



REGULAR MEETING OF THE RENT BOARD OF THE CITY OF RICHMOND

AGENDA
Wednesday, October 19, 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/81466237518?pwd=Y2RWc1ZBcDNDc21BR2hwWWpVQ3FqQT09>

Step 2: Enter the following password: rentboard

By Telephone:

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

US: +1 669 444 9171 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 719 359 4580 or +1 646 931 3860 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 386 347 5053 or +1 564 217 2000 or +1 646 558 8656

Step 2: Webinar ID: 814 6623 7518

Step 3: Enter the following passcode: 454431773

International numbers available: <https://us02web.zoom.us/j/kwmnkzueA>

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, October 19, 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 September 21, 2022, Regular Meeting of the Richmond Rent Board. | <i>Cynthia Shaw</i> |
| F-2. | RECEIVE the Fiscal Year 2022-23 Monthly Activity Report through September 2022. | <i>Cynthia Shaw</i> |
| F-3. | RECEIVE the Rent Program FY 2022-23 Monthly Revenue and Expenditure Report through September 2022. | <i>Fred Tran</i> |
| F-4. | RECEIVE the Budgeted versus Actual Revenue and Expenditures Report for the first quarter ending September 30, 2022. | <i>Fred Tran</i> |
| F-5. | APPROVE late fee waiver(s) for September 2022 pursuant for Regulation 425. | <i>Nicolas Traylor</i> |
| 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. | <i>Charles Oshinuga</i> |

G. RENT BOARD AS A WHOLE

- G-1.** RECEIVE AND APPROVE the 2019-20/2020-21 Rent Program Annual Report infographic video and DIRECT staff to present the report to the City Council. *Nicolas Traylor*

- G-2.** RECEIVE proposed options for utilizing the \$10,000 Rent Assistance Partner Grant and APPROVE and AUTHORIZE one of the three proposed options to spend the funds. *Nicolas Traylor*

- G-3.** RECEIVE training on the Brown Act and Rosenberg's Rules of Order. *Charles Oshinuga*

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: October 19, 2022

Final Decision Date Deadline: October 19, 2022

STATEMENT OF THE ISSUE: The minutes of the September 21, 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 September 21, 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, September 21, 2022.

The Regular Meeting of the Richmond Rent Board was called to order at 5:01 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/86385763394?pwd=aU9LWmtTSE0wTmd0cFE1VHJpdDJQZz09>
Password: rentboard

Or By Telephone:

US: +1 669 444 9171 or +1 669 900 9128 or +1 346 248 7799 or +1 719 359 4580 or +1 253 215 8782 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 386 347 5053 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860

Step 2: Webinar ID: 863 8576 3394

International numbers available:

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

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, September 21, 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, Johnson, Vasilas, Vice Chair Mishek and Chair Finlay.

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

Absent: Staff Attorney Palomar Sanchez.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Board Member Johnson requested removing Item F-3, and Chair Finlay requested removing Item F-7 from the Consent Calendar for discussion before Item H for Reports of Officers. On a motion of Board Member Conner, seconded by Board Member Vasilas, to remove Items F-3 and F-7 from Consent Calendar for discussion before Item H for Reports of Officers, passed by the following vote: **Ayes:** Board Members Conner, Johnson, Vasilas, Vice Chair Mishek, and Chair Finlay. **Noes:** None. **Abstentions:** None. **Absent:** None.

PUBLIC FORUM

Cordell Hindler restated his comments from the August meeting about Consent Calendar Item F-6 regarding City legislative bodies continuing to meet via videoconference and teleconference. He mentioned that he attended the City of El Cerrito's City Council meeting, which was held as a hybrid meeting. He feels since other cities are holding hybrid meetings, the Rent Board should consider holding hybrid meetings as well. He feels holding hybrid meetings would be beneficial because it will allow the public to participate. He also invited the Board to attend the Richmond Rotary Club Weekly Meeting on Friday, September 30th, held at the Richmond Country Club.

Richard Alexander presented on behalf of his client Jimmy Smith regarding Item F-7 for consideration of approval of the request for reconsideration of the previously filed MNOI petition. He mentioned that he is primarily available to answer any questions the Board may have regarding this client's request. Mr. Alexander said that the Board received the original, new, and previously filed MNOI applications and the Request for

Reconsideration form. He feels his client's request for reconsideration should be considered because it meets all the requirements for a good cause due to extraordinary circumstances. He also thinks the applications should meet the requirements to move forward to approve a rent increase.

Denika Andrews name called to speak but she was not present.

Ilon Clark requested to speak regarding Items F-3 and F-6 under the Consent Calendar. Since Item F-3 was moved for discussion before Item H, Chair Finlay asked Ms. Clark if she'd like to make her comment during Public Forum for Item F-3 or make her comment when the item is called later in the meeting. Ms. Clark agreed to speak on Item F-3 when it's called. Chair Finlay approved Ms. Clark's time to restart to comment on Item F-6. Ms. Clark expressed her feelings regarding the Zoom meetings, mentioning that she liked them but felt the public should be able to see each other, not only Board Members and Staff. She feels the public should be able to see how many people attend the meetings. She also said the public does not have to reveal their names or pictures, but it'll be good to know how many people are attending and who is attending. She said that the Zoom meetings should follow the same in-person formats for public meetings as before. She asks that the Board considers allowing the public to see each other during the Zoom Rent Board meetings.

Chair Finlay allowed Denika Andrews to speak since her name was called, and she was not present. Denika Andrews expressed that she is noticing an influx in the homeless population, and homeless people live in a crawl space near her residence. Ms. Andrews mentioned that she notified her landlord that there was a burning candle in the area where the homeless people live, and no one was there. She also stated that no one arrived to remedy the situation until today, and it is still not resolved. She was informed that she would need to call the police to report this issue. One of the officers told her that the police could contact the property manager, but they were also limited on what they could do to resolve the issue. She also mentioned that she has mold growing in her apartment and would like to know her rights as a Tenant. Executive Director Nicolas Traylor said he would contact Ms. Andrews regarding her issues.

RENT BOARD CONSENT CALENDAR

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

*F-1. Approve the minutes of the August 17, 2022, Regular Meeting of the Richmond Rent Board.

*F-2. Receive the Fiscal Year 2022-23 Monthly Activity Report through August 2022.

*F-4. Receive the Rent Program FY 2022-23 Monthly Revenue and Expenditure Report through August 2022.

*F-5. Approve late fee waiver(s) for August 2022 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.

CONSIDERATION OF APPEALS

G-1. Staff Attorney Charles Oshinuga presented on the matter of Appeal regarding Petition No. RC21-T126. Appellant appeals only the portion of the Hearing Examiner’s Decision that awarded Respondents \$2,096 due to reduction of Housing Services related to various impairments contained within the bathroom. Specifically, the Hearing Examiner found that Respondents met their burden in demonstrating a decrease in Housing Services where the Respondents showed that use of the bathtub and bathroom were diminished/impaired as it contained broken tile that was a cutting hazard, grouting issues, and holes, which allowed pest to crawl into the tub and reside. Additionally, the Hearing Examiner found that the Respondents provided notice to Appellant of the bathroom issues and the Appellant failed to adequately address the issue for 1,003 days. There were no public comments on this item. All parties were present. Appellant was given 5 minutes but presented for 3.23 minutes, then the Respondent was given 7 minutes, but presented for 2.74 minutes and finally the Appellant was given an additional 2 minutes to close but presented for 1.23 minutes. The Appeal began and the following individuals presented their case: Mac Guzman, Rachid

Amghar and Salwa Kassi. Discussion ensued. After hearing the issues brought forward on appeal and considering the arguments of all parties on appeal, the Board voted on the following:

A motion made by Board Member Conner, seconded by Board Member Vasilas to modify the Hearing Examiner's decision regarding the award to reflect the dates from November 5, 2020, through September 15, 2021, and affirm Hearing Examiner's decision award of \$1,728.78. Motion withdrawn by Board Member Conner to clarify the motion.

A new motion made by Board Member Conner, seconded by Board Member Vasilas to Modify the Hearing Examiner's findings that the Appellant decrease the Respondents' Housing Services concerning the impaired bathtub and other related bathroom issues, and the consequent award of \$656.26.

General Counsel Charles Oshinuga offered clarification to Board Members Conner's motion explaining that her motion might be better understood if it were to Affirm the Hearing Examiners findings that the Appellant decrease the Respondents' Housing Services concerning the impaired bathtub and other related bathroom issues and Modify the consequent award of \$2,096.27 to \$656.26.

Board Member Conner acknowledged the clarification and restated that her motion was to Affirm the Hearing Examiners findings that the Appellant decrease the Respondents' Housing Services concerning the impaired bathtub and other related bathroom issues and Modify the consequent award of \$2,096.27 to \$656.26. Board Member Conner also moved to Affirm the remainder of the Hearing Examiner's decision and consequent award of \$1,728.78, as Appellant only appealed those portions of the Hearing Examiner's decision that related to the notice requirements concerning the bathroom/bathtub issues, and thus the portions of the Hearing Examiner decision that was not appealed was final. Board Member Vasilas seconded the motion. The Board voted and the motion passed by the following vote: **Ayes:** Board Members Conner, Johnson, Vasilas, Vice Chair Mishek and Chair Finlay. **Noes:** None. **Abstentions:** None. **Absent:** None.

Rent Board Clerk Cynthia Shaw concluded and dismissed the parties for Appeal RC21-T126 and informed them that they will receive a decision.

F-3. The matter to receive letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100, was presented by Board Member Johnson. Board Member Johnson requested that this item be removed from the Consent Calendar because she would like an update from staff on the letters received from constituents who addressed their concerns at the August meeting. She mentioned that she didn't want the Tenants to feel like their concerns were not heard or addressed. Executive Director Nicolas Traylor responded and provided an update to the Board. He mentioned that this update was regarding the list of complaints made at the August 17 Rent Board meeting concerning the issues at Heritage Park Apartments at Hilltop. He said that he and other city department officials and Councilmember Willis set up a task force walkthrough with the Fire Department at Heritage Park on September 7, 2022. They conducted a walkthrough with the Tenants to inspect the issues and met with management afterward. The Code Enforcement Manager, Fire Marshal, several Code Enforcement Officers, Project Manager, Director of Water Resource Recovery, a Compliance Officer for Water Resource Recovery, and a Senior Building Inspector were in attendance at the walkthrough. The Task Force met with the property management after the walkthrough to discuss the various issues. Heritage Park Management was very responsive and has been responsive to complaints elevated to a city level. Heritage Park also provided a list of its upgrades and plans. They also promised to go through the list of Tenant complaints and address them. Mr. Traylor also mentioned that when these issues arise, the Rent Program offers mediation to help mediate the issues between management and the residents to help resolve the problems. Discussion ensued. The following individual gave comment: Ilona Clark. The Board received the update on the letters from community members, and no formal action was taken.

F-7. The matter to consider for Approval of a Request for Reconsideration of a Previously Filed Maintenance of Net Operating Income Petition during the Local Emergency for 420-430 Golden Gate Avenue was presented by Nicolas Traylor. Mr. Traylor gave a brief report regarding the recommendation for the filed Request for Reconsideration of a Previously Filed Maintenance of Net Operating Income submitted by Mr. Smith. Chair Finlay requested that this item be removed from the Consent Calendar because she didn't understand why this item was agendaized under the Consent Calendar instead of an agenda item.

Chair Finlay also had concerns about the Boards participation in this application. She also mentioned that this request only provides approval for the petition to move forward and not to decide on the issue. Discussion ensued. The following individuals gave comments: Ilona Clark and Tuan Ngo.

A motion by Board Member Vasilas, seconded by Board Member Conner, to approve the Request for Reconsideration of a Previously Filed Maintenance of Net Operating Income Petition during the Local Emergency for 420-430 Golden Gate Avenue, passed by the following vote: **Ayes:** Board Members Conner, Vasilas, and Vice Chair Mishek. **Noes:** Chair Finlay. **Abstentions:** Board Member Johnson. **Absent:** None.

REPORTS OF OFFICERS

H-1. Executive Director Nicolas Traylor gave a brief report about the upcoming pre-recorded workshop on September 30, 2022, titled "Understanding Evictions in Richmond."

General Counsel Charles Oshinuga gave a brief report and informed the Board that three Appeals are pending, and he intends to bring them before the Board within the next three months. He appreciated the Board for their patience and asked if they had any suggestions about the Appeal recommendations process. He also said that he understands that the recommendations are lengthy, but if we ever get sued on the Superior Court level, they would want to see the Board's rationale.

Mr. Oshinuga mentioned that he and Staff Attorney Palomar Sanchez are working on an Appeal Digest. He also said that the digest would include all of the recommendations that were put forth to the Board, and it would be made public. That would mean a lot of redactions would be done. He also mentioned that the cover sheet for every recommendation would have a cover sheet. That sheet would summarize the issues on the Appeal and the Board's decision. That way, the Public would be able to see the Boards precedence, and the parties could present their case a little better by viewing past cases, and they will learn and understand how the Appeal processes work.

Chair Finlay asked General Counsel Charles Oshinuga about the training that is required by the state of California for Board Members to participate in and asked when it will be held. Mr. Oshinuga responded that October is when Board Members will receive the Brown Act and Conflict of Interest Training. He also

mentioned that he might separate the conflicts of interest training for the sake of time if we also have an Appeal hearing.

Board Member Conner asked General Counsel Charles Oshinuga a question about redacting hearing documents when hearings are public. Mr. Oshinuga responded that hearings are public; however, some documents included in the petition file may be considered exempt under the public records act law and must be redacted.

Chair Finlay asked Executive Director about including a cover sheet at the beginning of the Late Fee Waiver packet and listing how many waivers are being submitted for approval. She also mentioned including the owner or property manager's name and addresses to alert the Board of how many properties they will review and to make it easier to study. Mr. Traylor and Mr. Oshinuga responded that staff would include a cover page to help segregate the properties.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:04 P.M.

Cynthia Shaw
Staff Clerk

(SEAL)

Approved:

Virginia Finlay, Rent Board Chair

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: October 19, 2022

Final Decision Date Deadline: October 19, 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

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|-----------------------------------------------------|---------------------------------------------------------------------------|------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------|
| <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 Fiscal Year 2022-23 Monthly Activity Report through September 2022 - Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-2.

