	32,112	38,241	4,980	4,980	9,960	18,350	(4)
400206	Prof Svcs/Legal Serv Cost	137,614	193,742	33,332	99,996	133,328	210,000	(5)
400220	Prof Svcs/Info Tech Services	2,375	-	-	-	-	-	
400241	Travel & Trng/Meal Allowance	359	-	-	-	-	-	
400242	Travel & Trng/Mileage	1,284	17	-	-	-	-	
400243	Travel & Trng/Conf, Mng Trng	280	-	-	-	-	-	
400245	Travel & Trng/Tuition Rmb/Cert	800	800	-	800	800	800	(6)
400261	Dues & Pub/Memberships & Dues	824	1,590	-	1,650	1,650	1,650	(7)
400263	Dues & Pub/Subscription	1,500	-	-	-	-	-	
400271	Ad & Promo/Advertising & Promo Materials	1,559	2,106	537	537	1,074	5,675	(8)
400272	Ad & Promo/Community Events	1,563	1,722	-	-	-	-	
400280	Adm Exp/Program Supplies	5,292	1,600	584	584	1,168	3,950	(9)
	Subtotal Prof & Admin Services	185,563	239,819	39,433	108,547	147,980	240,425	
400231	Off Exp/Postage & Mailing	10,849	5,905	3,063	3,063	6,126	22,647	(10)
400232	Off Exp/Printing & Binding	12,071	3,295	1,815	1,815	3,630	25,807	(11)
400233	Off Exp/Copying & Duplicating	46	-	236	236	472	500	
400304	Rental Exp/Equipment Rental	8,721	4,532	985	6,000	6,985	8,000	(12)
400321	Misc Exp/Misc Contrib	3,000	-	-	3,000	3,000	3,000	(13)
400322	Misc Exp/Misc Exp	3,061	2,262	-	2,000	2,000	2,925	
400341	Off Supp/Office Supplies	8,721	6,024	1,254	1,254	2,508	6,795	
400344	Off Supp/Computer Supplies	18	783	-	-	-	-	
	Subtotal Other Operating	46,486	22,801	7,353	17,368	24,721	69,674	
400401	Utilities/Tel & Telegraph	254	414	229	229	458	500	
400552	Prov Fr Ins Loss/Ins Gen Liab	8,029	8,765	7,950	1,200	9,150	9,300	
400574	Cost Pool/(ISF)-Gen Liab	55,701	75,144	34,755	34,755	69,510	79,937	
400586	Cost Pool/(CAP)-Admin Charges	51,454	51,454	25,726	25,726	51,452	52,481	
400591	Cost Pool/(IND)/Civic Ctr Alloc	52,420	47,026	25,143	25,143	50,286	50,286	
400601	Noncap Asst/Comp Hrdware<5K	-	6,526	-	-	-	10,800	(14)
400604	Noncap Asst/Furniture <5K	13,328	-	-	-	-	-	
	TOTAL EXPENSES	2,047,186	2,264,738	1,029,753	1,107,885	2,137,638	2,456,820	
	BUDGETED OPERATING RESERVE	560,985	424,794	N/A	N/A	420,821	429,944	(15)
	TOTAL BUDGET	2,804,925	2,923,584	N/A	N/A	2,896,242	2,886,764	

Budget Notes

- (1) Assumes a Fiscal Year 2021-22 Rental Housing Fee of \$218 for Fully Covered units and \$123 for Partially Covered units
- (2) See page 14 for detailed salary and wage assumptions
- (3) Fringe benefits are estimated at 62% of salaries and wages
- (4) Includes \$4,000 for a property information subscription, \$3,000 for a legal research subscription, \$6,000 for scheduled interpretation, \$5,100 for written translation, and \$250 for on-demand interpretation services.
- (5) Includes \$125,000 contract with the Eviction Defense Center to assist with Unlawful Detainer cases, \$75,000 for a contract with Bay Area Legal Aid for the weekly Housing Rights Clinics, and \$10,000 for legal filing fees in the event of litigation.
- (6) In accordance with City personnel policies, eligible employees may receive reimbursement of up to \$800 for higher education tuition.
- (7) Anticipated cost of Bar Association dues for three attorneys (\$550 per Attorney).
- (8) Budgeted amount includes funds to satisfy the requirement to publish notices in the newspaper for public hearings as part of the budget adoption process, social media promotions, and promotional materials.
- (9) Budgeted amount includes the cost of email accounts for Rent Boardmembers, business cards, videoconference/webinar accounts, and labor for refurbishing the mural on Ohio Street.
- (10) Budgeted amount reflects anticipated postage costs for Rental Housing Fee invoices, tenancy registration mailings, and the Guide to Rent Control.
- (11) Budgeted amount reflects anticipated printing costs for Rental Housing Fee invoices, tenancy registration mailings, and the Guide to Rent Control.
- (12) Lease of copy machines including a cost-per-copy amount. 36-month lease ends in 2022.
- (13) Stipends for 2 UC Berkeley Public Service Center interns, ranging from \$1,000 - \$1,500 per intern.
- (14) Budgeted amount assumes the purchase of nine laptop computer purchases at \$1,200 each.
- (15) Budgeted reserve is equal to 17.5 percent of total operating expenses consistent with the Rent Board's proposed reserve policy.

SALARIES AND WAGES	
400001 - 400006 Permanent Employees	Proposed Allocation: \$1,175,322

The allocation reflects salary-related costs for all filled positions and includes a cost-of-living adjustment (COLA) for all non-exempt staff as set forth in the collective bargaining agreements with the City's employee unions. The Executive Director, Deputy Director, Hearing Examiner, and General Counsel positions are proposed to forfeit cost-of-living adjustments in Fiscal Year 2021-22.

Position	Fiscal Year 2020-21 Salary	Fiscal Year 2021-22 Salary	Notes
Executive Director	\$153,336	\$153,336	
Hearing Examiner	\$145,380	\$145,380	
General Counsel (<i>pending Council approval; formerly Staff Attorney</i>)	\$145,380	\$145,380	Reclassify existing Staff Attorney position
Deputy Director	\$120,000	\$120,000	
Staff Attorney	\$108,288	\$113,702	5% increase
Subtotal Executive Staff	\$672,384	\$677,798	
Rent Program Services Analyst II	\$94,052	\$94,052	
Assistant Administrative Analyst	\$74,244	\$74,244	
Rent Program Services Analyst I	\$67,788	\$70,968	Anticipated to receive regular step increase
Senior Analyst (<i>pending Personnel Board and Council approval; budgeted amount reflects Senior Management Analyst salary schedule, Step III</i>)	\$67,788	\$47,208 <i>(reflects 50% annual salary)</i>	Reallocate from Rent Program Services Analyst and reclassify as Senior Analyst; hire in third quarter
Subtotal Local 21 Management Staff	\$302,028	\$284,628	
Administrative Aide	\$70,476	\$70,476	
Administrative Aide	\$64,320	\$32,160 <i>(reflects 50% annual salary)</i>	Current vacancy - budget at Step III; hire in third quarter
Administrative Aide	\$64,320	\$67,224	Anticipated to receive regular step increase
Subtotal SEIU 1021 Staff	\$199,116	\$169,860	
Administrative Student Intern	\$21,518	\$21,518	
Administrative Student Intern	\$21,518	\$21,518	
Subtotal Part Time/Temp Staff	\$43,036	\$43,036	
TOTAL SALARIES	\$1,216,564	\$1,175,322	

SALARIES AND WAGES	
400031 Overtime	Proposed Allocation: \$2,500

The allocation accounts for \$2,500 for the Public Information and Enrollment Unit for work that cannot be completed during regularly scheduled hours. Most overtime hours are anticipated to be incurred during billing and registration periods, when there is a high volume of inquiries and thousands of mailers to print and assemble. The proposed allocation also accounts for overtime hours utilized during weekend or evening outreach events.

SALARIES AND WAGES	
400048 Bilingual Pay	Proposed Allocation: \$11,377

The allocation accounts for the two percent (2%) salary premium granted to seven (7) bilingual staff members employed by the Rent Program. These staff members include:

- Staff Attorney (1 FTE)
- Hearing Examiner (1 FTE)
- Rent Program Services Analysts (2 FTE)
- Senior Rent Program Services Analyst (1 FTE)
- Administrative Aides (2 FTE)

SALARIES AND WAGES	
400049 Auto Allowance	Proposed Allocation: \$4,200

The allocation accounts for an automobile allowance for the Executive Director, in the amount of \$350 per month.

SALARIES AND WAGES	
400050 Medical In-Lieu Plan	Proposed Allocation: \$2,400

The allocation accounts for employees who opt not to use the City's medical insurance and are able to document to the City's satisfaction that they have group health insurance benefits through a spouse's plan or other source. In accordance with the collective bargaining agreements with the City's employee unions, employees meeting these criteria receive an extra \$200 per month.

BENEFITS	
400103 - 400151 Fringe Benefits	Proposed Allocation: \$747,618

The allocation accounts for benefits provided to full-time employees. Individual plan changes and/or actual rate changes during the fiscal year may affect the amount actually expended.

These benefits include:

- Health Benefits
 - Health Insurance (\$140,309)
 - Dental Insurance (\$15,508)
 - Vision Insurance (\$2,052)
 - Employee Assistance Program (\$464)
- Professional Development funds – 12 permanent employees are eligible for reimbursement of up to \$750 for eligible expenses (\$9,000)
- Medicare Taxes (\$15,992)
- Life Insurance (\$3,713)
- Long-Term Disability Insurance (\$10,076)
- Unemployment Insurance (\$5,730)
- Workers’ Comp Insurance
 - Appointments (\$359)
 - Clerical staff (\$19,240)
 - Professional staff (\$79,290)
- Other Post-Employment Benefits (OPEB) (\$22,763)¹
- Public Agency Retirement System (PARS) Benefits (\$94)
- Miscellaneous Benefits (\$423,029)²

¹ According to the California Department of Human Resources, through the collective bargaining process and under the authority of Government Code 22944.5, OPEB (Other Post-Employment Benefits) is the method by which the State of California, as the employer, and its employees jointly prefund health benefits that active employees will receive as state retirees. All employees in positions that are eligible for health benefits, whether or not currently enrolled, prefund OPEB. The state prefunds a matching contribution.