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**Rent Program
FY2022-23 Monthly Activity Report**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
		Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	
		MTD ACTUAL	YTD TOTAL											
3 Public Information & Enrollment Unit														
5 Rent/Eviction Counseling Appointments By Phone		178	187	218	-	-	-	-	-	-	-	-	-	583
6 Rent/Eviction Counseling Appointments By Walk-ins		4	2	8	-	-	-	-	-	-	-	-	-	14
7 Rent/Eviction Counseling Questions Addressed By Email		156	213	180	-	-	-	-	-	-	-	-	-	549
8 TOTAL RENT/EVICTION COUNSELING APPOINTMENTS		338	402	406	-	-	-	-	-	-	-	-	-	1,146
9 Rent/Eviction Counseling Sessions Conducted in Spanish		38	26	20	-	-	-	-	-	-	-	-	-	84
10 Rent/Eviction Counseling Sessions Conducted in Mandarin		-	-	-	-	-	-	-	-	-	-	-	-	-
11 Rent/Eviction Counseling Sessions Conducted in Cantonese		-	1	-	-	-	-	-	-	-	-	-	-	1
12 Rent/Eviction Counseling Sessions Conducted in Another Language		-	-	-	-	-	-	-	-	-	-	-	-	-
13 TOTAL RENT/EVICTION COUNSELING APPOINTMENTS IN A LANGUAGE OTHER THAN ENGLISH		-	27	20	-	-	-	-	-	-	-	-	-	47
14 Legal Service Referrals		20	19	22	-	-	-	-	-	-	-	-	-	61
17 Mediations Conducted		11	3	-	-	-	-	-	-	-	-	-	-	14
18 Assists from Front Office Staff		5	5	7	-	-	-	-	-	-	-	-	-	17
19 Courtesy Compliance Letters Sent		38	224	245	-	-	-	-	-	-	-	-	-	507
20 Community Workshop Attendees		-	-	-	-	-	-	-	-	-	-	-	-	-
21 Hard Copy Rent Increase Notices Processed		62	52	42	-	-	-	-	-	-	-	-	-	156
22 Hard Copy Termination of Tenancy Notices Processed		7	5	8	-	-	-	-	-	-	-	-	-	20
24 TOTAL BILLING/ENROLLMENT/REGISTRATION COUNSELING APPOINTMENTS		69	57	50	-	-	-	-	-	-	-	-	-	176
25 Billing/Enrollment/Registration Counseling Appointments In-Person		-	-	1	-	-	-	-	-	-	-	-	-	1
26 Billing/Enrollment/Registration Counseling Appointments By Phone		36	108	106	-	-	-	-	-	-	-	-	-	250
27 Billing/Enrollment/Registration Counseling Questions Addressed By Email		51	114	77	-	-	-	-	-	-	-	-	-	242
28 TOTAL BILLING/ENROLLMENT/REGISTRATION COUNSELING APPOINTMENTS		87	222	183	-	-	-	-	-	-	-	-	-	492
29 Enrollment/Tenancy Registration Packets Mailed		10	1	38	-	-	-	-	-	-	-	-	-	49
30 Enrollment Forms Processed		25	24	31	-	-	-	-	-	-	-	-	-	80
31 Rental Housing Fee Invoices Generated		29	5,629	145	-	-	-	-	-	-	-	-	-	5,803
32 Checks Processed		8	391	496	-	-	-	-	-	-	-	-	-	895
33 Checks Returned		2	7	6	-	-	-	-	-	-	-	-	-	15
34 Tenancy Registrations Received		30	13	100	-	-	-	-	-	-	-	-	-	143
35 Rental Units Discovered Not in Database		1	2	4	-	-	-	-	-	-	-	-	-	7
36 Property Information Updated		46	82	9	-	-	-	-	-	-	-	-	-	137
37 Compliance Actions (Reviewing Records, Exemption Statuses, Addresses)		-	7	15	-	-	-	-	-	-	-	-	-	22
38 Applications for Administrative Determination of Exempt/Inapplicable Status Received		2	7	12	-	-	-	-	-	-	-	-	-	21
39 Administrative Determination of Exempt/Inapplicable Status Issued		-	-	-	-	-	-	-	-	-	-	-	-	-
40 Declarations of Exemption Processed		-	-	-	-	-	-	-	-	-	-	-	-	-
41 LEGAL UNIT														
42 Public Records Act Requests Received		2	1	2	-	-	-	-	-	-	-	-	-	5
43 Owner Move-In Eviction Termination of Tenancy Notices Reviewed		-	-	-	-	-	-	-	-	-	-	-	-	-
44 Withdrawal from the Rental Market (Ellis Act) Termination of Tenancy Notices Reviewed		-	-	2	-	-	-	-	-	-	-	-	-	2
45 Substantial Repairs Termination of Tenancy Notices Reviewed		-	-	-	-	-	-	-	-	-	-	-	-	-
46 Appeal Hearings Held		-	-	1	-	-	-	-	-	-	-	-	-	1
47 HEARINGS UNIT														
50 Consultations with Hearings Unit Coordinator By Phone		3	5	13	-	-	-	-	-	-	-	-	-	21
51 Hearings-Related Questions Addressed by Email		34	43	54	-	-	-	-	-	-	-	-	-	131
52 TOTAL HEARINGS-RELATED CONSULTATIONS		37	48	67	-	-	-	-	-	-	-	-	-	152
53 MNOI Petitions Received (Attachment A)		-	-	-	-	-	-	-	-	-	-	-	-	-
54 Increased in Occupants Petitions Received (Attachment B)		1	-	-	-	-	-	-	-	-	-	-	-	1
55 Increase in Space or Services Petitions Received (Attachment C)		-	-	-	-	-	-	-	-	-	-	-	-	-
56 Restoration of Denied AGA Petitions Received (Attachment D)		-	-	-	-	-	-	-	-	-	-	-	-	-
57 Landlord Individual Rent Adjustment Petitions Received		1	-	-	-	-	-	-	-	-	-	-	-	1
58 Landlord Petition to Determine Exempt Status Received		-	-	-	-	-	-	-	-	-	-	-	-	-
59 TOTAL LANDLORD PETITIONS RECEIVED		2	-	-	-	-	-	-	-	-	-	-	-	2
60 Excess Rent or Failure to Return Sec Dep Petitions Received (Attachment A)		1	-	-	-	-	-	-	-	-	-	-	-	1
61 Decrease in Space/Services or Habitability Petitions Received (Attachment B)		1	1	-	-	-	-	-	-	-	-	-	-	2
62 Reduction in Number of Tenants Petitions Received (Attachment C)		-	-	-	-	-	-	-	-	-	-	-	-	-
63 Tenant Petition Based on Multiple Grounds		1	1	-	-	-	-	-	-	-	-	-	-	2
64 Tenant Petition for Rent Withholding Petitions Received		-	-	-	-	-	-	-	-	-	-	-	-	-
65 Tenant Petition for Failure to Pay Relocation Payment Petitions Received		-	1	-	-	-	-	-	-	-	-	-	-	1
66 TOTAL TENANT PETITIONS RECEIVED		3	3	-	-	-	-	-	-	-	-	-	-	6
67 Petition for Determination of Occupancy Status		-	-	-	-	-	-	-	-	-	-	-	-	-

**Rent Program
FY2022-23 Monthly Activity Report**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1		Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	
2		MTD ACTUAL	YTD TOTAL											
68	Petition for Initial Rent Determination	-	-	-	-	-	-	-	-	-	-	-	-	-
69	Request to Expedite Hearing Process	-	-	-	-	-	-	-	-	-	-	-	-	-
70	Request for a Continuance of the Hearing Process	-	1	-	-	-	-	-	-	-	-	-	-	1
71	Subpoena(s)	-	-	1	-	-	-	-	-	-	-	-	-	1
72	TOTAL OTHER PETITIONS RECEIVED	-	1	1	-	-	-	-	-	-	-	-	-	2
73	Decisions Ordered	1	2	1	-	-	-	-	-	-	-	-	-	4
74	Cases Settled	2	3	1	-	-	-	-	-	-	-	-	-	6
75	Cases Dismissed	-	-	-	-	-	-	-	-	-	-	-	-	-
76	Petitions Withdrawn	1	-	-	-	-	-	-	-	-	-	-	-	1
77	TOTAL CASES CLOSED	4	5	2	-	-	-	-	-	-	-	-	-	11
78	Appeals Received	1	2	-	-	-	-	-	-	-	-	-	-	3
79	Total Open Cases (Tenant Petitions)	3	2	2	-	-	-	-	-	-	-	-	-	7
80	Total Open Cases (Landlord Petitions)	14	13	9	-	-	-	-	-	-	-	-	-	36
81	Total Open Cases (Other Petitions)	-	1	-	-	-	-	-	-	-	-	-	-	1
82	TOTAL OPEN CASES	17	16	11	-	-	-	-	-	-	-	-	-	44
83	Form Submissions													
84	Agent Authorization	-	-	-	-	-	-	-	-	-	-	-	-	-
85	Proof of Excess Rent Refund	-	-	-	-	-	-	-	-	-	-	-	-	-
86	Proof of Permanent Relocation Payment	-	-	1	-	-	-	-	-	-	-	-	-	1
87	Proof of Temporary Relocation Payment	-	-	-	-	-	-	-	-	-	-	-	-	-
88	Change in Terms of Tenancy	22	19	23	-	-	-	-	-	-	-	-	-	64
89	TOTAL RENT INCREASE NOTICES FILED	213	218	54	-	-	-	-	-	-	-	-	-	485
90	Termination of Tenancy - Nonpayment of Rent	86	112	94	-	-	-	-	-	-	-	-	-	292
91	Termination of Tenancy - Breach of Lease	1	2	3	-	-	-	-	-	-	-	-	-	6
92	Termination of Tenancy - Failure to Give Access	-	-	-	-	-	-	-	-	-	-	-	-	-
93	Termination of Tenancy - Nuisance	-	3	-	-	-	-	-	-	-	-	-	-	3
94	Termination of Tenancy - Withdrawal from the Rental Market	1	-	-	-	-	-	-	-	-	-	-	-	1
95	Termination of Tenancy - Owner Move-In	-	-	-	-	-	-	-	-	-	-	-	-	-
96	Termination of Tenancy - Substantial Repairs	-	-	-	-	-	-	-	-	-	-	-	-	-
97	Termination of Tenancy - Temporary Tenancy	-	-	-	-	-	-	-	-	-	-	-	-	-
98	TOTAL TERMINATION OF TENANCY NOTICES FILED	88	117	97	-	-	-	-	-	-	-	-	-	302

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: October 19, 2022

Final Decision Date Deadline: October 19, 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 2022-23 Monthly Revenue and Expenditure Report through September 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 2022-23

ITEM F-3

OBJECT	ORIGINAL BUDGET	ADOPTED BUDGET	Period 1	Period 2	Period 3	ENCUMBRANCES	YTD TOTAL	AVAILABLE BUDGET	% USED
			July	August	September				
340445 Rental Housing Fees	(3,062,687.00)	(3,062,687.00)	(28,326.50)	(766,007.22)	(768,831.20)	-	(1,563,164.92)	(1,499,522.08)	51.0%
TOTAL LICENSES, PRMITS&FEES	(3,062,687.00)	(3,062,687.00)	(28,326.50)	(766,007.22)	(768,831.20)	-	(1,563,164.92)	(1,499,522.08)	51.0%
361701 Interest	(14,000.00)	(14,000.00)	-	-	-	-	-	(14,000.00)	0.0%
361705 Realized Gain	-	-	-	-	-	-	-	-	100.0%
TOTAL INTEREST & REALIZED INCOME	(14,000.00)	(14,000.00)	-	-	-	-	-	(14,000.00)	0.0%
364855 OTHER REV/Misc Other Re	-	-	-	-	-	-	-	-	100.0%
364867 Revenue from Collections Agency	(30,000.00)	(30,000.00)	-	-	(7,454.91)	-	(7,454.91)	(22,545.09)	24.8%
337373 Other Grants	-	-	-	(10,000.00)	-	-	(10,000.00)	10,000.00	100.0%
TOTAL OTHER REVENUE	(30,000.00)	(30,000.00)	-	(10,000.00)	(7,454.91)	-	(17,454.91)	(22,545.09)	58.2%
TOTAL REVENUE	(3,106,687.00)	(3,106,687.00)	(28,326.50)	(776,007.22)	(776,286.11)	-	(1,580,619.83)	(1,526,067.17)	50.9%
400001 SALARIES & WAGES/Executive	719,901.00	719,901.00	58,309.76	58,309.76	58,309.76	-	174,929.28	544,971.72	24.3%
400002 SALARIES & WAGES/Mgmt-Local 21	313,701.00	313,701.00	13,345.14	25,351.72	25,351.72	-	64,048.58	249,652.42	20.4%
400003 SALARIES & WAGES/Local 1021	200,427.00	200,427.00	16,347.30	16,347.30	16,347.30	-	49,041.90	151,385.10	24.5%
400006 SALARIES & WAGES/PT- Temp	-	-	2,751.83	519.90	1,600.90	-	4,872.63	(4,872.63)	100.0%
400031 OVERTIME/General	-	-	-	75.69	62.12	-	137.81	(137.81)	100.0%
400048 OTHER PAY/Bilingual Pay	8,342.00	8,342.00	682.14	682.14	782.14	-	2,146.42	6,195.58	25.7%
400049 OTHER PAY/Auto Allowance	4,200.00	4,200.00	350.00	350.00	-	-	1,050.00	3,150.00	25.0%
400050 OTHER PAY/Medical- in Lieu of	-	-	-	-	-	-	-	-	100.0%
400058 OTHER PAY/Bonuses	-	-	-	-	-	-	-	-	100.0%
TOTAL SALARIES AND WAGES	1,246,571.00	1,246,571.00	91,786.17	101,636.51	102,803.94	-	296,226.62	950,344.38	23.8%
400103 P-ROLL BEN/Medicare Tax-ER Shr	18,207.00	18,207.00	1,345.70	1,477.98	1,498.54	-	4,322.22	13,884.78	23.7%
400105 P-ROLL BEN/Health Insurance Be	232,291.00	232,291.00	16,449.48	19,545.08	19,545.08	-	55,539.64	176,751.36	23.9%
400106 P-ROLL BEN/Dental Insurance	17,520.00	17,520.00	1,217.00	1,460.40	1,460.40	-	4,137.80	13,382.20	23.6%
400109 P-ROLL BEN/Employee Assistance	216.00	216.00	15.30	18.36	18.36	-	52.02	163.98	24.1%
400110 P-ROLL BEN/Professional Dev-Mg	6,750.00	6,750.00	750.00	-	250.00	-	1,000.00	5,750.00	14.8%
400111 P-ROLL BEN/Vision	2,052.00	2,052.00	143.10	171.72	171.72	-	486.54	1,565.46	23.7%
400112 P-ROLL BEN/Life Insurance	4,139.00	4,139.00	281.43	327.53	327.53	-	936.49	3,202.51	22.6%
400114 P-ROLL BEN/Long Term Disabilit	12,342.00	12,342.00	462.00	525.04	526.09	-	1,513.13	10,828.87	12.3%
400116 P-ROLL BEN/Unemployment Ins	5,472.00	5,472.00	456.00	494.00	494.00	-	1,444.00	4,028.00	26.4%
400117 P-ROLL BEN/Personal/Prof Dev	2,250.00	2,250.00	-	-	-	-	-	2,250.00	0.0%
400121 P-ROLL BEN/Worker Comp-Clerica	17,697.00	17,697.00	1,234.78	1,190.12	1,133.16	-	3,558.06	14,138.94	20.1%
400122 P-ROLL BEN/Worker Comp-Prof	70,286.00	70,286.00	4,872.54	5,688.98	5,688.98	-	16,250.50	54,035.50	23.1%
400127 P-ROLL BEN/OPEB	40,723.00	40,723.00	2,904.06	3,300.28	3,300.28	-	9,504.62	31,218.38	23.3%
400130 P-ROLL BEN/PARS Benefits	-	-	35.78	6.76	20.97	-	63.51	(63.51)	100.0%
400149 P-ROLL BEN/PERS-Misc	156,287.00	156,287.00	11,156.46	12,666.88	12,679.46	-	36,502.80	119,784.20	23.4%
400151 P-ROLL BEN/PERS-Misc (UAL)	286,056.00	286,056.00	19,865.10	23,838.12	23,838.12	-	67,541.34	218,514.66	23.6%
TOTAL FRINGE BENEFITS	872,288.00	872,288.00	61,188.73	70,711.25	70,952.69	-	202,852.67	669,435.33	23.3%
400201 PROF SVCS/Professional Svcs	143,455.00	146,455.00	-	260.16	813.00	19,476.84	1,073.16	125,905.00	14.0%
400206 PROF SVCS/Legal Serv Cost	210,000.00	210,000.00	12,500.00	10,416.00	(2,084.00)	166,668.00	20,832.00	22,500.00	89.3%
400220 PROF SVCS/Info Tech Ser	-	-	-	-	-	-	-	-	100.0%
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	-	-	-	-	-	1,650.00	0.0%
400271 AD & PROMO/Advertising&Promo	800.00	800.00	-	-	-	-	-	800.00	0.0%
400280 ADM EXP/Program Supplies	5,380.00	5,380.00	-	96.01	98.03	-	194.04	5,185.96	3.6%
TOTAL PROF & ADMIN SERVICES	362,085.00	365,085.00	12,500.00	10,772.17	(1,172.97)	186,144.84	22,099.20	156,840.96	57.0%
400231 OFF EXP/Postage & Mailing	17,300.00	17,300.00	137.37	-	-	-	137.37	17,162.63	0.8%
400232 OFF EXP/Printing & Binding	24,404.00	24,104.00	-	-	-	-	-	24,104.00	0.0%
400233 OFF EXP/Copying & Duplicating	500.00	500.00	-	-	-	-	-	500.00	0.0%
400304 RENTAL EXP/Equipment Rental	9,000.00	9,000.00	-	-	186.58	5,113.66	186.58	3,699.76	58.9%
400321 MISC EXP/Misc Contrib	2,000.00	2,000.00	-	-	-	-	-	2,000.00	0.0%
400322 MISC EXP/Misc Exp	2,000.00	2,000.00	-	-	-	-	-	2,000.00	0.0%
400341 OFF SUPP/Office Supplies	5,000.00	5,000.00	-	460.95	(316.61)	-	144.34	4,855.66	2.9%
TOTAL OTHER OPERATING	60,204.00	59,904.00	137.37	460.95	(130.03)	5,113.66	468.29	54,322.05	9.3%
400401 UTILITIES/Tel & Telegraph	500.00	500.00	-	-	-	-	-	500.00	0.0%
TOTAL UTILITIES	500.00	500.00	-	-	-	-	-	500.00	0.0%
400538 CONTRACT SVCS/Oth Cntrc	-	300.00	-	-	-	265.00	-	35.00	88.3%
400552 PROV FR INS LOSS/Ins Gen Liab	9,300.00	9,300.00	-	-	8,077.00	8.00	8,077.00	1,215.00	86.9%
TOTAL PROVISION FOR INS LOSS	9,300.00	9,300.00	-	-	8,077.00	8.00	8,077.00	1,250.00	86.9%
400574 COST POOL/(ISF)-Gen Liability	83,934.00	83,934.00	-	-	-	-	-	83,934.00	0.0%
400586 COST POOL/(CAP)- Admin Charges	52,481.00	52,481.00	-	-	-	-	-	52,481.00	0.0%
400591 COST POOL/(IND)Civic Ctr Alloc	48,217.00	48,217.00	-	-	-	-	-	48,217.00	0.0%
TOTAL COST POOL	184,632.00	184,632.00	-	-	-	-	-	184,632.00	0.0%
TOTAL EXPENDITURES	2,735,580.00	2,738,580.00	165,612.27	183,580.88	180,530.63	191,531.50	529,723.78	2,017,324.72	26.3%
NET OPERATING (SURPLUS)/DEFICIT	(371,107.00)	(368,107.00)	137,285.77	(592,426.34)	(595,755.48)	191,531.50	(1,050,896.05)	491,257.55	233.5%
CASH BALANCE			1,190,972.61	1,777,746.74	2,351,909.32				

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: October 19, 2022

Final Decision Date Deadline: October 19, 2022

STATEMENT OF THE ISSUE: As part of the Fiscal Year 2022-23 budget development process, management staff consulted with Kevin Harper, CPA, to implement a series of budgetary best practices for the Rent Program and Rent Board. As Kevin Harper advised in his March 12, 2020, memorandum, "a key element of an effective budget process is monitoring actual results against the budget throughout the year. This is done on a quarterly basis to allow management time to make adjustments if necessary to expenditures, policies or operations." In accordance with Kevin Harper's advice, staff members have prepared the report for the first quarter ending September 30, 2022, for the Board's receipt.

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 Budgeted versus Actual Revenue and Expenditures Report for the first quarter ending September 30, 2022 – Rent Program (Fred Tran 620-6537).

AGENDA ITEM NO:

F-4.

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**RICHMOND RENT PROGRAM
BUDGET VS ACTUAL REPORT - REVENUES AND EXPENDITURES
QUARTER ENDED SEPTMBER 30, 2022**

	QUARTER ENDED 9/30/2022			YEAR-TO-DATE 9/30/2022			VARIANCE EXPLANATION (a)
	BUDGET	ACTUAL	VARIANCE	BUDGET	ACTUAL	VARIANCE	
REVENUES							
Fees (includes revenue from collections agency)	\$ (1,990,747)	\$ (1,563,165)	\$ 427,582	\$ (1,990,747)	\$ (1,563,165)	\$ 427,582	Delay in billing due to City Council adopting Rental Housing Fee in July 2022
Other Income	(11,000)	(17,455)	(6,455)	(11,000)	(17,455)	(6,455)	Grant received to assist with Rent Assistance
TOTAL REVENUES	(2,001,747)	(1,580,620)	421,127	(2,001,747)	(1,580,620)	421,127	
EXPENDITURES							
Salaries & Wages							
SALARIES & WAGES/Executive	179,975	174,929	5,046	179,975	174,929	5,046	
SALARIES & WAGES/Mgmt.-Local 21	78,425	64,049	14,377	78,425	64,049	14,377	
SALARIES & WAGES/Local 1021	50,107	49,042	1,065	50,107	49,042	1,065	
SALARIES & WAGES/PT- Temp	-	4,873	(4,873)	-	4,873	(4,873)	Adopted Budget line item amount has not been inputted by Finance Department
OVERTIME/General	-	138	(138)	-	138	(138)	Adopted Budget line item amount has not been inputted by Finance Department
OTHER PAY/Bilingual Pay	2,086	2,146	(61)	2,086	2,146	(61)	
OTHER PAY/Auto Allowance	1,050	1,050	-	1,050	1,050	-	
OTHER PAY/Medical- in Lieu of	-	-	-	-	-	-	
OTHER PAY/Bonuses	-	-	-	-	-	-	
Subtotal Salaries & Wages	311,643	296,227	15,416	311,643	296,227	15,416	
Benefits							
P-ROLL BEN/Medicare Tax-ER Shr	4,552	4,322	230	4,552	4,322	230	
P-ROLL BEN/Health Insurance Benefit	58,073	55,540	2,533	58,073	55,540	2,533	
P-ROLL BEN/Dental Insurance	4,380	4,138	242	4,380	4,138	242	
P-ROLL BEN/Employee Assistance	54	52	2	54	52	2	
P-ROLL BEN/Professional Dev-Mg	1,688	1,000	688	1,688	1,000	688	To date, Staff has utilized less professional development
P-ROLL BEN/Vision	513	487	26	513	487	26	
P-ROLL BEN/Life Insurance	1,035	936	98	1,035	936	98	
P-ROLL BEN/Long Term Disability	3,086	1,513	1,572	3,086	1,513	1,572	Less LTD Insurance paid due to date
P-ROLL BEN/Unemployment Ins	1,368	1,444	(76)	1,368	1,444	(76)	
P-ROLL BEN/Personal/Prof Dev	563	-	563	563	-	563	To date, Staff has utilized less professional development
P-ROLL BEN/Worker Comp-Clerical	4,424	3,558	866	4,424	3,558	866	
P-ROLL BEN/Worker Comp-Prof	17,572	16,251	1,321	17,572	16,251	1,321	
P-ROLL BEN/OPEB	10,181	9,505	676	10,181	9,505	676	
P-ROLL BEN/PARS Benefits	-	64	(64)	-	64	(64)	Staff to investigate PARS charge
P-ROLL BEN/PERS-Misc.	39,072	36,503	2,569	39,072	36,503	2,569	
P-ROLL BEN/PERS-Misc. (UAL)	71,514	67,541	3,973	71,514	67,541	3,973	
Subtotal Benefits	218,072	202,853	15,219	218,072	202,853	15,219	
Professional & Administrative Services							
PROF SVCS/Professional Svcs	36,614	1,073	35,541	36,614	1,073	35,541	RFP process has began for Cost Pool consultant, working with Finance on system contract
PROF SVCS/Legal Serv Cost	52,500	20,832	31,668	52,500	20,832	31,668	Legal services invoice have been encumbered and will be paid later
Travel & Trng/Tuition Rmb/Cert	200	-	200	200	-	200	To date, Staff has not utilized training reimbursements
Travel & Trng/Registration Fee	413	-	413	413	-	413	To date, Staff has not utilized training reimbursements
Ad & Promo/Advertising & Promo Materials	200	-	200	200	-	200	Projects and outreach conducted in following quarter
Adm Exp/Program Supplies	1,345	194	1,151	1,345	194	1,151	Less supplies used due to less staff on site
Subtotal Professional, Travel, & Admin Services	91,271	22,099	69,172	91,271	22,099	69,172	
Other Operating Expenditures							
OFF EXP/Postage & Mailing	4,325	137	4,188	4,325	137	4,188	Invoices and mailing delayed due to Council approving Fees in July 2022
OFF EXP/Printing & Binding	6,026	-	6,026	6,026	-	6,026	Invoices and mailing delayed due to Council approving Fees in July 2022
OFF EXP/Copying & Duplicating	125	-	125	125	-	125	Invoices and mailing delayed due to Council approving Fees in July 2022
RENTAL EXP/Equipment Rental	2,250	187	2,063	2,250	187	2,063	Invoices and mailing delayed due to Council approving Fees in July 2022
MISC EXP/Misc. Contrib	500	-	500	500	-	500	To date, expenditures for line item have not been utilized in Q1
MISC EXP/Misc. Exp	500	-	500	500	-	500	To date, expenditures for line item have not been utilized in Q1
OFF SUPP/Office Supplies	1,250	144	1,106	1,250	144	1,106	To date, expenditures for line item have not been utilized in Q1
UTILITIES/Tel & Telegraph	125	-	125	125	-	125	To date, expenditures for line item have not been utilized in Q1
CONTRACT SVCS/Oth Cntrc	75	-	75	75	-	75	To date, expenditures for line item have not been utilized in Q1
PROV FR INS LOSS/Ins Gen Liab	2,325	8,077	(5,752)	2,325	8,077	(5,752)	Annual invoice for General Insurance expenditure paid in September for full year
COST POOL/(ISF)-Gen Liability	20,984	-	20,984	20,984	-	20,984	RFP process has began for Cost Pool consultant, City has not charged allocation
COST POOL/(CAP)- Admin Charges	13,120	-	13,120	13,120	-	13,120	RFP process has began for Cost Pool consultant, City has not charged allocation
COST POOL/(IND)Civic Ctr Alloc	12,054	-	12,054	12,054	-	12,054	RFP process has began for Cost Pool consultant, City has not charged allocation
Subtotal Other Operating Expenditures	63,659	8,545	55,114	63,659	8,545	55,114	
TOTAL EXPENDITURES	684,645	529,724	154,921	684,645	529,724	154,921	
EXCESS OF (REVENUES) OVER EXPENDITURES	\$ (1,317,102)	\$ (1,050,896)	\$ (266,206)	\$ (1,317,102)	\$ (1,050,896)	\$ (266,206)	

(a) Variance explanations are provided where the actual expenditures varies from the budgeted amount by twenty five percent or more.

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Late Fee Waiver Summary – October 2022 Regular Board Meeting

Property Street	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)
1 25 3 rd St.	Doreen Gomez of Evangeline P Gomez Tre	September 22, 2022	Owner mailed a check and paid invoice	Full waiver of late fees	\$61.50	\$61.50	None
2 45 Grove St.	Deena Love and Jon Stiles	August 25, 2022	Owner did not receive invoice	Full waiver of late fees	\$61.50	\$61.50	None
3 1510 Lincoln Ave.	Anna Phung	August 31, 2022	Owner did not receive invoice	Partial Waiver to the 10% penalty level	\$123.50	\$98.80	\$24.70
4 2834 Shane Dr.	Soo Wah Tong	August 17, 2022	Owner did not receive invoice	Full waiver of late fees	\$61.50	\$61.50	None
5 4221 Cutting Blvd. & 3812 Ohio Ave.	Herbert A. Brown Sr	September 19, 2022	Owner did not receive invoice	Partial Waiver to the 10% penalty level	\$247.00	\$197.60	\$49.40
6 5118 Garvin Ave.	Lawrene Lee and May Louie	September 6, 2022	Owner mailed a check and paid invoice	Full waiver of late fees	\$61.50	\$61.50	None

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To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation

Date: October 19, 2022

Late Fee Waiver Recommendations Pursuant to Regulation 425

As required by Regulation 425, the Executive Director or 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 October 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)
Doreen Gomez of Evangeline P Gomez Tre	September 22, 2022	Owner mailed a check and paid invoice	Full waiver of late fees	\$61.50	\$61.50	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 their request, dated September 22, 2022, (Attachment 1) Doreen Gomez of Evangeline P Gomez Tre, the property owners at 25 3rd St., indicated that "previously submitted payment did not clear her bank and she was not aware it did not post to her account" (Attachment 2). A payment was made for current and prior fiscal year fees when it was discovered the check was not cashed (Attachment 3 - Registration Fee Payment Received).

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, Doreen Gomez of Evangeline P Gomez Tre had paid timely during the last (4) four fiscal years.

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.*

The Contra Costa County record indicates that 25 3rd St. is a Residential Single Family built in 1911. (Attachment 4 - Parcel Quest Report). Doreen Gomez of Evangeline P Gomez Tre paid the unpaid fees (minus late fees) on September 21, 2022 (Attachment 3 - Registration Fee Payment Received) and had enrolled the property with the Richmond Rent Program (Attachment 5 - Property Enrollment form). Doreen Gomez

claims “previously submitted payment did not clear her bank and she was not aware it did not post to her account” (Attachment 2). A payment was made for current and prior fiscal year fees when it was discovered the check was not cashed (Attachment 3 - Registration Fee Payment Received). Doreen Gomez of Evangeline P Gomez Tre has demonstrated a Good Cause that warrants a waiver of late fees with timely paid invoices during the last (4) four fiscal years.

Staff Recommendation

Doreen Gomez of Evangeline P Gomez Tre has shown good faith efforts to come into compliance by contacting the Rent Program to inquire about the invoices (Attachment 6), paying the unpaid Rental Housing Fees due, and submitted a Property Enrollment form. Considering these factors, staff recommend that a full waiver of late fees, in the amount of \$61.50 be granted.

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Request to Remove Late Fees

**ITEM F-5 - #1
ATTACHMENT 1**

Property Owner Name: GOMEZ EVANGELINA P TRE

FRJC #: _____

Property Owner Phone Number or Email: _____

The Property Owner has requested the removal of late fees on their account totaling \$ 61.50 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: Payment for FY 2021-2022 made in good faith but CHECK #2960 dd 8-4-2021 appears to have never been processed.

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: 09 / 22 / 2022

Printed Name: Evangelina P. Gomez by D.E. Gomez

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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Fred Tran

From: Ramona Howell
Sent: Wednesday, October 5, 2022 4:04 PM
To: Mónica Bejarano; Fred Tran; Nicolas Traylor
Cc: Julie Mendoza; Moises Serano; Cynthia Shaw
Subject: LATE FEE WAIVER REQUEST - DOREEN GOMEZ (OF EVANGELINA P. GOMEZ TRE)
Attachments: LATE FEE WAIVER - EVANGILINE GOMEZ TRE. - RC538360021 9.22.22.zip

Good afternoon, everyone:

Attached is the Late fee Waiver Request dated September 21, 2022, that we have received Doreen Gomez of Evangeline P Gomez Tre., who is the Property Owner of **25 3rd Street**. Here are some of the details of the property:

1. 25 3rd Street is a Single-Family Dwelling with one dwelling unit built in 1911 and is part of a family trust.
2. A phone appointment was had with Ms. Doreen Gomez on September 21 , 2022.
 - In this appointment she stated that she had recently received our Residential Rental Housing Fee Invoice with FY21-22 fees with late fees attached to it and was under the impression that it was paid because she sent the payment in and did not realize it had not cleared her account.
 - She was told that the late fees could temporarily be removed so she could make the base payment, but that afterwards she would need to submit a late fee waiver request and make sure that the property remains in compliance.
3. On September 22, 2022, Ms. Gomez submitted the attached Late Fee Waiver Request and checked off that her reason for requesting a Late Fee Waiver was due to “previously submitted payment did not clear her bank and she was not aware it did not post to her account.”
 - In our system, we did not note receiving the check specified in the AEC record, but the check may have gone directly to the Finance Dept or been lost in transition to our offices.
4. Payment for the base Residential Rental Housing Fees for Fiscal Years 2021-2022, and 2022-2023 was mailed on the same day we spoke on 09/21 /22 was processed in our office and forwarded to Finance on 10/05/2022.
5. The Owner’s record in our system does show a fee for FY2020/2021 was paid with a late fee undisputed.