² Miscellaneous benefits refer to the employer portion of CalPERS pension costs for miscellaneous (non-sworn) staff. CalPERS costs are remitted in two parts—one being a percentage of payroll each pay period (object code 400149) and the other being a flat dollar amount per FTE for the unfunded liability (object code 400151). CalPERS provides an annual valuation reports that specifies these rates/dollar amounts.

PROFESSIONAL AND ADMINISTRATIVE SERVICES	
400201 Professional Services	Proposed Allocation: \$18,350

The allocation accounts for professional services provided by contractors. These services include:

- Translation Services
 - Written translation (\$5,100)
 - Scheduled verbal interpretation (\$6,000)
 - On-demand verbal interpretation (\$250)
- Property Information subscription (\$250 per month, plus \$1,000 annually for special reports, for a total of \$4,000)
- Legal Information subscription (\$250 per month, for a total of \$3,000)

PROFESSIONAL AND ADMINISTRATIVE SERVICES	
400206 Legal Services	Proposed Allocation: \$210,000

The allocation accounts for legal services provided by contractors for community members. More specifically, the allocation includes funds for two categories of legal services:

1. Community Services Agency Contracts
 - The Rent Program contracts with Bay Area Legal Aid in the amount of \$75,000 to offer weekly legal service clinics for both Landlords and Tenants who are Richmond residents
 - The Rent Program contracts with the Eviction Defense Center in the amount of \$125,000 to provide legal referrals to individuals who need assistance with responding to Unlawful Detainer (eviction) lawsuits.
2. Legal filing fees
 - The allocation also includes \$10,000 for anticipated legal filing fees in the event of litigation (estimates approximately \$5,000 per writ)

TRAVEL AND TRAINING	
400245 Tuition Reimbursement	Proposed Allocation: \$800

The allocation accounts for reimbursement for tuition reimbursement, consistent with the City's personnel policies (\$800).

DUES AND PUBLICATIONS	
400261 Memberships & Dues	Proposed Allocation: \$1,650

The allocation accounts for California BAR Association dues for three attorneys (\$550 per attorney).

ADVERTISING AND PROMOTION	
400271 Advertising & Promotional Materials	Proposed Allocation: \$5,675

The allocation accounts for newspaper announcements as required as part of the budget adoption process (\$200), monthly promotion on social media accounts (\$600), and promotional materials to be included with large mailing projects (\$4,875).

ADMINISTRATIVE EXPENSES	
400280 Program Supplies	Proposed Allocation: \$3,950

The allocation includes funds for supplies not classified as office supplies, including:

- Emails for Rent Boardmembers (\$100 per month, for a total cost of \$1,200)
- Business cards for staff members (\$50 per order, for an estimated 12 orders, for a total cost of \$600)
- Labor to refurbish the Rent Control and Just Cause for Eviction educational mural on Ohio Street (estimated 40 hours of labor at a cost of approximately \$15 per hour, for a total cost of \$600)
- Zoom Accounts
 - 5 Standard Accounts (\$750)
 - 2 Webinar Accounts (\$800)

OFFICE EXPENSES	
400231 Postage and Mailing	Proposed Allocation: \$25,547

The allocation includes funds for mailing invoices, letters, and the Guide to Rent Control to Tenants and Landlords. Specifically, the allocation accounts for the following projects and assumes a postage rate of \$0.29 per envelope for all projects, with the exception of the Guide to Rent Control mailing, which assumes a postage rate of \$0.50 per envelope:

- Rental Housing Fee invoices to 5,716 Landlords: \$1,658
- Late Rental Housing Fee invoices to 1,905 Landlords: \$553
- Sending the Notice of Apparent Lawful Rent Ceiling to 15,030 Tenants and Landlords: \$4,359
- Sending Rent Validation Reports to 15,030 Tenants and Landlords: \$4,359
- Mailing the Guide to Rent Control to 23,439 Tenants and Landlords: \$11,719

OFFICE EXPENSES	
400232 - 400233 Printing and Binding	Proposed Allocation: \$27,157

The allocation includes funds for printing resources for community members, as well as invoices, letters, and the Guide to Rent Control for Tenants and Landlords. Specifically, the allocation accounts for the following projects:

- General print materials: \$4,500 (includes \$500 in account string 400233)
- Rental Housing Fee invoices to 5,716 Landlords: \$286
- Late Rental Housing Fee invoices to 1,905 Landlords: \$95
- Printing the Notice of Apparent Lawful Rent Ceiling for 15,030 Tenants and Landlords: \$752
- Printing Rent Validation Reports for 15,030 Tenants and Landlords: \$752
- Printing the Guide to Rent Control for 23,439 Tenants and Landlords: \$19,923

OFFICE EXPENSES	
400304 Equipment Rental	Proposed Allocation: \$8,000

The allocation provides for funding for the lease of combination printers, scanners, copiers, and fax machines at City Hall. In 2019, the Rent Program, in partnership with the Richmond Promise, Arts and Culture, and Department of Infrastructure, Maintenance, and Operations, entered into a 36-month lease for two machines for the second floor of 440 Civic Center Plaza building. The cost of the lease is shared equally among participating entities, while the cost-per-copy is charged to each entity. The cost to the Rent Program is approximately \$666 per month, which includes \$558 for the lease of two machines and approximately \$108 for cost-per-copy charges (\$0.0055 per page for black and white copies; \$0.048 for color.)

MISCELLANEOUS EXPENSES	
400321 - 400322 Miscellaneous Contributions and Expenses	Proposed Allocation: \$5,925

The allocation provides for the Rent Program to continue to partner with the UC Berkeley Public Service Center to retain two student interns for the 2020-21 academic year. The estimated cost is approximately \$1,500 per intern. The allocation also includes \$2,925 for miscellaneous expenses based on minor unforeseen program needs throughout the year.

OFFICE SUPPLIES	
400341 Office Supplies	Proposed Allocation: \$6,795

The Rent Program purchases office supplies through the City’s purchasing division which contracts with an office supply vendor. This allocation covers traditional office supplies necessary to maintain daily professional operations.

UTILITIES	
400401 Telephone	Proposed Allocation: \$500

The allocation covers the cost of the Executive Director’s work cell phone service. During the Covid-19 pandemic, the Executive Director’s cell phone has been utilized by program staff to handle incoming calls to the main Rent Program phone line.

SUPPLEMENTAL INSURANCE	
400552 General Liability Insurance	Proposed Allocation: \$9,300

The allocation covers the cost of a supplemental liability insurance policy (SLIP) for the Rent Program. More specifically, the policy accounts for Errors and Omissions and General Liability coverage.

COST POOL	
400574 – 400591 General Liability, Admin Charges, Space	Proposed Allocation: \$193,532

The allocation covers General Liability, Administrative Charges, and space at City Hall for the Rent Program. More specifically, the allocation accounts for the following:

- **General Liability and Workers’ Compensation** at a total cost of \$79,937
- **Administrative Charges (previously referred to as “Indirect Costs”)** are allocated to City Departments to reimburse the General Fund for administrative services performed by central service departments (e.g. Information Technology (IT), Human Resources, Finance Department, City Manager, City Attorney, City Clerk, and City Council.) Allocations are determined in the City’s Cost Allocation Plan (CAP) which is conducted by an external consultant on a periodic basis. Since the Rent Program was not included in the most recent Cost Allocation Plan since it was completed prior to 2017, the City Manager’s Office was used as the basis for the original figure. The City anticipates conducting a new CAP in the near future, and as such, the cost of these charges may increase or decrease depending on the consultant’s findings. The cost allocated in the budget is \$52,481.

- Civic Center Allocation** refers to the cost of space at 440 Civic Center Plaza. The cost of this space is based on the percentage of total occupied square footage at City Hall. This percentage is then applied to the total annual debt service. Based on the most recent assessment conducted in 2017, the Rent Program is presumed to occupy 0.9% of the total square footage at City Hall. Since the Rent Program’s square footage has increased each year since 2017, the budgeted allocation has increased accordingly. The City anticipates conducting a new assessment in the near future, and as such, the cost of these charges may increase or decrease depending on their findings. The cost allocated in the budget is \$50,286.

NONCAPITAL ASSETS	
400601 Computer Hardware	Proposed Allocation: \$10,800

The allocation covers the cost of purchasing nine laptops to ensure that all staff members have access to a laptop computer. The quoted price for each laptop is approximately \$1,200, for a total estimated cost of \$10,800.

III. EXPENSE AND REVENUE PROJECTIONS

Overview

In accordance with the Rent Ordinance, the Rent Program’s budget is funded by a Residential Rental Housing Fee, paid by all Richmond Landlords. Table 2, below, contains a summary of funds expended and collected for departmental operations since the Program’s establishment in 2017. Collection efforts for all assessed fees are ongoing. In 2019, the Rent Board entered into a contract with a collection services agency to recover unpaid fees. To date, the agency has collected approximately \$50,000 in outstanding fee revenue. This figure is expected to grow as collection efforts continue.

Table 2. Expense and Revenue Summary

FISCAL YEAR	BUDGETED AMOUNT	FUNDS EXPENDED	FEE REVENUE COLLECTED ³	COLLECTION RATE
2017-18 ⁴	FY 16-17 (partial): \$1,150,433	\$1,967,837	\$2,173,778 ⁵	61%
	FY 17-18: \$2,425,338			
2018-19	\$2,804,925	\$2,047,186	\$2,190,203	78%
2019-20	\$2,923,584	\$2,264,738	\$2,706,268	93%
2020-21	\$2,896,242	\$2,137,638 ⁶	\$2,553,498 ⁷	88% ⁸

Source: City of Richmond Rent Program, 2021 (reports generated using TrakIT and MUNIS software systems.)

10-Year Financial Projection

A ten-year financial projection of revenue, expenses, and reserves is contained in Appendix B of this report. The projected Rental Housing Fee collection rate for the 2020-21 fiscal year is approximately 88 percent, five percent less than that observed in Fiscal Year 2019-20. The decrease in the collection rate is primarily attributable to the challenges posed by the Covid-19 pandemic. Not only have many property owners experienced financial hardship as a result of the effects of the pandemic, but the Rent Program and City of Richmond’s ability to collect revenue has also been negatively impacted by the shift to remote work, which has significantly reduced staff time in the office and eliminated the possibility for property owners to pay the Rental Housing Fee in person at City Hall.

³ Includes revenue collected by the collections agency.