Recommendation: Taking in consideration that the owner has paid all previous fiscal year fees and has enrolled as required prior to this instance. The owner has recorded in her records the specific check number, amount, and date of sending a payment to us to make sure she did not have late fees again, I would recommend a late fee waiver request be granted.

In this email I have attached a compressed folder with the following documents:

1. Late Fee Waiver Request submitted September 22, 2022
2. Parcel Quest Report

3. Invoice with Late Fees
4. Post-dated envelope of payment made September 21, 2022
5. Trakit chronology note of receiving check in office and forwarding to Finance for FY22-23 fees.
6. Property Enrollment form submitted.

Please do not hesitate to contact me should you require any additional information. Thank you!

Sincere Appreciation,

Ramona Howell

Administrative Aide

Billing & Registration Unit

440 Civic Center Plaza, Suite 200 | Richmond, CA 94804

(510) 234-RENT (7368) (main) | (510) 620-6514 (direct)

<https://etrakit.ci.richmond.ca.us>

www.richmondrent.org / **[Subscribe to the Rent Program Listserv](#)**

*The Rent Program is now on **Facebook** and **Instagram** - follow us to stay in touch!*

BEWARE! WIRE FRAUD IS ON THE RISE Accepting wire & disbursement instructions via email can be dangerous, especially changes to those instructions. Always verify by calling the originator of the email!

ation #: RC538360021

ITEM F-5 -#1
ATTACHMENT 3

Information Registration #: RC538360021 Expiration: 12/31/2020

Name: GOMEZ EVANGELINA P TRE

Type: RENT CONTROL PROGRAM

Category: LANDLORD

Status: ENROLLED

SSN:

Address:

City, State, Zip:

Website:

Notes



AEC Record #: RC538360021
Owner: EVANGELINA GOMEZ
User ID: RH1
Type: PAYMENT RCVD
Staff: JULIE MENDOZA

New Notes:

Registration #: 40011264 Lic. Exp: 12/31/2021 2nd

Owner: EVANGELINAGOMEZ

Action Type	Staff Name	Action Date	Completion Date
PAYMENT RCVD	JULIE MENDOZA	10/05/2022	10/05/2022
RECEIVED	RAMONA HOWELL	09/22/2022	09/22/2022



LIST 1
DETAIL

1 Property Address: 25 3RD ST RICHMOND CA 94801-3563

Ownership

County: **CONTRA COSTA, CA**
Assessor: **GUS KRAMER, ASSESSOR**
Parcel # (APN): **538-360-021-9**
Parcel Status:
Owner Name: **GOMEZ EVANGELINA P TRE**
Mailing Address: [REDACTED]
Legal Description: **CITY OF RICHMOND LOT 13 POR LOT 12 BLK 9**

Assessment

Total Value: **\$19,474** Use Code: **14** Use Type: **RESID. SINGLE FAMILY**
Land Value: **\$10,624** Tax Rate Area: **008-133** County Zoning Code:
Impr Value: **\$8,850** Year Assd: **2022** Census Tract: **3770.00/4**
Other Value: Property Tax: Price/SqFt:
% Improved: **45%** Delinquent Yr:
Exempt Amt: HO Exempt: **N**

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	09/17/2007	05/15/1973	04/06/1973	09/17/2007
Document Number:	261774	6945-222	6908-168	261774
Document Type:				
Transfer Amount:				
Seller (Grantor):				

Property Characteristics

Bedrooms:	2	Fireplace:		Units:	
Baths (Full):	1	A/C:		Stories:	
Baths (Half):		Heating:		Quality:	
Total Rooms:	6	Pool:		Building Class:	
Bldg/Liv Area:	820	Park Type:	GARAGE	Condition:	
Lot Acres:	0.104	Spaces:		Site Influence:	
Lot SqFt:	4,560	Garage SqFt:	200	Timber Preserve:	
Year Built:	1911			Ag Preserve:	
Effective Year:	1901				

City of Richmond Rent Program FRJC Registration#: RC538360021
2018 INITIAL PROPERTY ENROLLMENT FORM
 Access a fillable PDF at richmondrent.org/enroll



**A separate enrollment form must be completed for each parcel with at least one Rental Unit (Regulation 402)
 IF THIS PROPERTY IS NOT A RENTAL, PLEASE CALL 510-234-RENT (7368)**

Property Ownership Status (Required)	Rental Property Street Address: <u>25 3Rd St</u> ITEM F-5 -#1 City: <u>Richmond</u> State: <u>CA</u> ZIP: <u>94801-3563</u> ATTACHMENT 5 Parcel Number: <u>5 3 8 - 3 6 0 - 0 2 1</u> Does the person or entity to whom this mailing was addressed hold title to the property above? <input checked="" type="checkbox"/> YES → please complete Steps A-D <input type="checkbox"/> NO → please enter the New Property Owner's information below (if known) and send this form back to the Richmond Rent Program (address located on the bottom left of this page) <u>New Property Owner's Information</u> Name (first, last): _____ Mailing Address: _____ City: _____ State: _____
---------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

A: Who holds title? (Required) <i>ALL Owners must be on title; attach additional sheets as necessary if there are more than 2</i> *Bus. = Business	<u>Owner 1 Information</u> Name (first, last): <u>Evangelina Gomez</u> Ownership % : <u>100</u> Bus. Mailing Address: [REDACTED] City: [REDACTED] Bus. Phone: [REDACTED] If Owner is a trust, LLC, corporation or business partnership, enter the name of the trustee, managing member, CEO or responsible party below. Name: <u>N/A</u> Title: <u>N/A</u> <u>Owner 2 Information</u> Name (first, last): _____ Ownership % (if any): _____ Bus. Mailing Address: _____ City: _____ State: _____ ZIP: _____ Bus. Phone Number: _____ Bus. Email Address: _____ If Owner is a trust, LLC, corporation or business partnership, enter the name of the trustee, managing member, CEO or responsible party below. Name: _____ Title: _____
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

B: Who do you authorize to sign Rent Program documents for you? (Optional):	<p align="center">AUTHORIZE AN AGENT OR PROPERTY MANAGER (OPTIONAL)</p> Declaration: I am the owner of the property identified above. I hereby authorize and appoint the following agent to complete and execute, under penalty of perjury, the Richmond Rent Program Enrollment, Termination of Tenancy and Rent Increase forms for this property. I agree to be bound by each document filed by this person to the same extent as if I had completed the document and executed it under penalty of perjury myself. Name (if any): _____ Company Agent Name: _____ Bus. Mailing Address: _____ City: _____ State: _____ ZIP: _____ Bus. Phone Number: _____ Bus. Email Address: _____ Owner Signature (Required): <u>Evangelina Gomez</u>
------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

TURN TO PAGE 2 ↓

C:
Rent
Program
Mail

Where would you like us to send Rent Program notifications and statements? (Check ONE)

- Owner 1 Business Mailing Address Owner 2 Business Mailing Address
 Authorized Agent or Property Manager Business Mailing Address

Would you like to have your email added to our Rent Program Listserv? Yes No

D:
What is the
Status of
each Rental
Unit?
(Required:)

Refer to the
table below
for
clarification
on Unit Type
and Status
Code)

Total # of Dwelling Units: 1

Indicate your Property Type (CHECK ONE)

- Multi-unit (2+ units) constructed BEFORE February 1, 1995
 Multi-unit (2+ units) constructed AFTER February 1, 1995
 Single-Family Home or Condominium
 Rooming and Boarding House or SRO (Single Room Occupancy) Building Rental Property
 Any permitted small, second housing unit built in compliance with the Small, Second Unit Ordinance of the City of Richmond (RMC 15.04.810).
 Other: _____

**ITEM F-5 -#1
ATTACHMENT 5**

If the
property has
more than 5
units
complete
Section D
(Part 2)

Unit Address	Unit Status Code LIST ALL THAT APPLY <i>See Codes Below</i>	Date Tenancy Started (mm/dd/yyyy)
1234 MAIN ST. APT. A (example)	SEC 8, CR	1/1/2018
-25 3rd Street	CR	

Unit Status Codes

- [SEC 8] Governmentally-Subsidized Rental Housing: Section 8 Subsidy (Project-Based or Tenant-Based)
[LIHTC] Governmentally-Subsidized Rental Housing: Low Income Housing Tax Credits (LIHTC)
[GOVT. OTH.] Governmentally-Subsidized Rental Housing: Other form of subsidy specify: _____
[BMR] Owner/developer entered into a regulatory agreement w/ a Governmental Agency that restricts the amount of Rent that may be charged
[CR] Unit is Currently Rented
[AFR] Unit is Available for Rent but is not rented
[NAR] Not Available for Rent; Will not be on the Rental Market at any period between July 1, 2018 - June 30, 2019
[OWN OCCPD] Unit is occupied by an Owner of record
[RENT FREE] Unit is occupied by a Tenant under an agreement in which no rent or anything else given in lieu of rent is collected for the use and occupancy of the Rental Unit
[OTHER] Specify: _____

**Declaration
and
Signature**

The undersigned does hereby declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

This form has been completed and signed by (check one):

- Owner on Title Property Manager / Authorized Agent

Signature: Evangelina S Gomez Print: Evangelina P. Gomez

Date (mm/dd/yyyy): / /



RENTAL HOUSING FEE INVOICE

INVOICE DATE: August 22, 2022

Property Owner/Landlord Mailing Address

GOMEZ EVANGELINA P TRE



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 538360021.

FRJC Registration#: RC538360021

Page 1 of 1

APN/Situs Address	Applicable Fiscal Year	Amount Due
RC17-25883 / 538-360-021-9 / 25 3RD ST	FY 2021-2022	123.00
RC17-25883 / 538-360-021-9 / 25 3RD ST	FY 2022-2023	127.00
RC17-25883 / 538-360-021-9 / 25 3RD ST / LATE FEES	PRIOR LATE FEE	61.50

AMOUNT DUE if paid by: September 26, 2022 **311.50**

AMOUNT DUE if paid after: September 26, 2022 :	311.50 + 12.70 10% Late Fee FY 22-23 FEES	324.20
AMOUNT DUE if paid after: October 26, 2022 :	311.50 + 31.75 25% Late Fee FY 22-23 FEES	343.25
AMOUNT DUE if paid after: November 25, 2022 :	311.50 + 63.50 50% Late Fee FY 22-23 FEES	375.00

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://etrakit.ci.richmond.ca.us (2) Login using the <i>Contractor/Landlord</i> dropdown menu and finding your name (3) Your password is set XXXXXXXXXX Amount Due: \$311.50	(1) Make payable to "City of Richmond" (2) Write your FRJC Number in the memo line FRJC XXXXXXXXXX (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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To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation

Date: October 19, 2022

Late Fee Waiver Recommendations Pursuant to Regulation 425

As required by Regulation 425, the Executive Director or 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.

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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)
Deena Love and Jon Stiles	August 25, 2022	Owner did not receive invoice	Full waiver of late fees	\$61.50	\$61.50	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 their request, dated August 25, 2022, (Attachment 1) Deena Love, the property owner, at 45 Grove St., indicated that the reason for paying late was that the owner did not receive an invoice, current and prior Fiscal Year fees (Attachment 2 – Rental Housing Fee Invoice).

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, Deena Love had paid timely during the last (4) four fiscal years.

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.*

Contra Costa County records show that 45 Grove St. is a Residential Single Family built in 1941. (Attachment 3 - Parcel Quest Report). Deena Love 45 Grove St purchased 45 Grove St. in June 2010. Deena Love paid the unpaid fees (minus late fees) on September 13, 2022 (Attachment 4 - Receipt of Payment) and enrolled the property with the Richmond Rent Program on August 25, 2022 (Attachment 5 - Property Enrollment form). Based on the above-mentioned facts, Deena Love claims the invoice was not receive in prior year and therefore not able to pay the invoice. Deena Love has demonstrated a Good Cause that warrants a waiver of late fees with timely paid invoices during the last (4) four fiscal years.

Staff Recommendation

Deena Love has shown good faith efforts to come into compliance, by contacting the Rent Program to inquire about her invoice, paying the unpaid Rental Housing Fees due, and submitting the Property Enrollment form for the property. Considering these factors, staff recommend that a full waiver of late fees, in the amount of \$61.50 be granted.

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Request to Remove Late Fees

Property Owner Name: Deena Love
FRJC #: [Redacted]
Property [Redacted]

ITEM F-5 #2
ATTACHMENT 1

The Property Owner has requested the removal of late fees on their account totaling \$ 61.50 for the following reason:

- [X] 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...
[] Hospitalizations or medical treatments of the Landlord or Landlord's family...
[] The landlord was billed for a fewer number of units because of errors in property records...
[] 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...
[] The determination of whether or not the property was subject to the Ordinance required an analysis...
[] The property owner was unable to collect some or all of the rent due to the COVID-19 pandemic...
[] 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: Deena Love Date: 8/25/2022

Printed Name: Deena Love

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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City of Richmond Rent Program

440 Civic Center Plaza, 2nd Floor; Richmond CA 94804
www.richmondrent.org
510-234-RENT (7368)

RENTAL HOUSING FEE INVOICE

INVOICE DATE: August 15, 2022

Property Owner/Landlord Mailing Address

LOVE DEENA
[REDACTED]
[REDACTED]

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 515370003.

FRJC Registration#: RC515370003

Page 1 of 1

APN/Situs Address	Applicable Fiscal Year	Amount Due
RC17-33562 / 515-370-003-3 / 45 GROVE ST	FY 2021-2022	123.00
RC17-33562 / 515-370-003-3 / 45 GROVE ST	FY 2022-2023	127.00
RC17-33562 / 515-370-003-3 / 45 GROVE ST / LATE FEES	PRIOR LATE FEE	61.50

AMOUNT DUE if paid by: September 19, 2022 311.50

AMOUNT DUE if paid after: September 19, 2022 :	311.50 + 12.70 10% Late Fee FY 22-23 FEES	324.20
AMOUNT DUE if paid after: October 19, 2022 :	311.50 + 31.75 25% Late Fee FY 22-23 FEES	343.25
AMOUNT DUE if paid after: November 18, 2022 :	311.50 + 63.50 50% Late Fee FY 22-23 FEES	375.00

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://etrakit.ci.richmond.ca.us (2) Login using the <i>Contractor/Landlord</i> dropdown menu and finding your name (3) Your password is set to [REDACTED] Amount Due: \$311.50	(1) Make payable to "City of Richmond" (2) Write your FRJC Number in the memo line FRJC # [REDACTED] (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.

FRJC Registration#: [REDACTED]

COR_RC_FY_INVOICE.rpt

1 Property Address: 45 GROVE ST RICHMOND CA 94804-1917

Ownership

County: **CONTRA COSTA, CA**
 Assessor: **GUS KRAMER, ASSESSOR**
 Parcel # (APN): **515-370-003-3**
 Parcel Status:
 Owner Name: **LOVE DEENA STILES JON**
 Mailing Address: [REDACTED]
 Legal Description: **METROPOLITAN SQUARE LOT 294**

Assessment

Total Value: \$145,955	Use Code: 11	Use Type: RESID. SINGLE FAMILY
Land Value: \$97,305	Tax Rate Area: 008-133	County Zoning:
Impr Value: \$48,650	Year Assd: 2022	Census Tract: 3810.00/3
Other Value:	Property Tax:	Price/SqFt: \$40.04
% Improved: 33%	Delinquent Yr:	
Exempt Amt:	HO Exempt: N	

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	07/16/2010	06/11/2010	04/20/2010	07/16/2010
Document Number:	142894	116946	77647	142894
Document Type:	GRANT DEED	GRANT DEED		
Transfer Amount:	\$40,000	\$120,000		
Seller (Grantor):				

Property Characteristics

Bedrooms:	2	Fireplace:		Units:	
Baths (Full):	1	A/C:		Stories:	
Baths (Half):		Heating:		Quality:	
Total Rooms:	5	Pool:		Building Class:	
Bldg/Liv Area:	999	Park Type:	GARAGE	Condition:	AVERAGE
Lot Acres:	0.094	Spaces:	2	Site Influence:	
Lot SqFt:	4,100	Garage SqFt:	456	Timber Preserve:	
Year Built:	1941			Ag Preserve:	
Effective Year:	1943				



CITY OF RICHMOND

450 CIVIC CENTER PLAZA • RICHMOND, CA 94804
(510) 620-6868

Printed: October 03, 2022

Receipt Number: MULTI13451

Permit Number: [REDACTED]

Permit Type: RENT CONTROL / JUST CAUSE

Site Address: 45 GROVE ST

Applicant: LOVE DEENA

Owner: LOVE DEENA

Contractor:

Job Description: 45 GROVE ST

FEES PAID

11850065340445

1	RENT PROG PARTIALLY COVERED & GOV 11850065340445	\$127.00
1	RENT PROG PARTIALLY COVERED & GOV 11850065340445	\$123.00

Total Fees for Account 11850065340445: \$250.00

Total Fees Paid: \$250.00

Date Paid: Tuesday, September 13, 2022

Paid By: DEENA LOVE

Pay Method: CHECKS 5034

Received By: TRACY WALKER

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City of Richmond Rent Program
PROPERTY ENROLLMENT FORM

ITEM F-5 #2
ATTACHMENT 5



This form may be completed online at richmondrent.org/enroll

A separate enrollment form must be completed for each parcel with at least one Rental Unit (Regulation 402)

IF THIS PROPERTY IS NOT A RENTAL, PLEASE CALL 510-234-RENT (7368)

Property
Ownership
Status
(Required)

Rental Property Street Address: 45 Grove Street
City: Richmond State: CA ZIP: 94804
Parcel Number: 515-370-003

Does the person or entity to whom this mailing was addressed hold title to the property above?

YES → please complete Steps A-D

NO → please enter the New Property Owner's information below (if known) and send this form back to the Richmond Rent Program (address located on the bottom left of this page)

New Property Owner's Information

Name (first, last): _____ Phone Number: _____
Mailing Address: _____
City: _____ State: _____ ZIP: _____

A:
Who holds
title?
(Required)

Owner 1 Information (Individual, Trust, LLC, etc.)

Name (first, last): Deena Love / Jon Stiles Ownership %: Joint

Bus. Mailing Address: _____
City: _____

ALL Owners
must be on
title; attach
additional
sheets as
necessary if
there are
more than 2
owners

Bus. Phone Number: _____
Enter the name of the trustee, managing member, CEO or responsible party below if the Owner is a trust, LLC, corporation or business partnership.

Name: _____ Title: _____

Owner 2 Information (Individual, Trust, LLC, etc.)

Name (first, last): _____ Ownership % (if any): _____

Bus. Mailing Address: _____
City: _____ State: _____ ZIP: _____

*Bus. = Business

Bus. Phone Number: _____ Bus. Email Address: _____

Enter the name of the trustee, managing member, CEO or responsible party below if the Owner is a trust, LLC, corporation or business partnership.

Name: _____ Title: _____

AUTHORIZE AN AGENT OR PROPERTY MANAGER (OPTIONAL)

B:
Who do you
authorize to
sign Rent
Program
documents
for you?
(Optional)

Declaration: I am the owner of the property identified above. I hereby authorize and appoint the following agent to complete and execute, under penalty of perjury, the Richmond Rent Program Enrollment, Termination of Tenancy and Rent Increase forms for this property. I agree to be bound by each document filed by this person to the same extent as if I had completed the document and executed it under penalty of perjury myself.

Company Name (if any): _____ Agent Name: _____

Bus. Mailing Address: _____

City: _____ State: _____ ZIP: _____

Bus. Phone Number: _____ Bus. Email Address: _____

Owner Signature (Required): _____

TURN TO PAGE 2 ↓

PLEASE RETURN TO:
440 Civic Center Plaza, Suite 200
Richmond, CA 94804

(510) 234-RENT (7368)
rent@cl.richmond.ca.us

STAFF USE ONLY:
Date: _____ Initials: _____

**C:
Rent
Program Mail**

Where would you like us to send Rent Program notifications and statements? (Check ONE)
 Owner 1 Business Mailing Address Owner 2 Business Mailing Address
 Authorized Agent or Property Manager Business Mailing Address
 Would you like to have your email added to our Rent Program Listserv? Yes No

**D:
What is the
Status of
each Rental
Unit?
(Required)**

Total # of Dwelling Units: 1
 Indicate your Property Type (CHECK ONE)
 Multi-unit (2+ units) constructed BEFORE February 1, 1995
 Multi-unit (2+ units) constructed AFTER February 1, 1995
 Single-Family Home or Condominium
 Rooming and Boarding House or SRO (Single Room Occupancy) Building Rental Property
 City of Richmond Building and Planning Department has issued a valid legal permit recognizing a Dwelling Unit as an Accessory Dwelling Unit (ADU)
 Other: _____

Refer to the table below for clarification Unit Status Code

List all the units on the parcel. If more space is needed, complete Section D (Part 2)

Unit Address	Unit Status Code LIST ALL THAT APPLY <i>See Codes Below</i>	Date Tenancy Started (mm/dd/yyyy)
<i>1234 Main Street (Example)</i>	CR	01/01/2018
45 Grove Street	CR	08/01/2010

* To claim this unit status, you must have an approved administrative determination. Please contact the Rent Program for more information.

Unit Status Codes
 [SEC 8] Governmentally-Subsidized Rental Housing: Section 8 Subsidy (Project-Based or Tenant-Based)
 [LIHTC] Governmentally-Subsidized Rental Housing: Low Income Housing Tax Credits (LIHTC)
 [GOVT. OTH.] Governmentally-Subsidized Rental Housing: Other form of subsidy *specify:* _____
 [BMR] Owner/developer entered into a regulatory agreement w/ a Governmental Agency that restricts the amount of Rent that may be charged
 [CR] Unit is Currently Rented
 [AFR] Unit is Available for Rent but is not rented
 *[NAR] Unit is Not Available for Rent; Will not be on the Rental Market at any period during the Fiscal Year July 1 - June 30
 *[OWN OCCPD] Unit is occupied by an Owner of record
 *[IRENT FREE] Unit is occupied by a Tenant under an agreement in which no rent or anything else given in lieu of rent is collected for the use and occupancy of the Rental Unit
 [OTHER] Specify: _____

Declaration and Signature

The undersigned does hereby declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 This form has been completed and signed by (check one):
 Owner on Title Property Manager / Authorized Agent
 Signature: Deena Love Print: Deena Love
 Date (mm/dd/yyyy): 8 125 2022



To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation

Date: October 19, 2022

Late Fee Waiver Recommendations Pursuant to Regulation 425

As required by Regulation 425, the Executive Director or 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 October 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)
Anna Phung	August 31, 2022	Owner did not receive invoice	Partial Waiver to the 10% penalty level	\$123.50	\$98.80	\$24.70

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 their request, dated August 31, 2022, (Attachment 1) Anna Phung, the property owner at 1510 Lincoln Ave., indicated that the reason for paying late was that the invoice (Attachment 2 – Rental Housing Fee Invoice) was sent to the wrong mailing address. Upon investigating this claim, staff found the following (Attachment 3 - Email from Moises Serano, Rent Program Administrative Aide):

- On September 1, 2022, Ms. Phung submitted the attached Late Fee Waiver Request (Attachment 1) and checked off that her reason for requesting a Late Fee Waiver was due to a “Wrong Mailing Address.”
 - The mailing address in the system was [REDACTED] (no Property Enrollment form was submitted indicating a different mailing address).
- On September 1, 2022, Ms. Phung submitted the attached Property Enrollment form (Attachment 4). Prior to this submission, it doesn’t appear that our offices received any other Property Enrollment form.
 - The Property Enrollment form updated the mailing address to 279 22nd Ave, San Francisco, CA 94121.
- The base Residential Rental Housing Fees for Fiscal Years 2020-2021, 2021-2022, and 2022-2023 were all paid on September 20, 2022 (Attachment 5).
- Upon further research, in March 2020 a late fee waiver had been submitted to the Program and approved (Attachment 6). The reason for the submittal was also “Wrong Mailing Address.”

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, timely payments were not made during the last two fiscal years, foreclosing the possibility of a ministerial 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.*

Owners of a rental property in Richmond are required to update their mailing address when it changes by submitting an Amended Property Enrollment form. Therefore, the failure to remit a timely payment was not due to a Rent Program billing error, such as an incorrect address, an incomplete invoice, or an invoice sent to an incorrect owner. Since the billing issue was not the result of a Rent Program billing error, but rather the result of the owner not updating the mailing address with the Rent Program, their claim of having Good Cause is weak.

Contra Costa County records show that 1510 Lincoln Ave. is a Residential Single Family built in 1947 (Attachment 7 - Parcel Quest Report) with the prior mailing address.

Staff Recommendation

Anna Phung did show good faith in her efforts to come into compliance, by contacting the Rent Program to inquire about the invoice, updating the mailing address with the Rent Program, and paying all past fees due (minus late fees). Staff recommends a partial waiver of the late fees pursuant to Rent Board Regulation 425 G (3). Regulation 425 G (3) requires that if there was one late fee waiver request granted in the prior three fiscal years, the late fee assessment shall be reduced to at least a 10% percent assessment. Since a late fee waiver was previously granted for 1510 Lincoln Ave. in fiscal year 2019-20 (Attachment 6 – Prior Fiscal Year Late Fee Waiver Approved), a 10% late fee penalty of \$24.70 should be assessed.

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Request to Remove Late Fees

ITEM F-5 #3 ATTACHMENT 1

Property Owner Name: Anna Phung
FRJC #: [Redacted]
Property Owner P [Redacted]

The Property Owner has requested the removal of late fees on their account totaling \$ 123,50 for the following reason:

- Wrong Mailing Address
Owner believed property was exempt from the Rent Ordinance
Financial hardship, caused by circumstances beyond the Landlord's control...
Hospitalizations or medical treatments of the Landlord or Landlord's family...
The landlord was billed for a fewer number of units because of errors in property records...
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...
The determination of whether or not the property was subject to the Ordinance...
The property owner was unable to collect some or all of the rent due to the COVID-19 pandemic...
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: Anna Phung Date: 8/31/2022
Printed Name: Anna Phung

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: / /



City of Richmond Rent Program

440 Civic Center Plaza, 2nd Floor; Richmond CA 94804
www.richmondrent.org
510-234-RENT (7368)

RENTAL HOUSING FEE INVOICE

INVOICE DATE: August 22, 2022

Property Owner/Landlord Mailing Address

PHUNG ANNA HUE MI
[REDACTED]

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 529030002.

FRJC Registration#: RC529030002

Page 1 of 1

APN/Situs Address	Applicable Fiscal Year	Amount Due
RC17-33633 / 529-030-002-8 / 1510 LINCOLN AVE	FY 2020-2021	124.00
RC17-33633 / 529-030-002-8 / 1510 LINCOLN AVE	FY 2021-2022	123.00
RC17-33633 / 529-030-002-8 / 1510 LINCOLN AVE	FY 2022-2023	127.00
RC17-33633 / 529-030-002-8 / 1510 LINCOLN AVE / LATE FEES	PRIOR LATE FEE	123.50

AMOUNT DUE if paid by: September 26, 2022 497.50

AMOUNT DUE if paid after: September 26, 2022 :	497.50 + 12.70 10% Late Fee FY 22-23 FEES	510.20
AMOUNT DUE if paid after: October 26, 2022 :	497.50 + 31.75 25% Late Fee FY 22-23 FEES	529.25
AMOUNT DUE if paid after: November 25, 2022 :	497.50 + 63.50 50% Late Fee FY 22-23 FEES	561.00

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://etrakit.ci.richmond.ca.us (2) Login using the <i>Contractor/Landlord</i> dropdown menu and finding your name (3) Your password is set to [REDACTED] Amount Due: \$497.50	(1) Make payable to "City of Richmond" (2) Write your FRJC Number in the memo line FRJC # [REDACTED] (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.

FRJC Registration#: [REDACTED]

COR_RC_FY_INVOICE.rpt

Fred Tran

From: Moises Serano
Sent: Friday, September 30, 2022 5:52 PM
To: Nicolas Traylor; Fred Tran; Mónica Bejarano
Cc: Ramona Howell; Julie Mendoza
Subject: Late Fee Waiver Request - 1510 Lincoln Ave - RC529030002
Attachments: LFW - 012 - Anna Phung.zip

Good afternoon Everyone,

Attached is the Late fee Waiver Request dated August 31, 2022, that we have received from Anna Phung, who is the Property Owner of 1510 Lincoln Ave. Here are some of the details of the property:

- 1510 Lincoln Ave is a Single-Family Dwelling with one dwelling unit built in 1947
- A phone appointment was had with Ms. Phung on August 29, 2022.
 - In this appointment she stated that she had recently received our Residential Rental Housing Fee Invoice with late fees attached to it and wanted to see if it would be possible to have the late fees waived.
 - She was told that the late fees could temporarily be removed so she could make the base payment, but that afterwards she would need to submit a late fee waiver request and make sure that the property is in compliance (fees paid and property enrolled).
- On September 1, 2022, Ms. Phung submitted the attached Late Fee Waiver Request and checked off that her reason for requesting a Late Fee Waiver was due to a “Wrong Mailing Address.”
 - In our system, we had the mailing address listed as [REDACTED] because we did not have any Property Enrollment form listing a different mailing address.
- On September 1, 2022, Ms. Phung submitted the attached Property Enrollment form. Prior to this submission, it doesn’t appear that our offices received any other Property Enrollment form.
 - In this Property Enrollment form, the updated mailing address was listed as 279 22nd Ave, San Francisco, CA 94121
- The base Residential Rental Housing Fees for Fiscal Years 2020-2021, 2021-2022, and 2022-2023 were all paid on September 20, 2022.
- I looked into this Owner’s record in our system and discovered that back in March 2020, a late fee waiver was also submitted and approved. The reason checked off on that late fee waiver also states, “Wrong Mailing Address.”

Recommendation: given that she had a late fee waiver request granted within the last three fiscal years, the late fees should be reduced to at least the 10% assessment as described in Chapter 4 of the Richmond Rent Board Regulations, Regulation 425(G). The reason why the Rent Program’s database did not have an updated mailing address was because a Property Enrollment form with the correct mailing address had not been filed with us until recently.

In this email I have attached a compressed folder with the following documents:

1. Late Fee Waiver Request submitted September 1, 2022
2. ParcelQuest Report
3. Invoice with Late Fees
4. Receipt for Payment made September 20, 2022
5. Property Enrollment form submitted
6. Approved Late Fee Waiver Request dated March 2, 2020

Please do not hesitate to contact me should you require any additional information. 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

BEWARE! WIRE FRAUD IS ON THE RISE Accepting wire & disbursement instructions via email can be dangerous, especially changes to those instructions. Always verify by calling the originator of the email!

City of Richmond Rent Program
PROPERTY ENROLLMENT FORM

ITEM F-5 #3
ATTACHMENT 4



This form may be completed online at richmondrent.org/enroll

A separate enrollment form must be completed for each parcel with at least one Rental Unit (Regulation 402)
IF THIS PROPERTY IS NOT A RENTAL, PLEASE CALL 510-234-RENT (7368)

Property Ownership Status
(Required)

Rental Property Street Address: 1510 Lincoln
City: Richmond State: CA ZIP: _____
Parcel Number: _____

Does the person or entity to whom this mailing was addressed hold title to the property above?

- YES → please complete Steps A-D
 NO → please enter the New Property Owner's information below (if known) and send this form back to the Richmond Rent Program (address located on the bottom left of this page)

New Property Owner's Information

Name (first, last): _____ Phone Number: _____
Mailing Address: _____
City: _____ State: _____ ZIP: _____

A: Who holds title?
(Required)

Owner 1 Information (Individual, Trust, LLC, etc.)

Name (first, last): Anna Phung Ownership % : _____

Bus. Mailing

City: _____

Bus. Phone

Enter the name of the trustee, managing member, CEO or responsible party below if the Owner is a trust, LLC, corporation or business partnership.

Name: _____ Title: _____

Owner 2 Information (Individual, Trust, LLC, etc.)