⁴ Includes the FY 2016-17 Rental Housing Fee (December 2016 – June 2017)

⁵ Includes revenue collected in FY 2017-18 for both the FY 2016-17 and FY 2017-18 fees.

⁶ Represents projected total expenses through the end of FY 2020-21.

⁷ Represents projected total revenues through the end of FY 2021-21, excluding interest.

⁸ Represents a collection rate based on projected expenses and revenues through the end of FY 2020-21.

IV. FISCAL YEAR 2021-22 RENTAL HOUSING FEE STUDY

Introduction and Background

Section 11.100.060(l)(1) of the Rent Ordinance provides all Landlords shall pay a Residential Rental Housing Fee to fund the Rent Program budget. The amount of the Rental Housing Fee is established annually by the Richmond Rent Board and approved by the City Council.

Under Section 50076 of the California Government Code, fees charged for any service or regulatory activity must not exceed the reasonable cost of providing the service. Those fees must be approved by the City Council, as the legislative body, in public session.

The fee study is designed to allow the Rent Program to recover costs of all budgeted operations, including, but not limited to:

- Personnel costs of staff, benefits, and overtime;
- Risk management and supplemental liability insurance;
- Charges allocated to City Departments to reimburse the General Fund for administrative services by central service departments (i.e. City Council, City Manager, City Attorney, City Clerk, Finance, HR, etc.);
- Information Technology (IT) expenses associated with a property and rent-tracking database and maintenance of computer hardware and software;
- Legal costs to support enforcement and defense of legal challenges to the Rent Ordinance;
- Costs of education and outreach, including the printing and distribution of print materials and hosting of community workshops and seminars;
- Contracts for translation and other professional services;
- Mileage and attendance at conferences and trainings; and,
- An operating reserve to fund unanticipated costs and variations in collection of the Rental Housing Fee.

Structure of the Rental Housing Fee

Consistent with direction from the Rent Board in 2017, its first year of existence, the Fiscal Year 2016-17 and FY 2017-18 Rental Housing Fees were established as “flat fees,” applicable to all units regardless of partial or full applicability under the Rent Ordinance. This approach was utilized during the first 1.5 years of program startup since the tasks and associated benefits of the agency’s startup were reasonably shared among Rental Units regardless of status.

For the 2018-19 Fiscal Year, the Rent Board adopted a tiered fee, much like that contemplated in the [2017 Fee Study](#) prepared by Management Partners. Under this approach, costs of program administration are allocated among three components or layers: a general “program” layer (calculated at 55% of costs), a “just cause” layer (20% of total

costs), and a “rent control” layer (25% of costs).⁹ Such allocations correspond with the amount of resources spent administering each component of the program. Staff members recommend the Board continue to utilize a tiered-fee approach in its determination of the Fiscal Year 2021-22 Rental Housing Fee to ensure the requirements of Section 50076 of the California Government Code are met. The figure on the following page illustrates this concept and identifies key example tasks associated with each program component. This list is not exhaustive; the tasks below are identified for illustrative purposes only.

Figure 2. Fee Layers and Associated Tasks

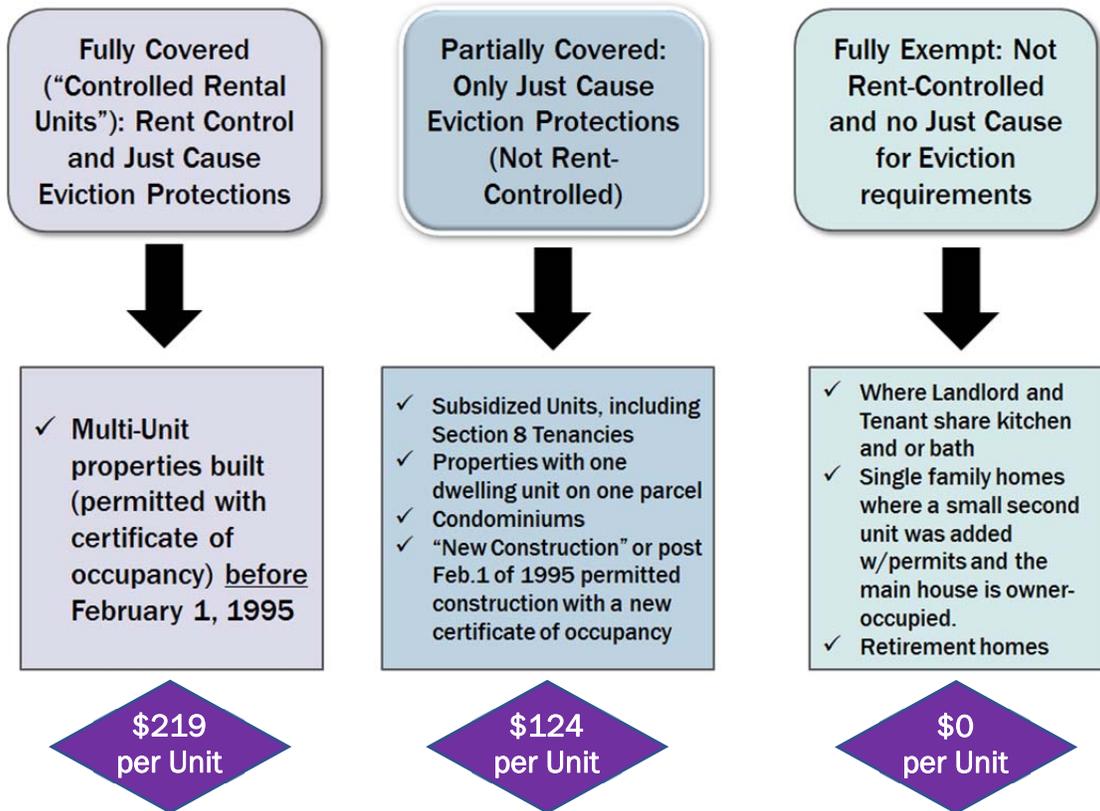


The amount of the Rental Housing Fee applicable to a particular Rental Unit depends on its status. Units applicable to the Just Cause for Eviction requirements, but exempt from the Rent Control provisions of the Ordinance (such as properties with only one dwelling unit on the parcel, governmentally-subsidized units, condominiums, and permitted units built after February 1, 1995), are responsible for payment of Program and Just Cause for Eviction layers. Units subject to the Just Cause for Eviction and Rent Control provisions of the Rent Ordinance would be responsible for payment of all three layers. Units that are fully exempt

⁹ With the exception of legal services, which are allocated 10% to the Program Layer, 70% to the Just Cause for Eviction Layer, and 20% to the Rent Control Layer.

from the Rent Ordinance are not responsible for payment of the Rental Housing Fee. Figure 3, below, identifies the types of units within each of these categories and the proposed fee.

Figure 3. Proposed Fees Applicable to Fully Covered, Partially Covered, and Fully Exempt Rental Units



Applicable Unit Counts and Database Development

The number of applicable Rental Units within each category is a critical input in the calculation of the Rental Housing Fees for partially and Fully Covered units. The Fiscal Year 2016-17 and 2017-18 Fee Study utilized data provided by the Contra Costa County Assessor’s Office to identify suspected Rental Units. While County Assessor data may be used to arrive at an estimated number of total Rental Units, it cannot produce an exact figure. Nevertheless, County Assessor data was the best and most readily available data at the time of the Fiscal Year 2016-17 and 2017-18 Fee Study.

Since the first iteration of the Rental Housing Fee Study in Fiscal Year 2017-18, staff have continued to refine the database of Rental Units in the City of Richmond, most notably through the completion of an exemption verification project of single family homes in the City to accurately identify units that are truly rented. This project involved mailing an introductory letter and policy information to all single family homes and condominiums possessing one of the following characteristics in the County Assessor database:

- (1) No Homeowner’s Tax Exemption was claimed
- (2) The site address of the property did not match the owner on record’s mailing address

Approximately 15,500 properties met the above criteria. To confirm applicability under the Rent Ordinance, Rent Program staff members mailed information about the requirements of the Rent Ordinance to all the owners of properties that met the criteria above. Owners of properties in the City of Richmond that did not contain any Rental Units (for example, owners of condominiums that are owner-occupied) were required to complete and submit a Declaration of Owner Occupancy and/or Exemption form and submit documentation to allow staff members to approve the exemption. Rent Program staff members received and processed approximately 1,700 Declaration of Owner Occupancy and/or Exemption forms.

Additional sources of data, including the identification of Rental Units not identified in the previous fee study, include:

- Rental Units enrolled in the Rent Program online at www.richmondrent.org/enroll
- Rental Units identified by the Rental Inspection Program
- Rental Units participating in the Section 8 Housing Choice Voucher Program
- Rental Units with an active business license
- Rental Units in subsidized housing developments, such as those built with Low Income Housing Tax Credits (LIHTC), based on the [inventory of deed-restricted affordable housing](#) prepared by Rent Program staff members in 2017
- Unknown Rental Units identified through Tenant inquiries and other sources to the Rent Program

Since the adoption of last year's Rental Housing Fee, staff members have continued to refine the database of Rental Units through processing of Property Enrollment and Owner Declaration forms. These processes have further unveiled suspected Rental Units that are not truly rented, decreasing the total number of applicable Rental Units among which the Rent Program budget is divided to calculate the Rental Housing Fee. For example, the processing of Property Enrollment forms has unearthed many multifamily properties where an owner may occupy one unit. In such case, the status of a unit would be changed from "Compliant" or "Noncompliant" [Partially or Fully-Covered Rental Unit] to "Owner Occupied." The table on the following page summarizes these changes as of February 2021. In total, records indicate that the Rent Program is aware of 17,723 Rental Units applicable to the Rent Ordinance.

According to the 2019 American Community Survey (Table DP04), the number of renter-occupied housing units in Richmond is reported as 20,467 units, with a margin of error of 1,767. The American Community Survey is a sample, not a complete count, which is why the margin of error is reported. This means that there is estimated to be between 18,700 and 22,234 renter-occupied housing units in Richmond. **This data suggests that there could be at least one thousand Rental Units absent from the Rent Program's database.** Rent Program staff are committed to dedicating resources to compliance and outreach projects to ensure that all Rental Units subject to the Rent Ordinance are assessed the Rental Housing Fee and all Landlords who should be paying the Rental Housing Fee receive an invoice and are made aware of their financial obligation to the Rent Program.