Name (first, last): _____ Ownership % (if any): _____

Bus. Mailing Address: _____

City: _____ State: _____ ZIP: _____

Bus. Phone Number: _____ Bus. Email Address: _____

Enter the name of the trustee, managing member, CEO or responsible party below if the Owner is a trust, LLC, corporation or business partnership.

Name: _____ Title: _____

B: Who do you authorize to sign Rent Program documents for you?
(Optional)

AUTHORIZE AN AGENT OR PROPERTY MANAGER (OPTIONAL)

Declaration: I am the owner of the property identified above. I hereby authorize and appoint the following agent to complete and execute, under penalty of perjury, the Richmond Rent Program Enrollment, Termination of Tenancy and Rent Increase forms for this property. I agree to be bound by each document filed by this person to the same extent as if I had completed the document and executed it under penalty of perjury myself.

Company Name (if any): _____ Agent Name: _____

Bus. Mailing Address: _____

City: _____ State: _____ ZIP: _____

Bus. Phone Number: _____ Bus. Email Address: _____

Owner Signature (Required): _____

TURN TO PAGE 2 ↓

**ITEM F-5 #3
ATTACHMENT 4**

C: Rent Program Mail

Where would you like us to send Rent Program notifications and statements? (Check ONE)

Owner 1 Business Mailing Address Owner 2 Business Mailing Address

Authorized Agent or Property Manager Business Mailing Address

Would you like to have your email added to our Rent Program Listserv? Yes No

D: What is the Status of each Rental Unit?
(Required)

Refer to the table below for clarification Unit Status Code

List all the units on the parcel. If more space is needed, complete Section D (Part 2)

* To claim this unit status, you must have an approved administrative determination. Please contact the Rent Program for more information.

Total # of Dwelling Units: 1

Indicate your Property Type (CHECK ONE)

Multi-unit (2+ units) constructed **BEFORE** February 1, 1995

Multi-unit (2+ units) constructed **AFTER** February 1, 1995

Single-Family Home or Condominium

Rooming and Boarding House or SRO (Single Room Occupancy) Building Rental Property

City of Richmond Building and Planning Department has issued a valid legal permit recognizing a Dwelling Unit as an Accessory Dwelling Unit (ADU)

Other: _____

Unit Address	Unit Status Code LIST ALL THAT APPLY <i>See Codes Below</i>	Date Tenancy Started <i>(mm/dd/yyyy)</i>
1234 Main Street (Example)	CR	01/01/2018
1510 Lincoln	CR	

Unit Status Codes

[SEC 8] Governmentally-Subsidized Rental Housing: Section 8 Subsidy (Project-Based or Tenant-Based)

[LIHTC] Governmentally-Subsidized Rental Housing: Low Income Housing Tax Credits (LIHTC)

[GOVT. OTH.] Governmentally-Subsidized Rental Housing: Other form of subsidy *specify:* _____

[BMR] Owner/developer entered into a regulatory agreement w/ a Governmental Agency that restricts the amount of Rent that may be charged

[CR] Unit is Currently Rented

[AFR] Unit is Available for Rent but is not rented

*[NAR] Unit is Not Available for Rent; Will **not** be on the Rental Market at any period during the Fiscal Year July 1 - June 30

*[OWN OCCPD] Unit is occupied by an Owner of record

*[RENT FREE] Unit is occupied by a Tenant under an agreement in which no rent or anything else given in lieu of rent is collected for the use and occupancy of the Rental Unit

[OTHER] Specify: _____

Declaration and Signature

The undersigned does hereby declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

This form has been completed and signed by (check one):

Owner on Title Property Manager / Authorized Agent

Signature: Anna Phung Print: Anna Phung

Date (mm/dd/yyyy): 8 / 31 / 2022

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CITY OF RICHMOND

450 CIVIC CENTER PLAZA • RICHMOND, CA 94804
(510) 620-6868

Printed: September 30, 2022

Receipt Number: MULTI13885

Permit Number: [REDACTED]

Permit Type: RENT CONTROL / JUST CAUSE

Site Address: 1510 LINCOLN AVE

Applicant: PHUNG ANNA HUE MI

Owner: PHUNG ANNA HUE MI

Contractor:

Job Description: 1510 LINCOLN AVE

FEES PAID

11850065340445

1	RENT PROG PARTIALLY COVERED & GOVT. SL 11850065340445	\$127.00
1	RENT PROG PARTIALLY COVERED & GOVT. SL 11850065340445	\$123.00
1	RENT PROG PARTIALLY COVERED & GOVT. SL 11850065340445	\$124.00

Total Fees for Account 11850065340445: \$374.00

Total Fees Paid: \$374.00

Date Paid: Tuesday, September 20, 2022

Paid By: ANNA PHUNG WONG

Pay Method: CHECKS 142985447

Received By: ILIANA NORZAGARAY

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CITY OF RICHMOND RENT PROGRAM

440 Civic Center Plaza, 2nd Floor, Richmond, CA 94804

(510) 234-RENT (7368) | www.RichmondRent.org | rent@ci.richmond.ca.us

Request to Remove Late Fees

Property Owner Name Phung Anna Hue M

FRJC # _____
Property _____

The Property Owner has requested the removal of late fees on their account totaling \$ 106.00
for the following reason:

- New owner, did not receive invoice
- Wrong mailing address
- Owner believed property was exempt from the Rent Ordinance
- OTHER: _____

Additional information:

Recently moved and did not receive invoice.
Please update mailing address.

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

[Signature]

03/02/2020

Executive Director Signature / Staff Initials

Date

440 Civic Center Plaza, 2nd Floor; Richmond CA 94804
 www.richmondrent.org
 510-234-RENT (7368)

RENTAL HOUSING FEE INVOICE

INVOICE DATE: March 02, 2020

Property Owner/Landlord Mailing Address

PHUNG ANNA HUE MI


FRJC Registration#: RC529030002

Page 1 of 1

APN/Situs Address	Applicable Fiscal Year	Amount Due
RC17-33633 / 529-030-002-8 / 1510 LINCOLN AVE	FY 2018-2019	100.00
RC17-33633 / 529-030-002-8 / 1510 LINCOLN AVE	FY 2019-2020	112.00
RC17-33633 / 529-030-002-8 / 1510 LINCOLN AVE / LATE FEES	PRIOR YEARS	50.00
RC17-33633 / 529-030-002-8 / 1510 LINCOLN AVE / LATE FEES	FY 2019-2020	56.00
AMOUNT DUE:		318.00

PAYMENT must be made 30 Days from the receipt of this invoice. Failure to pay may incur late fees and penalties. See attached summary of fees for late fee schedule and other fees applicable to residential rentals in Richmond. If you have any questions or concerns about this invoice, please contact our office.

Pay Online	Pay By Check
(1) Visit www.etrakit.ci.richmond.ca.us (2) Login using the <i>Contractor/Landlord</i> dropdown menu and finding your name (3) Your password is set to  Amount Due: 318.00	(1) Make payable to "City of Richmond" (2) Write your FRJC Number in the memo line FRJC  (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.



LIST 1
DETAIL

1 Property Address: 1510 LINCOLN AVE RICHMOND CA 94801-2438

Ownership

County: **CONTRA COSTA, CA**
Assessor: **GUS KRAMER, ASSESSOR**
Parcel # (APN): **529-030-002-8**
Parcel Status:
Owner Name: **PHUNG ANNA HUE MI**
Mailing Address: [REDACTED]
Legal Description: **ANDRADE PARK 3&4 3**

Assessment

Total Value: **\$158,727** Use Code: **11** Use Type: **RESID. SINGLE FAMILY**
Land Value: **\$55,340** Tax Rate Area: **008-001** County Zoning Code:
Impr Value: **\$103,387** Year Assd: **2022** Census Tract: **3730.00/2**
Other Value: Property Tax: Price/SqFt: **\$110.50**
% Improved: **65%** Delinquent Yr:
Exempt Amt: HO Exempt: **N**

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	05/04/2010	02/24/2010	01/10/1990	05/04/2010
Document Number:	89233	36727	15589-54	89233
Document Type:	QUIT CLAIM DEED	QUIT CLAIM DEED		
Transfer Amount:	\$130,500		\$137,500	
Seller (Grantor):				

Property Characteristics

Bedrooms:	4	Fireplace:		Units:	
Baths (Full):	1	A/C:		Stories:	2.0
Baths (Half):		Heating:		Quality:	
Total Rooms:	6	Pool:		Building Class:	
Bldg/Liv Area:	1,181	Park Type:	GARAGE	Condition:	AVERAGE
Lot Acres:	0.114	Spaces:	1	Site Influence:	
Lot SqFt:	5,000	Garage SqFt:	240	Timber Preserve:	
Year Built:	1943			Ag Preserve:	
Effective Year:	1947				

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To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation

Date: October 19, 2022

Late Fee Waiver Recommendations Pursuant to Regulation 425

As required by Regulation 425, the Executive Director or 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 October 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)
Soo Wah Tong	August 17, 2022	Owner did not receive invoice	Full waiver of late fees	\$61.50	\$61.50	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 their request, dated August 17, 2022, (Attachment 1) Soo Tong, the property owner, at 2834 Shane Dr., indicated that the reason for paying late was that the owner did not receive an invoice, current and prior Fiscal Year fees (Attachment 2 – Rental Housing Fee Invoice).

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, Soo Tong had paid timely during the last (4) four fiscal years.

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.*

Contra Costa County records show that 2834 Shane Dr. is a Residential Single Family built in 1963. (Attachment 3 - Parcel Quest Report). Soo Tong purchased 2834 Shane Dr. in April 2017. Soo Tong paid the unpaid fees (minus late fees) on September 13, 2022 (Attachment 4 - Receipt of Payment) and enrolled the property with the Richmond Rent Program on April 7, 2019 (Attachment 5 - Property Enrollment form). Based on the above-mentioned facts, Soo Tong claims the invoice was not receive in prior year and therefore not able to pay the invoice. Soo Tong has demonstrated a Good Cause that warrants a waiver of late fees with timely paid invoices during the last (4) four fiscal years.

Staff Recommendation

Soo Tong has shown good faith efforts to come into compliance, by contacting the Rent Program to inquire about her invoice, paying the unpaid Rental Housing Fees due, and submitting the Property Enrollment form for the property. Considering these factors, staff recommend that a full waiver of late fees, in the amount of \$61.50 be granted.

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Request to Remove Late Fees

Property Owner Name: TONG SOO W

FRJC #: [REDACTED]

Property C: [REDACTED]

ITEM F-5 #4 ATTACHMENT 1

The Property Owner has requested the removal of late fees on their account totaling \$ 61.50 for the following reason:

- Checked box: New Owner, did not receive invoice
Other boxes: Wrong Mailing Address, Owner believed property was exempt from the Rent Ordinance, Financial hardship, Hospitalizations or medical treatments, The landlord was billed for a fewer number of units, A previously enrolled property was not billed, An invalid or erroneous account number, The determination of whether or not the property was subject to the Ordinance, The property owner was unable to collect some or all of the rent due to the COVID-19 pandemic, 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: [Signature] Date: 8/17/22

Printed Name: TONG, SOO WAH

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: / /



RENTAL HOUSING FEE INVOICE

INVOICE DATE: August 08, 2022

Property Owner/Landlord Mailing Address

TONG SOO W
 [REDACTED]
 [REDACTED]

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 414261011.

FRJC Registration#: RC414261011

Page 1 of 1

APN/Situs Address	Applicable Fiscal Year	Amount Due
RC17-33460 / 414-261-011-4 / 2834 SHANE	FY 2021-2022	123.00
RC17-33460 / 414-261-011-4 / 2834 SHANE	FY 2022-2023	127.00
RC17-33460 / 414-261-011-4 / 2834 SHANE / LATE FEES	PRIOR LATE FEE	61.50

AMOUNT DUE if paid by: September 12, 2022 **311.50**

AMOUNT DUE if paid after: September 12, 2022 :	311.50 + 12.70 10% Late Fee FY 22-23 FEES	324.20
AMOUNT DUE if paid after: October 12, 2022 :	311.50 + 31.75 25% Late Fee FY 22-23 FEES	343.25
AMOUNT DUE if paid after: November 11, 2022 :	311.50 + 63.50 50% Late Fee FY 22-23 FEES	375.00

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
<p>(1) Visit https://etrakit.ci.richmond.ca.us</p> <p>(2) Login using the <i>Contractor/Landlord</i> dropdown menu and finding your name</p> <p>(3) Your password is set to [REDACTED]</p> <p>Amount Due: \$311.50</p>	<p>(1) Make payable to "City of Richmond"</p> <p>(2) Write your FRJC Number in the memo line FRJC [REDACTED]</p> <p>(3) Remit to: City of Richmond c/o Finance Department 450 Civic Center Plaza Richmond, CA 94804</p>

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.



LIST 1
DETAIL

1 Property Address: 2834 SHANE DR RICHMOND CA 94806-2621

Ownership

County: **CONTRA COSTA, CA**
Assessor: **GUS KRAMER, ASSESSOR**
Parcel # (APN): **414-261-011-4**
Parcel Status:
Owner Name: **TONG SOO WAH TRE**
Mailing Address: [REDACTED]
Legal Description: **TRACT 2788 LOT 109 EX MR**

Assessment

Total Value: \$448,393	Use Code: 11	Use Type: RESID. SINGLE FAMILY
Land Value: \$300,752	Tax Rate Area: 008-009	County Zoning Code:
Impr Value: \$147,641	Year Assd: 2022	Census Tract: 3671.00/2
Other Value:	Property Tax:	Price/SqFt: \$244.92
% Improved: 32%	Delinquent Yr:	
Exempt Amt:	HO Exempt: N	

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	04/17/2017			03/21/2018
Document Number:	66064			43275
Document Type:	GRANT DEED			
Transfer Amount:	\$410,000			
Seller (Grantor):				

Property Characteristics

Bedrooms: 3	Fireplace:	Units:
Baths (Full): 2	A/C:	Stories:
Baths (Half):	Heating: CENTRAL	Quality:
Total Rooms: 8	Pool:	Building Class:
Bldg/Liv Area: 1,674	Park Type: GARAGE	Condition: AVERAGE
Lot Acres: 0.137	Spaces: 2	Site Influence:
Lot SqFt: 6,000	Garage SqFt: 447	Timber Preserve:
Year Built: 1963		Ag Preserve:
Effective Year: 1963		



CITY OF RICHMOND

450 CIVIC CENTER PLAZA • RICHMOND, CA 94804
(510) 620-6868

Printed: October 03, 2022

Receipt Number: MULTI13457

Permit Number: RC17-33460

Permit Type: RENT CONTROL / JUST CAUSE

Site Address: [REDACTED]

Applicant: TONG SOO W

Owner: RANDLE LEE ANNA EST OF

Contractor:

Job Description: 2834 SHANE DR

FEES PAID

11850065340445

1	RENT PROG PARTIALLY COVERED & GOVT. SL 11850065340445	\$127.00
1	RENT PROG PARTIALLY COVERED & GOVT. SL 11850065340445	\$123.00

Total Fees for Account 11850065340445: \$250.00

Total Fees Paid: \$250.00

Date Paid: Tuesday, September 13, 2022

Paid By: SOO WAH TONG

Pay Method: CHECKS 1180

Received By: SARAH SAMBATH

City of Richmond Rent Program
2018 INITIAL PROPERTY ENROLLMENT FORM

**ITEM F-5 #4
ATTACHMENT 5**



This form may be completed online at www.richmondrent.org/enroll

**A separate enrollment form must be completed for each parcel with at least one Rental Unit (Regulation 402)
IF THIS PROPERTY IS NOT A RENTAL, PLEASE CALL 510-234-RENT (7368)**

Property Ownership Status (Required)	Rental Property Street Address: <u>2834 Shane Dr</u> City: <u>Richmond</u> State: <u>CA</u> ZIP: _____ Parcel Number: <u>414-261-011</u> Does the person or entity to whom this mailing was addressed hold title to the property above? <input type="checkbox"/> YES → please complete Steps A-D <input type="checkbox"/> NO → please enter the New Property Owner's information below (if known) and send this form back to the Richmond Rent Program (<i>address located on the bottom left of this page</i>) <u>New Property Owner's Information</u> Name (first, last): _____ Phone Number: _____ Mailing Address: _____ City: _____ State: _____ ZIP: _____
---------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