Table 3. Unit Status Counts, 2019 – 2021

NOTE: These numbers are in the process of being verified and all figures are subject to change.

STATUS	2019 TOTAL	2020 TOTAL	2021 TOTAL	CHANGE BETWEEN 2020 AND 2021
SUSPECTED FULLY COVERED RENTAL UNITS	175	8	31	+23
FULLY COVERED RENTAL UNITS	7,627	7,425	7,484	+59
SUBTOTAL – FULLY COVERED UNITS	7,802	7,433	7,515	+82
SUSPECTED PARTIALLY COVERED RENTAL UNITS (EXCLUDING GOV SUBSIDIZED RENTAL UNITS)	54	120	203	+83
PARTIALLY COVERED RENTAL UNITS (EXCLUDING GOV SUBSIDIZED RENTAL UNITS)	7,192	5,568	5,497	-71
SUBTOTAL – PARTIALLY COVERED UNITS (EXCLUDING GOV SUBSIDIZED RENTAL UNITS)	7,246	5,688	5,700	+12
SUBTOTAL - GOVERNMENTALLY SUBSIDIZED RENTAL UNITS	4,211	4,512¹⁰	4,508¹⁰	-4¹¹
TOTAL APPLICABLE UNITS	19,259	17,633	17,723	+90
OWNER OCCUPIED	4,614	5,463	5,625	+162
RENT FREE	159	250	259	+9
NOT AVAILABLE FOR RENT	170	317	315	-2
NOT APPLICABLE ¹²	527	682	805	+123
TOTAL NON-APPLICABLE OR CONDITIONALLY EXEMPT UNITS	5,470	6,712	7,004	+292

¹⁰ This figure includes 271 units at the Terraces, an affordable housing development originally anticipated to be available for rent during FY 2021-21, but is now anticipated to be available for rent during FY 2021-22.

¹¹ Represents four units occupied by resident managers or that are otherwise unavailable for rent.

¹² Includes Statuses “Exempt,” “APN not on file,” “Outside City Boundaries,” “Ineligible,” “Vacant Lot,” “Under Review,” and “Non-Applicable”

Rental Housing Fees Associated with Revised FY 2021-22 Budget

Table 4, below, present the fees corresponding to the proposed Fiscal Year 2021-22 budget:

Table 4. Fiscal Year 2021-22 Revised Budget and Rental Housing Fees

UNIT COUNTS		PROPOSED FY 2021-22	CHANGE FROM FY 2020-21
TOTAL BUDGET: ¹³		\$2,886,764	-\$9,478 (-0.3%)
FULLY COVERED UNITS ¹⁴	7,515	\$218	-\$1 (-0.5%)
PARTIALLY COVERED UNITS (INCLUDING SUBSIDIZED UNITS) ¹⁵	10,208	\$123	-\$1 (-0.8%)
TOTAL REVENUE ¹⁶ :		\$2,938,314	+\$39,363 (+1.4%)

Comparison to Previously Adopted Rental Housing Fee and Peer Jurisdictions

On June 16, 2020, the Richmond City Council adopted [Resolution 65-20](#), approving the Fiscal Year 2020-21 Residential Rental Housing Fee in the City’s master fee schedule of \$219 per Controlled Rental Unit and \$124 per Partially Covered Rental Unit. Table 5, below, contains a historical comparison of the Residential Rental Housing Fees charged in previous years.

Table 5. Comparison of Proposed FY 2021-22 Rental Housing Fee to Prior Year Fees

FISCAL YEAR	FULLY COVERED RENTAL UNITS	PARTIALLY COVERED RENTAL UNITS	GOVERNMENTALLY SUBSIDIZED RENTAL UNITS
2017-18	\$145	\$145	\$145
2018-19	\$207	\$100	\$50
2019-20	\$212	\$112	\$112
2020-21	\$219	\$124	\$124
2021-22 (Proposed)	\$218	\$123	\$123

Table 6 on the following page compares the proposed Rental Housing Fee to fees in other jurisdictions with rent programs in the state of California. This table calculates a per unit cost of administration, revealing that of California’s actively enforced programs, Richmond’s

¹³ Total expenditures include a budgeted reserve equal to 17.5 percent of proposed expenses.

¹⁴ Includes suspected Fully Covered Rental Units

¹⁵ Includes suspected Partially Covered Rental Units

¹⁶ Fees rounded to the nearest full dollar; includes revenue from collections agency and interest

per unit cost is the lowest. Yet while Richmond’s proposed fees are lower than those charged in peer jurisdictions with actively enforced rent programs, it is important to consider that Richmond’s median rental rates are also less than those in peer rent control jurisdictions.

Table 6: Comparison of Program Budgets, Unit Counts, Fees, and Median Rents in Case Study Cities

JURISDICTION	2020-21 PROGRAM BUDGET	APPLICABLE RENTAL UNITS	RENTAL HOUSING FEES (PER UNIT)	2019 MEDIAN GROSS RENT ¹⁷	PORTION OF FEE PASSED THROUGH TO TENANTS
ACTIVELY ENFORCED RENT PROGRAMS					
BERKELEY	\$5,531,209	19,093	\$250	\$3,114	50%; City may reimburse low-income Tenants ¹⁸
EAST PALO ALTO	\$407,235	2,325	\$222	\$3,364	50%
OAKLAND	\$9,558,304	65,000	\$101	\$2,926	50%
RICHMOND	\$2,886,764 (proposed for FY 2020-21)	7,515 Fully Covered Units; 10,208 Partially Covered Units	\$218 per Fully Covered Unit; \$123 per Partially Covered Unit (proposed for FY 2020-21)	\$2,718	None
SANTA MONICA	\$5,287,331	27,542	\$198	\$4,163	50%
COMPLAINT-DRIVEN RENT PROGRAMS					
LOS ANGELES	\$8,817,312	631,000	\$90 per Fully Covered Unit; \$30 per Partially Covered Unit	\$2,822	50%
WEST HOLLYWOOD	\$2,254,000	16,805	\$144 ¹⁹	\$3,395	50% (excludes Section 8 Tenants)
ALAMEDA	\$1,720,227	12,795 Fully Regulated Units; 2,133 Partially Regulated Units	\$132 per Fully Regulated Unit; \$84 per Partially Regulated Unit; \$0 for Subsidized Units	\$3,316	50%
SAN FRANCISCO	\$9,381,302	173,000	\$50 per apartment unit; \$25 per residential hotel room	\$4,224	50%

Source: City of Richmond Rent Program, 2021

¹⁷ Source: Zillow Rent Index (ZRI): A smoothed measure of the typical estimated market rent across a given region and housing type. ZRI, which is a dollar-denominated alternative to repeat-rent indices, is the mean of rent estimates that fall into the 40th to 60th percentile range for all homes and apartments in a given region, including those not currently listed for rent.

¹⁸ Pass-through only applies to tenancies that began prior to January 1, 1999.

¹⁹ West Hollywood’s Rent Program receives support from the City’s General Fund, and the \$144 fee allows the program to recover 65% of total costs. The program would need to collect \$221 per unit to recover 100% of costs.

Conclusion and Recommended Actions

The revised 2021-22 budget will support the overarching goal of the Rent Program; that is, to continue to develop as an actively enforced program that equips community members with an understanding of their rights and responsibilities under the Rent Ordinance. The Fiscal Year 2021-22 Fee Study will allow the agency to recover costs of all budgeted operations and does not necessitate changing the amount of the Rental Housing Fee.

The recommendations put forth by staff for consideration by the Rent Board are as follows:

- Adopt the proposed Fiscal Year 2021-22 Budget to provide the support necessary for continued development of all Rent Program operations;
- Receive and approve the Revised Fiscal Year 2021-22 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 adoption of a two-tier fee structure for Fiscal Year 2021-22 of \$218 for Fully Covered Rental Units and \$123 for Partially Covered Rental Units.

V. UNIT DESCRIPTIONS

Management Unit (2.25 FTE)

The Management Unit, comprised of the Executive Director, Deputy Director, and Assistant Administrative Analyst (0.25 FTE), is responsible for guiding the development of the Rent Program agency and managing day-to-day operations. The Management Unit also conducts policy research to support the agency and Rent Board, which includes conducting surveys and studies to help guide administrative improvements and the formation of sound public policy. The Management Unit oversees all personnel-related issues (hiring, training, discipline in conformance with MOU's, etc.) Other duties include providing staff support to the Rent Board, including but not limited to the preparation of agendas, minutes and documents for all Rent Board meetings. Central to the Management Unit's duties are preparation, monitoring and reporting of the annual Rent Program budget. The Management Unit also publishes the Rent Program Annual Report, required by the Rent Ordinance.

Legal Unit (2.25 FTE)

The Legal Unit includes Staff Attorneys (2 FTE) and an Assistant Administrative Analyst (0.25 FTE). The duties of the Legal Unit include representing the Board in litigation, advising the Director and the Rent Board on legal matters (this may include the preparation of Confidential Legal Memoranda and ensuring compliance with Brown Act requirements, reviewing and opining on decisions on appeal, coordinating responses to public records act requests, training Rent Program Services Analysts, supervising investigations and lawsuits for non-compliance, reviewing contracts, and responding to legal challenges to the Ordinance and applicable regulations. Staff members in the Legal Unit are also responsible for drafting regulations for consideration by the Rent Board and establishing processes to monitor rent increase and termination notices in accordance with the requirements of the Rent Ordinance.

Public Information and Enrollment Unit (6.75 FTE)

The Public Information and Enrollment Unit, comprised of a proposed Senior Rent Program Services Analyst, Administrative Aides (3 FTE), Rent Program Services Analysts (2 FTE) and Administrative Student Intern (0.75 FTE), is responsible for educating community members about Landlord and Tenant rights and responsibilities under the Rent Ordinance, as well as related State and Federal laws. This includes maintenance of the agency's property enrollment and tenancy registration database. The enrollment and tenancy registration database is an essential tool used to generate accurate Rental Housing Fee invoices, track the Maximum Allowable Rent for Controlled Rental Units, and manage contact and case information for all Rental Units in the City of Richmond. Public Information and Enrollment Unit staff members are responsible for planning and executing the annual billing cycle of the Rental Housing Fee and managing the collection of revenue, including late fees. Community education is provided in the form of one-on-one counseling, facilitating mediation sessions, drafting print materials such as the Guide to Rent Control, and providing direct referrals to community legal services agencies. Staff members in this unit also plan, prepare, and conduct monthly community educational workshops for Landlords and Tenants, maintain the agency's social media accounts, and assist Landlords and Tenants with the filing of Rent Adjustment Petitions.

Hearings Unit (1.75 FTE)

The Hearings Unit consists of a Hearing Examiner, who is supported by an Assistant Administrative Analyst (0.5 FTE) and an Administrative Student Intern (0.25 FTE). The main functions of the Hearings Unit include administering the petition process, conducting hearings and issuing decisions, conducting settlement conferences, acting as a back-up resource on interpretation of the Rent Ordinance and regulations, assisting with drafting public information documents such as the Guide to Rent Control and other print and online materials and maintaining all forms required for administration of the Rent Adjustment Petition process. Staff members in the Hearings Unit also assist with special projects, such as working with City staff to develop rent registration/tracking software to adjust rents in the Maximum Allowable Rent database.

VI. APPENDICES

Appendix A: Revised FY 2021-22 Budget and Fee Study Calculations

Appendix B: Revised Ten-year Financial Projection

REVISED FY 2021-2022 RENT PROGRAM BUDGET AND FEE STUDY														
FEE STUDY														
	UNIT TYPE	# UNITS	Proposed Fee	Revenue						Program Fee		Just Cause Fee	Rent Control Fee	
	Fully Covered Units	7,515	\$ 218	\$ 1,638,270						\$ 84.25		\$ 38.50	\$ 94.64	
	Partially Covered Units	10,208	\$ 123	\$ 1,255,584										
				\$ 2,893,854										
BUDGET														
Object #	City Account Description	FY 18-19 ACTUALS	FY 19-20 ACTUALS	FY 20-21 ACTUALS THROUGH PERIOD 6	Projected to 6/30/21	FY 20-21 PROJECTED	FY 21-22 PROPOSED	Notes	Program Allocation (%)	Program Allocation (\$)	Just Cause Allocation (%)	Just Cause Allocation (\$)	Rent Control Allocation (%)	Rent Control Allocation (\$)
REVENUES														
340445	Fees/Admin Fees	2,189,703	2,681,689	2,187,010	324,041	2,511,051	2,893,854	(1)						
361701	Int & Invest/Pooled-All Other	367	11,537	9,640	4,820	14,460	14,460							
364867	Revenue from Collections	133	13,042	18,658	9,329	27,988	30,000							
	TOTAL REVENUES	2,190,203	2,706,268	2,215,308	338,190	2,553,498	2,938,314							
EXPENSES														
400001	Salaries & Wages/Executive	530,092	639,594	333,524	333,524	667,048	677,798	(2)	55%	372,789	20%	135,560	25%	169,450
400002	Salaries & Wages/Mgmt-Local 21	294,152	263,080	82,674	102,956	185,630	284,628	(2)	55%	156,545	20%	56,926	25%	71,157
400003	Salaries & Wages/Local 1021	128,866	150,317	95,266	94,992	190,258	169,860	(2)	55%	93,423	20%	33,972	25%	42,465
400006	Salaries & Wages/PT-Temp	49,557	45,905	14,338	14,336	28,673	43,036	(2)	55%	23,670	20%	8,607	25%	10,759
400031	Overtime/General	4,778	2,094	409	650	1,060	2,500		55%	1,375	20%	500	25%	625
400048	Other Pay/Bilingual Pay	6,993	9,064	4,937	4,086	9,024	11,377		55%	6,257	20%	2,275	25%	2,844
400049	Other Pay/Auto Allowance	4,200	4,200	2,100	2,100	4,200	4,200		55%	2,310	20%	840	25%	1,050
400050	Other Pay/Medical-In Lieu of	2,700	1,500	-	-	-	2,400		55%	1,320	20%	480	25%	600
400079	Comp Absences/WC-Prof-Mgt-Tec	1,486	5,328	-	-	-	-							
	Subtotal - Salaries & Wages	1,022,823	1,121,084	533,249	552,645	1,085,893	1,195,799			657,690		239,160		298,950
400103	P-Roll Ben/Medicare Tax-ER Shr	14,937	16,389	7,781	7,279	15,060	15,992	(3)	55%	8,795	20%	3,198	25%	3,998
400104	P-Roll Ben/PERS Benefits	-	-	-	-	-	-		55%	-	20%	-	25%	-
400105	P-Roll Ben/Health Insurance Be	146,557	136,575	63,625	68,508	132,132	140,309		55%	77,170	20%	28,062	25%	35,077
400106	P-Roll Ben/Dental Insurance	16,652	17,021	7,302	7,302	14,604	15,508		55%	8,529	20%	3,102	25%	3,877
400109	P-Roll Ben/Employee Assistance	430	473	218	218	437	464		55%	255	20%	93	25%	116
400110	P-Roll Ben/Professional Dev-Mg	3,728	5,200	159	956	1,116	3,750		55%	2,063	20%	750	25%	938
400111	P-Roll Ben/Vision	2,106	2,095	966	966	1,932	2,052		55%	1,128	20%	410	25%	513
400112	P-Roll Ben/Life Insurance	5,557	4,006	1,748	1,748	3,497	3,713		55%	2,042	20%	743	25%	928
400114	P-Roll Ben/Long Term Disabilit	9,408	10,100	4,743	4,746	9,489	10,076		55%	5,542	20%	2,015	25%	2,519
400116	P-Roll Ben/Unemployment Ins	1,860	5,100	2,660	2,736	5,396	5,730		55%	3,151	20%	1,146	25%	1,432
400117	P-Roll Ben/Personal/Prof Dev	750	1,493	1,500	-	1,500	5,250		55%	2,888	20%	1,050	25%	1,313
400118	P-Roll Ben/Worker Comp-Injury Appt	-	-	338	-	338	359		55%	197	20%	-	25%	90
400121	P-Roll Ben/Worker Comp-Clerica	13,806	12,154	8,435	9,684	18,119	19,240		55%	10,582	20%	3,848	25%	4,810
400122	P-Roll Ben/Worker Comp-Prof	69,352	60,744	37,319	37,350	74,669	79,290		55%	43,609	20%	15,858	25%	19,822
400127	P-Roll Ben/OPEB	39,338	43,623	21,437	-	21,437	22,763		55%	12,520	20%	4,553	25%	5,691
400130	P-Roll Ben/PARS Benefits	642	434	15	73	88	94		55%	52	20%	19	25%	23
400149	P-Roll Ben/Misc	123,021	140,616	70,857	71,944	142,801	151,638		55%	83,401	20%	30,328	25%	37,910
400151	P-Roll Ben/Misc (UAL)	162,985	235,683	126,812	128,763	255,574	271,391		55%	149,265	20%	54,278	25%	67,848
	Subtotal Fringe Benefits	611,127	691,706	355,916	342,272	698,188	747,618			411,190		149,452		186,905
400201	Prof Svcs/Professional Svcs	32,112	38,241	4,980	4,980	9,960	18,350	(4)	55%	10,093	20%	3,670	25%	4,588
400206	Prof Svcs/Legal Serv Cost	137,614	193,742	33,332	99,996	133,328	210,000	(5)	10%	21,000	70%	147,000	20%	42,000
400220	Prof Svcs/Info Tech Services	2,375	-	-	-	-	-		55%	-	20%	-	25%	-
400241	Travel & Trng/Meal Allowance	359	-	-	-	-	-		55%	-	20%	-	25%	-
400242	Travel & Trng/Mileage	1,284	17	-	-	-	-		55%	-	20%	-	25%	-
400243	Travel & Trng/Conf, Mtng Trng	280	-	-	-	-	-		55%	-	20%	-	25%	-
400245	Travel & Trng/Tuition Rmb/Cert	800	800	-	800	800	800	(6)	55%	440	20%	160	25%	200
400261	Dues & Pub/Memberships & Dues	824	1,590	-	1,650	1,650	1,650	(7)	55%	908	20%	330	25%	413
400263	Dues & Pub/Subscription	1,500	-	-	-	-	-		55%	-	20%	-	25%	-
400271	Ad & Promo/Advertising & Promo Materials	1,559	2,106	537	537	1,074	5,675	(8)	55%	3,121	20%	1,135	25%	1,419
400272	Ad & Promo/Community Events	1,563	1,722	-	-	-	-		55%	-	20%	-	25%	-
400280	Adm Exp/Program Supplies	5,292	1,600	584	584	1,168	3,950	(9)	55%	2,173	20%	790	25%	988
	Subtotal Prof & Admin Services	185,563	239,819	39,433	108,547	147,980	240,425			37,734		153,085		49,606
400231	Off Exp/Postage & Mailing	10,849	5,905	3,063	3,063	6,126	22,647	(10)	55%	12,456	20%	4,529	25%	5,662
400232	Off Exp/Printing & Binding	12,071	3,295	1,815	1,815	3,630	25,807	(11)	55%	14,194	20%	5,161	25%	6,452
400233	Off Exp/Copying & Duplicating	46	-	236	236	472	500		55%	275	20%	100	25%	125
400304	Rental Exp/Equipment Rental	8,721	4,532	985	6,000	6,985	8,000	(12)	55%	4,400	20%	1,600	25%	2,000
400321	Misc Exp/Misc Contrib	3,000	-	-	3,000	3,000	3,000	(13)	55%	1,650	20%	600	25%	750
400322	Misc Exp/Misc Exp	3,061	2,262	-	2,000	2,000	2,925		55%	1,609	20%	585	25%	731
400341	Off Supp/Office Supplies	8,721	6,024	1,254	1,254	2,508	6,795		55%	3,737	20%	1,359	25%	1,699
400344	Off Supp/Computer Supplies	18	783	-	-	-	-		55%	-	20%	-	25%	-
	Subtotal Other Operating	46,486	22,801	7,353	17,368	24,721	69,674			38,321		13,935		17,419
400401	Utilities/Tel & Telegraph	254	414	229	229	458	500		55%	275	20%	100	25%	125
400552	Prov Fr Ins Loss/Ins Gen Liab	8,029	8,765	7,950	1,200	9,150	9,300		55%	5,115	20%	1,860	25%	2,325
400574	Cost Pool/(ISF)-Gen Liab	55,701	75,144	34,755	34,755	69,510	79,937		55%	43,965	20%	15,987	25%	19,984
400586	Cost Pool/(CAP)-Admin Charges	51,454	51,454	25,726	25,726	51,452	52,481		55%	28,865	20%	10,496	25%	13,120
400591	Cost Pool/(IND)Civic Ctr Alloc	52,420	47,026	25,143	25,143	50,286	50,286		55%	27,657	20%	10,057	25%	12,572
400601	Noncap Asst/Comp Hrdware<5K	-	6,526	-	-	-	10,800	(14)	55%	5,940	20%	2,160	25%	2,700
400604	Noncap Asst/Furniture <5K	13,328	-	-	-	-	-		55%	-	20%	-	25%	-
	TOTAL EXPENSES	2,047,186	2,264,738	1,029,753	1,107,885	2,137,638	2,456,820			1,256,751		596,292		603,705
	BUDGETED OPERATING RESERVE	560,985	424,794	N/A	N/A	420,821	429,944	(15)	55%	236,469	20%	85,989	25%	107,486
	TOTAL BUDGET	2,804,925	2,923,584	N/A	N/A	2,896,242	2,886,764			1,493,220		682,281		711,191