A: Who holds title? (Required) <i>ALL Owners must be on title; attach additional sheets as necessary if there are more than 2 Owners</i>	<u>Owner 1 Information</u> Name (first, last): <u>Souuah Tony</u> Ownership %: <u>100%</u> Bus. Ma _____ City: _____ Bus. Ph _____ If Owner is a trust, LLC, corporation or business partnership, enter the name of the trustee, managing member, CEO or responsible party below. Name: _____ Title: _____ <u>Owner 2 Information</u> Name (first, last): _____ Ownership % (if any): _____ Bus. Mailing Address: _____ City: _____ State: _____ ZIP: _____ Bus. Phone Number: _____ Bus. Email Address: _____ If Owner is a trust, LLC, corporation or business partnership, enter the name of the trustee, managing member, CEO or responsible party below. Name: _____ Title: _____
--------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

B: Who do you authorize to sign Rent Program documents for you? (Optional)	<p align="center">AUTHORIZE AN AGENT OR PROPERTY MANAGER (OPTIONAL)</p> Declaration: I am the owner of the property identified above. I hereby authorize and appoint the following agent to complete and execute, under penalty of perjury, the Richmond Rent Program Enrollment, Termination of Tenancy and Rent Increase forms for this property. I agree to be bound by each document filed by this person to the same extent as if I had completed the document and executed it under penalty of perjury myself. Company Name (if any): _____ Agent Name: _____ Bus. Mailing Address: _____ City: _____ State: _____ ZIP: _____ Bus. Phone Number: _____ Bus. Email Address: _____ Owner Signature (Required): _____
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TURN TO PAGE 2 ↓



To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation

Date: October 19, 2022

Late Fee Waiver Recommendations Pursuant to Regulation 425

As required by Regulation 425, the Executive Director or 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 October 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)
Herbert A. Brown Sr	September 19, 2022	Owner did not receive invoice	Partial Waiver to the 10% penalty level	\$247.00	\$197.60	\$49.40

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 the request dated September 19, 2022, (Attachment 1) Herbert A. Brown Sr, the property owner at 3812 Ohio Ave. and 4211 Cutting Blvd., indicated that the reason for paying late was that the owner did not receive an invoice (Attachment 2 – Rental Housing Fee Invoice) and attempted to pay at the Rent Program office. Upon investigating this claim, staff found the following (Attachment 3 - Email from Ramona Howell, Rent Program Administrative Aide):

Herbert A. Brown Sr had complied with the Rent Program requirements of enrolling both properties on October 25, 2019 (Attachment 4A and 4B). Herbert A. Brown Sr attempted to pay his invoice directly at the Rent Program office instead of the Cashiers that accepts, and processes check payments for the City. He documented an attempt via a photo he had attached to an email that was sent to Ramona Howell on September 25, 2022. The base Residential Rental Housing Fees for Fiscal Years 2020-2021, 2021-2022, and 2022-2023 were all paid on September 14, 2022 (Attachment 5).

Upon further research, in October 2019 a prior late fee waiver had been submitted to the Program and approved (Attachment 6). The reason for the submittal was due to a “Wrong Mailing Address.”

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, timely payments were not made during the last two fiscal years, foreclosing the possibility of a ministerial 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.*

The Contra Costa County records show that 3812 Ohio Ave. is a Residential Single Family built in 1915 (Attachment 7A - Parcel Quest Report).

The Contra Costa County records show that 4211 Cutting Blvd. is a Residential Single Family built in 1963 (Attachment 7B - Parcel Quest Report).

Staff Recommendation

Herbert A. Brown Sr did show good faith in his efforts to come into compliance, by contacting the Rent Program to inquire about the invoices, being enrolled with the Rent Program, and paying all past fees due (minus late fees). Herbert A. Brown Sr attempted to pay his invoice at the Rent Program office while he was in Richmond. Staff recommends a partial waiver of the late fees to at least a 10% percent assessment pursuant to Rent Board Regulation 425 G (3). Regulation 425 G (3) requires that if there was one late fee waiver request granted in the prior three fiscal years, the late fee assessment shall be reduced to at least a 10% percent assessment. Since a late fee waiver was previously granted for in October 2019 (Attachment 6), a 10% late fee penalty of \$49.40 should be assessed.

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Request to Remove Late Fees

Property Owner Name: Herbert A. Brown JR

FRJC #: [REDACTED]
Property [REDACTED]

The Property Owner has requested the removal of late fees on their account totaling \$ 247.00 for the following reason:

**ITEM F-5 #5
ATTACHMENT 1**

- 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: I hadn't received the invoice for 2020-2021, once I received the invoice for 2021-2022, I attempted to pay in person, the office was closed. I attempted to call, no answer. After speaking with Romoney, I was told to pay at: 450 CCP.

Signature of Landlord/Property Manager: Herbert A. Brown Jr Date: 9/19/22

Printed Name: Herbert A. Brown JR
FEES PAID: MULT 13543-9/14/22

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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RENTAL HOUSING FEE INVOICE

INVOICE DATE: August 15, 2022

Property Owner/Landlord Mailing Address

BROWN HERBERT A JR



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 513131021.

FRJC Registration#: RC513131021

Page 1 of 1

APN/Situs Address	Applicable Fiscal Year	Amount Due
RC17-38506 / 513-074-009-4 / 3812 OHIO	FY 2020-2021	124.00
RC17-38506 / 513-074-009-4 / 3812 OHIO	FY 2021-2022	123.00
RC17-38506 / 513-074-009-4 / 3812 OHIO	FY 2022-2023	127.00
RC17-38506 / 513-074-009-4 / 3812 OHIO / LATE FEES	PRIOR LATE FEE	123.50
RC17-22745 / 513-131-021-0 / 4221 CUTTING	FY 2020-2021	124.00
RC17-22745 / 513-131-021-0 / 4221 CUTTING	FY 2021-2022	123.00
RC17-22745 / 513-131-021-0 / 4221 CUTTING	FY 2022-2023	127.00
RC17-22745 / 513-131-021-0 / 4221 CUTTING / LATE FEES	PRIOR LATE FEE	123.50

AMOUNT DUE if paid by: September 19, 2022 **995.00**

AMOUNT DUE if paid after: September 19, 2022 :	995.00 + 25.40 10% Late Fee FY 22-23 FEES	1,020.40
AMOUNT DUE if paid after: October 19, 2022 :	995.00 + 63.50 25% Late Fee FY 22-23 FEES	1,058.50
AMOUNT DUE if paid after: November 18, 2022 :	995.00 + 127.00 50% Late Fee FY 22-23 FEES	1,122.00

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
<p>(1) Visit https://etrakit.ci.richmond.ca.us</p> <p>(2) Login using the <i>Contractor/Landlord</i> dropdown menu and finding your name</p> <p>(3) Your password is set to XXXXXXXXXX</p> <p>Amount Due: \$995.00</p>	<p>(1) Make payable to "City of Richmond"</p> <p>(2) Write your FRJC Number in the memo line FRJC # XXXXXXXXXX</p> <p>(3) Remit to: City of Richmond c/o Finance Department 450 Civic Center Plaza Richmond, CA 94804</p>

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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Fred Tran

From: Ramona Howell
Sent: Thursday, October 6, 2022 10:01 AM
To: Fred Tran; Mónica Bejarano; Nicolas Traylor
Cc: Cynthia Shaw; Moises Serano; Julie Mendoza
Subject: LATE FEE WAIVER SUBMISSION- HERBERT BROWN JR.- RC513131021
Attachments: LATE FEE WAIVER RQST - H. BROWN RC513131021.zip
Importance: High

Hello everyone,

In this email I have attached the Late Fee Waiver Request dated September 19, 2022, which was submitted by property owner Herbert Brown Jr. The Late Fee Waiver Request is for properties located at 4221 Cutting and 3812 Ohio Ave. here are some details about the properties:

- **4221 Cutting** is a SFH built in 1963 & **3812 Ohio** is also a SFH built in 1915 with no additional dwelling units.
- Owner Herbert Brown has had both properties since before the Richmond Rent Ordinance began according to the Parcel Quest reports.
- On **September 13, 2022**, Mr. Brown and I had an appointment regarding a late fee invoice that he had received for this Fiscal Year (FY22-23) which includes past due fees for FY20/21 & FY21/22.
 - According to Mr. Brown, he came to our offices several times while he was in town in October of 2021, to pay the invoice and was not able to get in or get in contact with anyone. He in documented his attempts via a photo he attached to an email he sent to me on September 25, 2022.
 - Mr. Brown was told that the late fees could be temporarily removed so he could make the base payment but that afterwards, she would need to submit a Late Fee Waiver Request and would be informed of the decision by the Rent Board.
- The base Residential Rental Housing Fees for Fiscal Years 2020-2021, 2021-2022, and 2022-2023 were all paid on **September 14, 2022**.
- I looked into this Owner's record in our system and discovered that on 10/25/2019, a late fee waiver was also submitted and approved. The reason submitted was for the "Wrong Mailing Address."
- When asked why after the owner was not able to get in contact with someone from our department, why did he not just mail in a payment for the amount on the invoice for FY20/21 or FY21/22 the reason was due to unsure if the check would go to the right place because he assumed the offices were closed down.

Recommendation: given that Mr. Brown had a late fee waiver request granted within the last three fiscal years, the late fees should be reduced to at least the 10% assessment as described in Chapter 4 of the Richmond Rent Board Regulations, Regulation 425(G). The reason why the Rent Program offices were not open in October 2021 was due to the County safety requirements at that time but had Mr. Brown gone to the right address listed on the invoices he would have seen our contact information

sign on the doors. Therefore, he would have been able to make contact with staff. He was assured that the offices are indeed still in existence and mailed the payment in to deter additional late fees.

In this email I have attached a compressed folder with the following documents:

1. Late Fee Waiver Request submitted September 19, 2022
2. Parcel Quest Reports
3. Invoices with Late Fees
4. Receipt for Payment made September 14, 2022
5. Property Enrollment forms submitted
6. Approved Late Fee Waiver Request dated October 25, 2021
7. Email from Owner with documentation of office visit
8. Chronology notes explaining previous waiver request.

Sincere Appreciation,

Ramona Howell

Administrative Aide

Billing & Registration Unit

440 Civic Center Plaza, Suite 200 | Richmond, CA 94804

(510) 234-RENT (7368) (main) | (510) 620-6514 (direct)

<https://etrakit.ci.richmond.ca.us>

www.richmondrent.org | [Subscribe to the Rent Program Listserv](#)

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

BEWARE! WIRE FRAUD IS ON THE RISE Accepting wire & disbursement instructions via email can be dangerous, especially changes to those instructions. Always verify by calling the originator of the email!



City of Richmond Rent Program
PROPERTY ENROLLMENT FORM

This form may be completed online at www.richmondrent.org/enroll

**A separate enrollment form must be completed for each parcel with at least one Rental Unit (Regulation 402)
IF THIS PROPERTY IS NOT A RENTAL, PLEASE CALL 510-234-RENT (7368)**

Property Ownership Status (Required)

Rental Property Street Address: 3812 Ohio
 City: Richmond State: CA ZIP: 94807
 Parcel Number: 513-074-009

Does the person or entity to whom this mailing was addressed hold title to the property above?
 YES → please complete Steps A-D
 NO → please enter the New Property Owner's information below (if known) and send this form back to the Richmond Rent Program (address located on the bottom left of this page)

New Property Owner's Information

Name (first, last): _____ Phone Number: _____
 Mailing Address: _____
 City: _____ State: _____ ZIP: _____

A: Who holds title? (Required)

ALL Owners must be on title; attach additional sheets as necessary if there are more than 2 Owners

**Bus. = Business*

Owner 1 Information (Individual, Trust, LLC, etc.)

Name (first, last): Herbert A. Brown Ownership % : 100
 Bus. Mailing Address: [REDACTED]
 City: [REDACTED]
 Bus. Phone Number: [REDACTED]

Enter the name of the trustee, managing member, CEO or responsible party below if the Owner is a trust, LLC, corporation or business partnership.
 Name: _____ Title: _____

Owner 2 Information (Individual, Trust, LLC, etc.)

Name (first, last): _____ Ownership % (if any): _____
 Bus. Mailing Address: _____
 City: _____ State: _____ ZIP: _____
 Bus. Phone Number: _____ Bus. Email Address: _____

Enter the name of the trustee, managing member, CEO or responsible party below if the Owner is a trust, LLC, corporation or business partnership.
 Name: _____ Title: _____

B: Who do you authorize to sign Rent Program documents for you? (Optional)

AUTHORIZE AN AGENT OR PROPERTY MANAGER (OPTIONAL)

Declaration: I am the owner of the property identified above. I hereby authorize and appoint the following agent to complete and execute, under penalty of perjury, the Richmond Rent Program Enrollment, Termination of Tenancy and Rent Increase forms for this property. I agree to be bound by each document filed by this person to the same extent as if I had completed the document and executed it under penalty of perjury myself.

Company Name (if any): _____ Agent Name: _____
 Bus. Mailing Address: _____
 City: _____ State: _____ ZIP: _____
 Bus. Phone Number: _____ Bus. Email Address: _____

Owner Signature (Required): _____

TURN TO PAGE 2 ↓

RICHMOND RENT PROGRAM
OCT 25 2019 PM 5:00

C: Rent Program Mail Where would you like us to send Rent Program notifications and statements? (Check ONE)
 Owner 1 Business Mailing Address Owner 2 Business Mailing Address
 Authorized Agent or Property Manager Business Mailing Address

Would you like to have your email added to our Rent Program Listserv? Yes No

D: What is the Status of each Rental Unit? (Required)
 Total # of Dwelling Units: 1

Indicate your Property Type (CHECK ONE)
 Multi-unit (2+ units) constructed BEFORE February 1, 1995
 Multi-unit (2+ units) constructed AFTER February 1, 1995
 Single-Family Home or Condominium
 Rooming and Boarding House or SRO (Single Room Occupancy) Building Rental Property
 Any permitted small, second housing unit built in compliance with the Small, Second Unit Ordinance of the City of Richmond (RMC 15.04.810).
 Other: _____

Refer to the table below for clarification on Unit Status Code

List all the units on the parcel. If more space is needed, complete Section D (Part 2)

Unit Address	Unit Status Code LIST ALL THAT APPLY See Codes Below	Date Tenancy Started (mm/dd/yyyy)
3812 Main Street (Example)	CR	01/01/2018
3812 OHIO AVE	SECTIONS 8	2018

Unit Status Codes
 [SEC 8] Governmentally-Subsidized Rental Housing: Section 8 Subsidy (Project-Based or Tenant-Based)
 [LIHTC] Governmentally-Subsidized Rental Housing: Low Income Housing Tax Credits (LIHTC)
 [GOVT. OTH.] Governmentally-Subsidized Rental Housing: Other form of subsidy *specify*: _____
 [BMR] Owner/developer entered into a regulatory agreement w/ a Governmental Agency that restricts the amount of Rent that may be charged
 [CR] Unit is Currently Rented
 [AFR] Unit is Available for Rent but is not rented
 [NAR] Unit is Not Available for Rent; Will not be on the Rental Market at any period between July 1, 2019 - June 30, 2020
 [OWN OCCPD] Unit is occupied by an Owner of record.
 [RENT FREE] Unit is occupied by a Tenant under an agreement in which no rent or anything else given in lieu of rent is collected for the use and occupancy of the Rental Unit
 [OTHER] Specify: _____

Declaration and Signature
 The undersigned does hereby declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

This form has been completed and signed by (check one):
 Owner on Title Property Manager / Authorized Agent

Signature: Herbert A Brown Print: Herbert Brown
 Date (mm/dd/yyyy): 10/25/19



City of Richmond Rent Program
PROPERTY ENROLLMENT FORM

This form may be completed online at www.richmondrent.org/enroll

**A separate enrollment form must be completed for each parcel with at least one Rental Unit (Regulation 402)
IF THIS PROPERTY IS NOT A RENTAL, PLEASE CALL 510-234-RENT (7368)**

Property Ownership Status (Required)

Rental Property Street Address: 4221 Cutting Blvd
 City: Richmond State: CA ZIP: 94807
 Parcel Number: 513-131-021

Does the person or entity to whom this mailing was addressed hold title to the property above?
 YES → please complete Steps A-D
 NO → please enter the New Property Owner's information below (if known) and send this form back to the Richmond Rent Program (address located on the bottom left of this page)

New Property Owner's Information

Name (first, last): Herbert Brown Phone Number: [REDACTED]
 Mailing [REDACTED]
 City: [REDACTED]

A: Who holds title? (Required)

ALL Owners must be on title; attach additional sheets as necessary if there are more than 2 Owners

**Bus. = Business*

Owner 1 Information (Individual, Trust, LLC, etc.)