- Notes:
- (1) Assumes a Fiscal Year 2021-22 Rental Housing Fee of \$218 for Fully Covered unit and \$123 for Partially Covered units
 - (2) See page 14 of the Budget and Fee Study report for detailed salary and wage assumptions
 - (3) Fringe benefits are estimated at 62% of salaries and wages
 - (4) Includes \$4,000 for a property information subscription, \$3,000 for a legal research subscription, \$6,000 for scheduled interpretation, \$5,100 for written translation, and \$250 for on-demand interpretation services.
 - (5) Includes \$125,000 contract with the Eviction Defense Center to assist with Unlawful Detainer cases, \$75,000 for a contract with Bay Area Legal Aid for the weekly Housing Rights Clinics, and \$10,000 for legal filing fees in the event of litigation
 - (6) In accordance with City personnel policies, eligible employees may receive reimbursement of up to \$800 for higher education tuition.
 - (7) Anticipated cost of Bar Association dues for three attorneys (\$550 per Attorney).
 - (8) Budgeted amount includes funds to satisfy the requirement to publish notices in the newspaper for public hearings as part of the budget adoption process, social media promotions, and promotional materials.
 - (9) Budgeted amount includes the cost of email accounts for Rent Boardmembers, business cards, videoconference/webinar accounts, and labor for refurbishing the mural on Ohio Street.
 - (10) Budgeted amount reflects anticipated postage costs for Rental Housing Fee invoices, tenancy registration mailings, and the Guide to Rent Control.
 - (11) Budgeted amount reflects anticipated printing costs for Rental Housing Fee invoices, tenancy registration mailings, and the Guide to Rent Control.
 - (12) Lease of copy machines including a cost-per-copy amount. 36-month lease ends in 2022.
 - (13) Stipends for 2 UC Berkeley Public Service Center interns, ranging from \$1,000 - \$1,500 per intern.
 - (14) Budgeted amount assumes the purchase of nine laptop computer purchases at \$1,200 each.
 - (15) Budgeted reserve is equal to 17.5 percent of total operating expenses consistent with the Rent Board's proposed reserve policy.

Object #	City Account Description	Historical Actuals		Current Year 2020-21			Projection										
		2018-19	2019-20	Actuals to 12/31/20	Projected to	Total	2021-22	Variance	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
REVENUES																	
340445	Fees/Admin Fees (a)	2,189,703	2,681,689	2,187,010	324,041	2,511,051	2,604,469	(1)	2,604,469	2,630,513	2,683,124	2,736,786	2,791,522	2,847,352	2,904,299	2,962,385	3,021,633
361701	Int & Invest/Pooled-All Other	367	11,537	9,640	4,820	14,460	14,460		14,749	15,044	15,345	15,652	15,965	16,284	16,610	16,942	17,281
364867	Revenue from Collections	133	13,042	18,658	9,329	27,988	30,000		30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
Total Revenues		2,190,203	2,706,268	2,215,308	338,190	2,553,499	2,648,929		2,649,218	2,675,557	2,728,469	2,782,438	2,837,487	2,893,636	2,950,909	3,009,327	3,068,914
EXPENSES																	
Salaries & Wages																	
400001	Salaries & Wages/Executive	530,092	639,594	333,524	333,524	667,048	677,798	(2)	691,354	705,181	719,285	733,671	748,344	763,311	778,577	794,149	810,032
400002	Salaries & Wages/Mgmt-Local 21	294,152	263,080	82,674	102,956	185,630	284,628	(2)	338,473	345,242	352,147	359,190	366,374	373,701	381,175	388,799	396,575
400003	Salaries & Wages/Local 1021	128,866	150,317	95,266	94,992	190,258	169,860	(2)	206,060	210,182	214,385	218,673	223,046	227,507	232,057	236,699	241,433
400006	Salaries & Wages/PT-Temp	49,557	45,905	14,338	14,336	28,673	43,036	(2)	43,897	44,775	45,670	46,584	47,515	48,466	49,435	50,424	51,432
400031	Overtime/General	4,778	2,094	409	650	1,060	2,500	%	2,550	2,601	2,653	2,706	2,760	2,815	2,872	2,929	2,988
400048	Other Pay/Bilingual Pay	6,993	9,064	4,937	4,086	9,024	11,377	%	13,224	13,488	13,758	14,033	14,314	14,600	14,892	15,190	15,494
400049	Other Pay/Auto Allowance	4,200	4,200	2,100	2,100	4,200	4,200	#	4,284	4,200	4,200	4,200	4,200	4,200	4,200	4,200	4,200
400050	Other Pay/Medical-In Lieu of	2,700	1,500	-	-	-	2,400	%	2,448	2,497	2,547	2,598	2,650	2,703	2,757	2,812	2,868
400079	Comp Absences/WC-Prof-Mgt-Tec	1,486	5,328	-	-	-	-		-	-	-	-	-	-	-	-	-
Subtotal - Salaries & Wages		1,022,823	1,121,084	533,249	552,645	1,085,893	1,195,799		1,302,290	1,328,166	1,354,645	1,381,654	1,409,203	1,437,303	1,465,965	1,495,201	1,525,021
Fringe Benefits																	
400103	P-Roll Ben/Medicare Tax-ER Shr	14,937	16,389	7,781	7,279	15,060	15,992	(3)	17,284	17,627	17,979	18,337	18,703	19,076	19,456	19,844	20,240
400104	P-Roll Ben/PERS Benefits	-	-	-	-	-	-		-	-	-	-	-	-	-	-	-
400105	P-Roll Ben/Health Insurance Be	146,557	136,575	63,625	68,508	132,132	140,309	(3)	151,648	154,662	157,745	160,890	164,098	167,370	170,708	174,112	177,585
400106	P-Roll Ben/Dental Insurance	16,652	17,021	7,302	7,302	14,604	15,508	(3)	16,761	17,094	17,435	17,782	18,137	18,499	18,868	19,244	19,628
400109	P-Roll Ben/Employee Assistance	430	473	218	218	437	464	(3)	501	511	521	532	542	553	564	576	587
400110	P-Roll Ben/Professional Dev-Mg	3,728	5,200	159	956	1,116	3,750	(3)	3,796	3,871	3,949	4,027	4,108	4,190	4,273	4,358	4,445
400111	P-Roll Ben/Vision	2,106	2,095	966	966	1,932	2,052	(3)	2,217	2,261	2,307	2,352	2,399	2,447	2,496	2,546	2,597
400112	P-Roll Ben/Life Insurance	5,557	4,006	1,748	1,748	3,497	3,713	(3)	4,013	4,093	4,175	4,258	4,343	4,429	4,518	4,608	4,700
400114	P-Roll Ben/Long Term Disabilit	9,408	10,100	4,743	4,746	9,489	10,076	(3)	10,890	11,107	11,328	11,554	11,784	12,019	12,259	12,503	12,753
400116	P-Roll Ben/Unemployment Ins	1,860	5,100	2,660	2,736	5,396	5,730	(3)	6,193	6,316	6,442	6,570	6,701	6,835	6,971	7,110	7,252
400117	P-Roll Ben/Personal/Prof Dev	750	1,493	1,500	-	1,500	5,250	(3)	5,314	5,420	5,528	5,638	5,751	5,865	5,982	6,102	6,223
400118	P-Roll Ben/Worker Comp-Injury Appt	-	-	338	-	338	359	(3)	387	-	-	-	-	-	-	-	-
400121	P-Roll Ben/Worker Comp-Clerica	13,806	12,154	8,435	9,684	18,119	19,240	(3)	20,795	21,208	21,631	22,063	22,502	22,951	23,409	23,876	24,352
400122	P-Roll Ben/Worker Comp-Prof	69,352	60,744	37,319	37,350	74,669	79,290	(3)	85,698	87,400	89,143	90,920	92,733	94,582	96,468	98,392	100,354
400124	P-Roll Ben/CON-MEDICL EE Share	-	-	-	-	-	-		-	-	-	-	-	-	-	-	-
400127	P-Roll Ben/OPEB	39,338	43,623	21,437	-	21,437	22,763	(3)	24,603	25,092	25,592	26,102	26,623	27,154	27,695	28,248	28,811
400130	P-Roll Ben/PARS Benefits	642	434	15	73	88	94	(3)	101	103	105	108	110	112	114	116	119
400149	P-Roll Ben/Misc	123,021	140,616	70,857	71,944	142,801	151,638	(3)	163,893	167,149	170,481	173,881	177,348	180,884	184,491	188,170	191,923
400151	P-Roll Ben/Misc (UAL)	162,985	235,683	126,812	128,763	255,574	271,391	(3)	293,323	299,151	305,115	311,199	317,404	323,733	330,189	336,774	343,490
Subtotal Fringe Benefits		611,127	691,706	355,916	342,272	698,188	747,618		807,420	823,463	839,880	856,626	873,706	891,128	908,899	927,024	945,513
Prof & Admin Services																	
400201	Prof Svcs/Professional Svcs	32,112	38,241	4,980	4,980	9,960	18,350	(4)	18,717	19,091	19,473	19,863	20,260	20,665	21,078	21,500	21,930
400206	Prof Svcs/Legal Serv Cost	137,614	193,742	33,332	99,996	133,328	210,000	(5)	214,200	218,484	222,854	227,311	231,857	236,494	241,224	246,048	250,969
400220	Prof Svcs/Info Tech Services	2,375	-	-	-	-	-		-	-	-	-	-	-	-	-	-
400241	Travel & Trng/Meal Allowance	359	-	-	-	-	-	%	510	520	531	541	552	563	574	586	598
400242	Travel & Trng/Mileage	1,284	17	-	-	-	-	%	1,224	1,248	1,273	1,299	1,325	1,351	1,378	1,406	1,434
400243	Travel & Trng/Conf, Mtng Trng	280	-	-	-	-	-		-	-	-	-	-	-	-	-	-
400245	Travel & Trng/Tuition Rmb/Cert	800	800	-	800	800	800	(6)	800	800	800	800	800	800	800	800	800
400261	Dues & Pub/Memberships & Dues	824	1,590	-	1,650	1,650	1,650	(7)	2,100	2,400	2,448	2,497	2,547	2,598	2,650	2,703	2,757
400263	Dues & Pub/Subscription	1,500	-	-	-	-	-		-	-	-	-	-	-	-	-	-
400271	Ad & Promo/Advertising & Promo	1,559	2,106	537	537	1,074	5,675	(8)	5,789	5,904	6,022	6,143	6,266	6,391	6,519	6,649	6,782
400272	Ad & Promo/Advertising & Promo	1,563	1,722	-	-	-	-		-	-	-	-	-	-	-	-	-
400280	Adm Exp/Program Supplies	5,292	1,600	584	584	1,168	3,950	(9)	4,029	4,110	4,192	4,276	4,361	4,448	4,537	4,628	4,721
Subtotal Prof & Admin Services		185,563	239,819	39,433	108,547	147,980	240,425		247,369	252,558	257,593	262,729	267,967	273,311	278,761	284,320	289,991
Other Operating																	
400231	Off Exp/Postage & Mailing	10,849	5,905	3,063	3,063	6,126	22,647	(10)	15,377	15,685	15,998	16,318	16,645	16,977	17,317	17,663	18,017
400232	Off Exp/Printing & Binding	12,071	3,295	1,815	1,815	3,630	25,807	(11)	12,469	12,718	12,973	13,232	13,497	13,767	14,042	14,323	14,609
400233	Off Exp/Copying & Duplicating	46	-	236	236	472	500	%	510	520	531	541	552	563	574	586	598
400304	Rental Exp/Equipment Rental	8,721	4,532	985	6,000	6,985	8,000	(12)	8,160	8,323	8,490	8,659	8,833	9,009	9,189	9,373	9,561
400321	Misc Exp/Misc Contrib	3,000	-	-	3,000	3,000	3,000	(13)	3,060	3,121	3,184	3,247	3,312	3,378	3,446	3,515	3,585
400322	Misc Exp/Misc Exp	3,061	2,262	-	2,000	2,000	2,925	%	2,984	3,043	3,104	3,166	3,229	3,294	3,360	3,427	3,496
400341	Off Supp/Office Supplies	8,721	6,024	1,254	1,254	2,508	6,795	%	6,931	7,070	7,211	7,355	7,502	7,652	7,805	7,961	8,121
400344	Off Supp/Computer Supplies	18	783	-	-	-	-		-	-	-	-	-	-	-	-	-
Subtotal Other Operating		46,486	22,801	7,353	17,368	24,721	69,674		49,490	50,480	51,490	52,520	53,570	54,641	55,734	56,849	57,986
400401	Utilities/Tel & Telegraph	254	414	229	229	458	500	%	510	520	531	541	552	563	574	586	598
400552	Prov Fr Ins Loss/Ins Gen Liab	8,029	8,765	7,950	1,200	9,150	9,300	%	9,486	9,676	9,869	10,067	10,268	10,473	10,683	10,896	11,114
400574	Cost Pool/(ISF)-Gen Liab	55,701	75,144	34,755	34,755	69,510	79,937	%	81,535	83,166	84,829	86,526	88,256	90,021	91,822	93,658	95,532
400586	Cost Pool/(CAP)-Admin Charges	51,454</															

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Assumptions:

- (a) Assumes a 1% annual increase in revenue beginning in FY 2023-24. The extent to which this impacts the amount of the Rental Housing Fee will depend on unit counts and projected expenses.
- (b) To ensure there is sufficient cash flow at the beginning of the fiscal year to cover expenses before revenue is collected in September, the ending fund balance must include sufficient funds to cover two months of next fiscal year's projected expenses.

(1) Fees/Admin Fees:

		<i>Estimated Revenue</i>
Partially Covered Units:	# units	10,208
	Fee	\$ 123
		<u>\$ 1,255,584</u>
Fully Covered Units:	# units	7,515
	Fee	\$ 218
		<u>\$ 1,638,270</u>
Total fees		\$ 2,893,854
Portion expected to be collected		<u>0.90</u>
Total		<u><u>\$ 2,604,469</u></u>

(2) Salaries and wages - see separate tab

(3) Fringe benefits are projected at 62% of salaries and wages.
The total fringe calculated in this manner is spread proportionately to each type of fringe benefit based on historical proportions.

(4) Prof Svcs/Professional Svcs:

		<i>Estimated Expense</i>
Financial Consulting	\$	-
Property Information Subscription		4,000
Legal Information Subscription		3,000
Translation Services		11,350
Total	\$	<u>18,350</u>

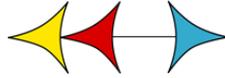
(5) Prof Svcs/Legal Serv Cost:

		<i>Estimated Expense</i>
Community Services Contracts	\$	200,000
Outside Legal Counsel		10,000
Total	\$	<u>210,000</u>

- (6) In accordance with City personnel policies, eligible employees may receive reimbursement of up to \$800 for higher education tuition
- (7) Dues & Pub/Memberships & Dues - Bar Association dues for 3 attorneys. Dues expected to be \$550 per attorney in FY2022-23, increasing to \$800 per attorney in the next 2 years.
- (8) Budgeted amount includes funds to satisfy the requirement to publish notices in the newspaper for public hearings as part of the budget adoption process, social media promotions, and promotional materials.
- (9) Budgeted amount includes the cost of email accounts for Rent Boardmembers, business cards, videoconference/webinar accounts, and labor for refurbishing the mural on Ohio Street.
- (10) Budgeted amount reflects anticipated postage costs for Rental Housing Fee invoices, tenancy registration mailings, and the Guide to Rent Control.
- (11) Budgeted amount reflects anticipated printing costs for Rental Housing Fee invoices, tenancy registration mailings, and the Guide to Rent Control.
- (12) Lease of copy machines including a cost-per-copy amount. 36-month lease ends in 2022.
- (13) Stipends for 2 UC Berkeley Public Service Center interns, ranging from \$1,000 -\$1,500 per intern.
- (14) Budgeted amount assumes the purchase of nine laptop computer purchases at \$1,200 each in FY 2021-22 and one desktop computer each year thereafter (estimated annual cost of \$1,100)

Expense is capped at same amount as previous year
% All other revenues and expenses escalated by 2% per year based on projected ending 2020-21 balances

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Kevin W. Harper CPA & Associates

March 12, 2020

Ms. Paige Roosa
Deputy Director
City of Richmond Rent Program
440 Civic Center Plaza, Suite 200
Richmond, CA 94804

Dear Ms. Roosa:

The Rent Program engaged me to:

1. Develop and present a ten-year financial projection of revenues, expenditures and reserves for the Rent Program, including consideration of the historical rate of collection of the Rental Housing Fee and assumptions for future collection rates.
2. Provide recommendations on how to meet the Rental Program's goal of building 17% operating reserves by the close of the 2020-21 fiscal year, and how best to achieve long-term financial stability in a manner that is consistent with all applicable laws and regulations including but not limited to Section 50076 of the California Government Code.
3. Provide recommendations regarding financial and budgetary "best practices" to be utilized by the Rent Board and Rent Program staff members, specifically as it relates to the preparation of an annual budget and fee study for approval by the Rent Board.

During the project, I reviewed relevant Rent Board and City of Richmond documents, gained an understanding management's goals and concerns, researched relevant best practices, and participated in working meetings to develop projection assumptions.

The ten-year financial projection is include as Attachment I. Following are my observations and recommendations:

FINANCIAL STABILITY RECOMMENDATIONS

1. Maximizing revenue

A significant challenge for the Rent Program is identifying all units that are subject to the Rental Housing Fee. To date, units have been identified by sending postcards to occupants of units, crosschecking list of units with other City programs, and obtaining information from the City Planning Division. Although not

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definitively known at this time, Rent Program staff believe as much as 25% of partially covered units may not yet be identified and billed. If partially covered units increased by 25% (~2500 units), revenue would increase by approximately \$1 million per year. The Rent Program should expand efforts to identify additional units by performing regular review of Zillow and other online rental platforms. Additionally, tenants, landlords and other stakeholders should be regularly encouraged to help identify units that should be in the program.

2. Inflationary increase for Rental Housing Fee

The City includes an inflationary increase in most of its fees when it adopts its Master Fee Schedule each year. It determines the percentage increase based on the Employment Cost Index from the US Bureau of Labor Statistics. The Rent Board does not include inflationary increases for its fees. Large increases every few years are harder than smaller increases every year for both the Rent Board and the landlords. A steady planned increase in the fee allows planning by both parties, is consistent with the Rent Board's need to match revenues and expenditures, and is logical to landlords. In years when an inflationary increase is not adequate to meet the Rent Board's needs, then it will be easy to identify to stakeholders what the additional costs are for.

The Rent Board should consider increasing fees each year based on an inflationary estimate. Staff should investigate the legal and political issues before adopting.

3. Reserve policy

The Government Finance Officers Association (GFOA) recommends that governments should maintain a prudent level of financial reserves to protect against reducing service levels or raising fees because of temporary revenue shortfalls or unpredicted one-time expenditures. Reserve funds may be used at the Rent Board's discretion to address temporary cash flow shortages, emergencies, unanticipated economic downturns, and one-time opportunities.

The Rent Board should adopt a Reserve Policy that addresses the following:

- The purpose for the reserve funds
- Under what circumstances the reserve funds may be used
- The amount of the reserve funds, including how the amount was determined and the minimum and maximum reserve levels
- How and when reserve funds are initially built
- How and when the reserves will be replenished after they are fully or partially used

Regarding the appropriate amount of reserves, GFOA recommends:

The adequacy of [reserves] should take into account each government's own unique circumstances. For example, governments that may be vulnerable to natural disasters, more dependent on a volatile revenue source, or potentially subject to cuts in state aid and/or federal grants may need to maintain a higher level in the unrestricted fund balance. Articulating these risks in a fund balance policy makes it easier to explain to stakeholders the rationale for a seemingly higher than normal level of fund balance that protects taxpayers and employees from unexpected changes in financial condition. Nevertheless, GFOA recommends, at a minimum, that general-purpose governments,

regardless of size, maintain unrestricted budgetary fund balance...of no less than two months of regular ... operating revenues or ... operating expenditures.

Via discussions with Rent Program management, it has been determined that 17% minimum reserve is an acceptable target. We discussed worst case scenario estimates of revenue losses during an economic downturn and determined that such level of reserves would allow time for the Rent Program to identify the downturn and the Rent Board time to make decisions to cut expenses to match the new level of revenue. 17% of annual expenditures equates to approximately \$470,000.

The reserve level is \$55,339 at June 30, 2019. As shown in the ten-year projection at Attachment I, fiscal year 2019-20 is expected to end with a \$319 thousand surplus and fiscal year 2020-21 with a \$134 thousand surplus. Accordingly, it appears that the Rent Program can fund its reserves by June 30, 2021.

The Reserve Policy should clarify what action the Board and senior management will take when revenues decline due to recession or conversion/reduction in the number of applicable units. Without such plan, it may take too long to adjust service offerings and expenses to match the decline in revenues, thereby causing unneeded financial stress.

The City's financial system has the capability to set up a separate account within the fund balance group of accounts for reserves. The Rent Program should work with Accounting to set this up. This will allow the Rent Program to track the amount of reserves at any moment, to assure that the City agrees with the amount of reserves available, and allows easy proof of compliance with the new reserve policy.

4. Fee policy

The Rent Board should adopt a policy that identifies the manner in which fees are established, billed and collected. Stakeholders should be given an opportunity to provide input into formulation of this policy via one or more community budget workshops. This will increase community understanding and support for the program, and allow management to better understand the needs and concerns of its stakeholders. Costs of service include direct and indirect costs such as operating and maintenance costs, City overhead allocations, and charges for use of capital (depreciation and debt service). State and local laws governing the establishment of fees should be identified in the policy.

The Fee Policy should also address:

- How penalties and interest are determined and billed
- The process for increasing (or decreasing) fees
- Require fee study to demonstrate the need for the amount of fees collected. See recommendation #11 below.
- Identify the process for determining that a unit is eligible for exemption, including required documentation

The Fee Policy should be supplemented with related written procedures. GFOA recommends every government document its accounting procedures "...as an essential component of a comprehensive framework of internal controls." Documentation of comprehensive accounting procedures will allow:

- Management to understand and evaluate whether procedures provide adequate internal controls and mitigation of risks
- Employees to review and revise procedures as circumstances, laws, technology and accounting standards change
- Internal and external auditors to assess the adequacy of the Rent Program’s internal controls
- New employees to be trained to provide consistent service and quality upon staff turnover

5. City allocations

The City allocates the cost of providing shared services (e.g., accounting, human resources, information technology, legal, insurance, facilities, management) to all City departments. For fiscal year 2018-19, the amounts charged to the Rent Program were:

City Pool/(ISF)-Gen Liab	\$91,262
City Pool/(CAP)-Admin Charges	51,452
City Pool/(IND)-Civic Ctr Alloc	<u>47,024</u>
	<u>\$189,738</u>

Since the Rent Program is essentially an independent agency rather than a City departments, it is possible that it is being charged for City services that are not utilized. For example, if the City allocations include legal costs, the fact that the Rent Program hires its own attorneys may not have been adequately contemplated in the allocations.

Rent Program staff should work with Accounting to understand how the indirect costs are calculated and allocated, and then should determine whether the amounts being charged to the Rent Program are reasonable. If not, begin negotiations with the City for relief from the allocations.

6. Comparisons to peers

There are rent programs in other communities that face similar challenges and opportunities as the Richmond Rent Program. There are many benefits of sharing learnings and non-confidential information with these other programs. Examples of topics that the Rent Program might benefit from shared knowledge includes (a) expected impact on revenue when an economic downturn is predicted, (b) how to identify units subject to the housing fee, (c) staff composition and compensation, (d) cost of operations, (e) stakeholder communications. The Rent Program should identify a few similar rent programs and build a community to share learnings.

BUDGET RECOMMENDATIONS

7. Budget policy

The Rent Program does not have its own budget policy. Although the City has a budget policy, it is not applicable to the Rent Board’s budget adoption process because the Rent Ordinance gives authority to the Rent Board to adopt the Rent Program’s budgets. The GFOA recommends that governments follow the National Advisory Council on State and Local Budgeting (NACSLB) framework. This framework states that “the mission of the budget process is to help decision makers make informed choices about the

provision of services and capital assets and to promote stakeholder participation in the process.” The framework can be found at https://www.gfoa.org/sites/default/files/NACSLB_RecommendedBudgetPractices.pdf.

According to NACSLB, the budget process should accomplish the following:

- Involve stakeholders
- Identify stakeholder issues and concerns
- Obtain stakeholder support for the overall budgeting process
- Achieve stakeholder acceptance of decisions related to goals, services, and resource utilization
- Report to stakeholders on services and resource utilization, and serve generally to enhance the stakeholders’ view of government

The Rent Board should adopt a budget policy. This policy should cover at a minimum:

- Overview of budget process and purpose
- How stakeholder input is obtained
- The definition of a balanced budget
- Roles and responsibilities related to preparation, approval and managing the budget
- Quarterly financial reports showing budget vs. actual revenues and expenditures reviewed by senior management and the Rent Board
- Authorization needed to revise the budget (e.g., when can savings in one line item be used for another?)
- Legal level of budgetary control
- Key dates
- Whether unused appropriations lapse at year end or are automatically reappropriated
- Limit the use of one-time revenues for ongoing expenditures

The Budget Policy should be supplemented with related written procedures that describe what tasks individual employees perform to accomplish the Board’s policy, who is responsible for each task, what internal controls are to be followed and what forms will be used to document approvals and audit trails.

8. Budget format

The annual budget should be prepared following account titles and account numbers in the City’s chart of accounts in order to facilitate recording the budget in the financial system. The budget should be broken down by quarters in order to facilitate preparation of quarterly financial reports that show budget vs actual revenues and expenditures.

Assumptions related to each budget line item should be documented during the budget preparation process. These assumptions should include:

- The rate of inflation assumed, how it was estimated, and what line items it was applied to
- The number of rental units anticipated and how estimated
- The percentage of fees expected to be collected and how estimated
- A list of all authorized staff positions and the expected salaries and benefits related to each
- Allocations of indirect costs from the City
- Expenses related to capital projects or new capital assets

- New contracts expected to be entered into
- Additions to reserves

Attachment II is a recommended sample budget format.

9. Ten-year projection

Long-term financial planning stimulates discussion about the financial impact of an organization's plans and objectives, and engenders a long-range perspective for decision makers. A multi-year financial projection is a tool to minimize financial challenges, stimulate long-term and strategic thinking, gain consensus on long-term financial direction, and communicate plans with internal and external stakeholders.

As part of this project, we assisted the Rent Program to develop the format and process for preparing a ten-year financial projection. See Attachment I for the ten-year financial projection document.

A key element of the projection document is that it is prepared the same way, and in the same level of detail as the annual budget. Projection assumptions are documented in the same way as are assumptions for the budget. The first year of the ten-year projection should become the first draft of the Rent Program's annual budget. The ten-year projection should be updated each year by adding an additional year of projection, reviewing and updating previous assumptions used, and considering new information or management plans.

10. Budget vs. actual quarterly report

A key element of an effective budget process is monitoring actual results against the budget throughout the year. This is done to allow management time to make adjustments if necessary to expenditures, policies or operations. The best way to monitor budget vs. actual results is to prepare a quarterly financial report that is reviewed by management and the Board. Although this budget vs. actual report is an internal management document, it should be reviewed by the Rent Board at a public meeting. Attachment III is a proposed format for the quarterly budget vs. actual financial report.

Key elements of this budget vs. actual report are:

- It is initially prepared at the same level of detail as the budget.
- Significant variances between budgeted and actual amounts are identified, explained and documented. Operating managers will frequently need to be consulted to understand the reasons for variances. It is important to quantify variances that are explained. It is better to thoroughly research and explain very large variances than to do a more cursory explanation of many variances. The variances should be documented on the budget vs. actual financial report.
- The line items of the budget vs. actual report can be rolled up to present less detail depending on the needs of each user. For example, you may want a one-page easy-to-read version for the Board, and may want all detail for a department manager. Whenever there is a rollup, it is important to keep a clear record of which account numbers roll up to which new categories to facilitate explanations and comparisons.

11. Fee study

California Government Code Section 50076 requires that governments charge fees in amounts commensurate with the costs necessary to provide the related services to the fee payers. The Rent Program demonstrates the reasonableness of its fees via calculations performed in a Fee Study. I reviewed the Rent Program's Fee Study, including the methodology used. The methodology and documentation appear reasonable. I have the following observations:

- The Rent Program's expenditures are allocated among three components or layers as follows: Program Layer 55%, Just Cause for Eviction Layer 20%, and Rent Control Layer 25%. Fully covered units pay the fee related to all three layers and partially covered units pay the fee related to the Program and Just Cause for Eviction layers only. The percentage of costs that are allocated to these layers is based on management estimate of the amount of time staff spend performing such tasks. The Rent Program should conduct a time study to determine and document that these percentages are accurate.
- A Fee Study is necessary to ensure that the fees charges to landlords are commensurate with the level of services provided. Such Fee Study is not required to be conducted every year. If there are no significant changes in the costs and fees from one year to the next (e.g., only inflationary increases), a Fee Study is not necessary. Most organizations update fee studies when fee increases are sought and otherwise every 3 to 5 years.

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I would be pleased to discuss these recommendations in more detail or to assist with their implementation.

Sincerely,

Kevin W. Harper, CPA
Kevin W. Harper

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