Name (first, last): _____ Ownership % : 100
 Bus. Mailing Address: _____
 City: _____ State: _____ ZIP: _____
 Bus. Phone Number: _____ Bus. Email Address: _____

Enter the name of the trustee, managing member, CEO or responsible party below if the Owner is a trust, LLC, corporation or business partnership.
 Name: _____ Title: _____

Owner 2 Information (Individual, Trust, LLC, etc.)

Name (first, last): _____ Ownership % (if any): _____
 Bus. Mailing Address: _____
 City: _____ State: _____ ZIP: _____
 Bus. Phone Number: _____ Bus. Email Address: _____

Enter the name of the trustee, managing member, CEO or responsible party below if the Owner is a trust, LLC, corporation or business partnership.
 Name: _____ Title: _____

B: Who do you authorize to sign Rent Program documents for you? (Optional)

AUTHORIZE AN AGENT OR PROPERTY MANAGER (OPTIONAL)

Declaration: I am the owner of the property identified above. I hereby authorize and appoint the following agent to complete and execute, under penalty of perjury, the Richmond Rent Program Enrollment, Termination of Tenancy and Rent Increase forms for this property. I agree to be bound by each document filed by this person to the same extent as if I had completed the document and executed it under penalty of perjury myself.

Company Name (if any): _____ Agent Name: _____
 Bus. Mailing Address: _____
 City: _____ State: _____ ZIP: _____
 Bus. Phone Number: _____ Bus. Email Address: _____

Owner Signature (Required): _____

TURN TO PAGE 2 ↓

RICHMOND RENT PROGRAM
06 25 2019

**ITEM F-5 #5
ATTACHMENT 4B**

C: Rent Program Mail **Where would you like us to send Rent Program notifications and statements? (Check ONE)**

Owner 1 Business Mailing Address Owner 2 Business Mailing Address

Authorized Agent or Property Manager Business Mailing Address

Would you like to have your email added to our Rent Program Listserv? Yes No

D: What is the Status of each Rental Unit?
(Required)

Refer to the table below for clarification on Unit Status Code

Total # of Dwelling Units: 1

Indicate your Property Type (CHECK ONE)

Multi-unit (2+ units) constructed **BEFORE** February 1, 1995

Multi-unit (2+ units) constructed **AFTER** February 1, 1995

Single-Family Home or Condominium

Rooming and Boarding House or SRO (Single Room Occupancy) Building Rental Property

Any permitted small, second housing unit built in compliance with the Small, Second Unit Ordinance of the City of Richmond (RMC 15.04.810).

Other: _____

Unit Address	Unit Status Code LIST ALL THAT APPLY <i>See Codes Below</i>	Date Tenancy Started <i>(mm/dd/yyyy)</i>
<i>1234 Main Street (Example)</i>	<i>CR</i>	<i>01/01/2018</i>
<i>4221 COTTING Blvd</i>	<i>Section 8</i>	
<i>Richmond CA</i>		<i>2017</i>
<i>94809</i>		

List all the units on the parcel. If more space is needed, complete Section D (Part 2)

Unit Status Codes

[SEC 8] Governmentally-Subsidized Rental Housing: Section 8 Subsidy (Project-Based or Tenant-Based)

[LIHTC] Governmentally-Subsidized Rental Housing: Low Income Housing Tax Credits (LIHTC)

[GOVT. OTH.] Governmentally-Subsidized Rental Housing: Other form of subsidy *specify:* _____

[BMR] Owner/developer entered into a regulatory agreement w/ a Governmental Agency that restricts the amount of Rent that may be charged

[CR] Unit is Currently Rented

[AFR] Unit is Available for Rent but is not rented

[NAR] Unit is Not Available for Rent; Will **not** be on the Rental Market at any period between July 1, 2019 - June 30, 2020

[OWN OCCPD] Unit is occupied by an Owner of record.

[RENT FREE] Unit is occupied by a Tenant under an agreement in which no rent or anything else given in lieu of rent is collected for the use and occupancy of the Rental Unit

[OTHER] Specify: _____

Declaration and Signature

The undersigned does hereby declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

This form has been completed and signed by (check one):

Owner on Title Property Manager / Authorized Agent

Signature: Herbert Brown Print: Herbert Brown

Date (mm/dd/yyyy): 10 1 25 19



**CITY OF RICHMOND
CALIFORNIA**

10/5/2022
**ITEM F-5 #5
ATTACHMENT 5**

RECEIPT

Number: MULTI13544

FEES PAID

Record Type	Record Number	QTY	Description of Fee	Account Number	Amount of Fee
PERMIT	RC17-38506	1	RENT PROG PARTIALLY COVERED & GOVT.	S11850065340445	\$123.00
PERMIT	RC17-22745	1	RENT PROG PARTIALLY COVERED & GOVT.	S11850065340445	\$127.00
PERMIT	RC17-38506	1	RENT PROG PARTIALLY COVERED & GOVT.	S11850065340445	\$127.00
PERMIT	RC17-22745	1	RENT PROG PARTIALLY COVERED & GOVT.	S11850065340445	\$123.00
PERMIT	RC17-38506	1	RENT PROG PARTIALLY COVERED & GOVT.	S11850065340445	\$124.00
PERMIT	RC17-22745	1	RENT PROG PARTIALLY COVERED & GOVT.	S11850065340445	\$124.00

TOTAL PAID \$748.00

Date of Payment **9/14/2022**
Paid By **HERBERT A. BROWN**
Method of Payment **CHECKS 5453**

CITY OF RICHMOND RENT PROGRAM

440 Civic Center Plaza, 2nd Floor, Richmond, CA 94804

(510) 234-RENT (7368) | www.RichmondRent.org | rent@ci.richmond.ca.us

**ITEM F-5 #5
ATTACHMENT 6**

Richmond
City of



Request to Remove Late Fees

Property Owner Name Brown Herbert A

FRJC # ████████████████

Property Owner Phone Number ████████████████████████████████████████

The Property Owner has requested the removal of late fees on their account totaling \$ 100 for the following reason:

- New owner, did not receive invoice
- Wrong mailing address
- Owner believed property was exempt from the Rent Ordinance
- OTHER: _____

Additional information:

This request has been conditionally granted by the Rent Program, provided the owner pays the Rental Housing Fee before 11/25/19.

(10 business days unless new owner or incorrect mailing address – then 30 days)

Executive Director Signature / Staff Initials

10/25/19

Date



LIST 1
DETAIL

1 Property Address: 3812 OHIO AVE RICHMOND CA 94804-3325

Ownership

County: **CONTRA COSTA, CA**
 Assessor: **GUS KRAMER, ASSESSOR**
 Parcel # (APN): **513-074-009-4**
 Parcel Status:
 Owner Name: **BROWN HERBERT A JR**
 Mailing Address: [REDACTED]
 Legal Description: **WALLS ADDN LOT 17 POR LOT 18 BLK 170**

Assessment

Total Value: \$93,471	Use Code: 11	Use Type: RESID. SINGLE FAMILY
Land Value: \$39,190	Tax Rate Area: 008-133	County Zoning Code:
Impr Value: \$54,281	Year Assd: 2022	Census Tract: 3810.00/1
Other Value:	Property Tax:	Price/SqFt:
% Improved: 58%	Delinquent Yr:	
Exempt Amt:	HO Exempt: N	

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	09/26/2002	11/30/1984	11/14/1980	09/26/2002
Document Number:	344847	12086-40	10091-705	344847
Document Type:				
Transfer Amount:				
Seller (Grantor):				

Property Characteristics

Bedrooms: 2	Fireplace:	Units:
Baths (Full): 2	A/C:	Stories:
Baths (Half):	Heating:	Quality:
Total Rooms: 6	Pool:	Building Class:
Bldg/Liv Area: 1,014	Park Type:	Condition:
Lot Acres: 0.084	Spaces:	Site Influence:
Lot SqFt: 3,700	Garage SqFt:	Timber Preserve:
Year Built: 1915		Ag Preserve:
Effective Year: 1930		



LIST 1
DETAIL

1 Property Address: 4221 CUTTING BLVD RICHMOND CA 94804-3370

Ownership

County: **CONTRA COSTA, CA**
Assessor: **GUS KRAMER, ASSESSOR**
Parcel # (APN): **513-131-021-0**
Parcel Status:
Owner Name: **BROWN HERBERT A JR**
Mailing Address: [REDACTED]
Legal Description: **TRACT 2972 LOT 17 BLK 11**

Assessment

Total Value: **\$58,498** Use Code: **14** Use Type: **RESID. SINGLE FAMILY**
Land Value: **\$15,209** Tax Rate Area: **008-084** County Zoning Code:
Impr Value: **\$43,289** Year Assd: **2022** Census Tract: **3810.00/2**
Other Value: Property Tax: Price/SqFt:
% Improved: **74%** Delinquent Yr:
Exempt Amt: HO Exempt: **N**

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	02/13/1992	11/24/1976	12/08/1972	02/13/1992
Document Number:	17223-530	8105-436	6817-680	17223-530
Document Type:				
Transfer Amount:				
Seller (Grantor):				

Property Characteristics

Bedrooms:	3	Fireplace:		Units:	
Baths (Full):	2	A/C:		Stories:	
Baths (Half):		Heating:		Quality:	
Total Rooms:	7	Pool:		Building Class:	
Bldg/Liv Area:	1,363	Park Type:	GARAGE	Condition:	
Lot Acres:	0.120	Spaces:		Site Influence:	
Lot SqFt:	5,250	Garage SqFt:	267	Timber Preserve:	
Year Built:	1963			Ag Preserve:	
Effective Year:	1963				



To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation

Date: October 19, 2022

Late Fee Waiver Recommendations Pursuant to Regulation 425

As required by Regulation 425, the Executive Director or 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 October 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)
Lawrene Lee and May Louie	September 6, 2022	Owner mailed a check and paid invoice	Full waiver of late fees	\$61.50	\$61.50	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 their request, dated September 6, 2022, (Attachment 1) Lawrence Lee and May Louie, the property owners at 5118 Garvin Ave., indicated that a check was mailed out on July 1, 2021, for prior fiscal year’s invoice. A payment was made for current and prior fiscal year fees when they discovered the check was not cashed (Attachment 2 and 3 – Rental Housing Fee Invoice and Receipts).

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, Lawrence Lee and May Louie had paid timely during the last (4) four fiscal years.

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.*

Contra Costa County records show that 5118 Garvin Ave. is a Residential Single Family built in 1931. (Attachment 4 - Parcel Quest Report). Lawrence Lee and May Louie purchased 5118 Garvin Ave. in August 2014. Lawrence Lee and May Louie paid the unpaid fees (minus late fees) on August 16, 2022 (Attachment 3 - Receipt of Payment) and enrolled the property with the Richmond Rent Program on August 16, 2022 (Attachment 5 - Property Enrollment form). Lawrence Lee and May Louie claim that a

check was mailed out on July 1, 2021, for prior fiscal year's invoice. A payment was made for current and prior fiscal year fees when they discovered the check was not cashed. Lawrence Lee and May Louie have demonstrated a Good Cause that warrants a waiver of late fees with timely paid invoices during the last (4) four fiscal years.

Staff Recommendation

Lawrence Lee and May Louie have shown good faith efforts to come into compliance, by contacting the Rent Program to inquire about their invoices, paying the unpaid Rental Housing Fees due, and submitting the Property Enrollment form for the property. Considering these factors, staff recommend that a full waiver of late fees, in the amount of \$61.50 be granted.

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Revised 9/1/22



Request to Remove Late Fees

Property Owner Name: Lee Lawrence & May Louie (Trust)

FRJC #: [Redacted]

Property Owner Phone Number or Email: [Redacted]

The Property Owner has requested the removal of late fees on their account totaling \$ 1761.50 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: Your department did not cash our check #110 dated 7/1/21 \$123. We mailed the check on 7/1/2021. Please waive the late fee. We have issued another payment again and paid in full.

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: [Signature] Date: 9/16/22

Printed Name: Lawrence H. Lee

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: ___/___/___



RENTAL HOUSING FEE INVOICE

INVOICE DATE: August 15, 2022

Property Owner/Landlord Mailing Address

LEE LAWRENCE H & MAY LOUIE TRE
 [REDACTED]
 [REDACTED]

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 523043003.

FRJC Registration#: RC523043003

Page 1 of 1

APN/Situs Address	Applicable Fiscal Year	Amount Due
RC17-43693 / 523-043-003-4 / 5118 GARVIN AVE	FY 2021-2022	123.00
RC17-43693 / 523-043-003-4 / 5118 GARVIN AVE	FY 2022-2023	127.00
RC17-43693 / 523-043-003-4 / 5118 GARVIN AVE / LATE FEES	PRIOR LATE FEE	61.50

AMOUNT DUE if paid by: September 19, 2022 **311.50**

AMOUNT DUE if paid after: September 19, 2022 :	311.50 + 12.70 10% Late Fee FY 22-23 FEES	324.20
AMOUNT DUE if paid after: October 19, 2022 :	311.50 + 31.75 25% Late Fee FY 22-23 FEES	343.25
AMOUNT DUE if paid after: November 18, 2022 :	311.50 + 63.50 50% Late Fee FY 22-23 FEES	375.00

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
<p>(1) Visit https://etrakit.ci.richmond.ca.us</p> <p>(2) Login using the <i>Contractor/Landlord</i> dropdown menu and finding your name</p> <p>(3) Your password is set to [REDACTED]</p> <p>Amount Due: \$311.50</p>	<p>(1) Make payable to "City of Richmond"</p> <p>(2) Write your FRJC Number in the memo line FRJC # [REDACTED]</p> <p>(3) Remit to: City of Richmond c/o Finance Department 450 Civic Center Plaza Richmond, CA 94804</p>

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.



CITY OF RICHMOND

450 CIVIC CENTER PLAZA • RICHMOND, CA 94804
(510) 620-6868

Printed: September 12, 2022

Receipt Number: WEB40064

Permit Number: RC17-43693

Permit Type: RENT CONTROL / JUST CAUSE

Site Address: 5118 GARVIN AVE

Applicant: LEE LAWRENCE H & MAY LOUIE TRE

Owner: LEE LAWRENCE H & MAY LOUIE TRE

Contractor:

Job Description: 5118 GARVIN AVE

FEES PAID

01917090340445

250	2% CREDIT CARD PROCESSING FEE	01917090340445	\$5.00
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Total Fees for Account 01917090340445:			\$5.00
-----------------------------------------------	--	--	---------------

11850065340445

1	RENT PROG PARTIALLY COVERED & GOV	11850065340445	\$127.00
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1	RENT PROG PARTIALLY COVERED & GOV	11850065340445	\$123.00
---	-----------------------------------	----------------	----------

Total Fees for Account 11850065340445:			\$250.00
-----------------------------------------------	--	--	-----------------

Total Fees Paid:			\$255.00
-------------------------	--	--	-----------------

Date Paid: Tuesday, August 16, 2022

Paid By: LEE LAWRENCE H & MAY LOUIE TRE

Pay Method:

Received By: eTRAKIT CONTRACTOR

1 Property Address: 5118 GARVIN AVE RICHMOND CA 94805-1435

Ownership

County: **CONTRA COSTA, CA**
Assessor: **GUS KRAMER, ASSESSOR**
Parcel # (APN): **523-043-003-4**
Parcel Status:
Owner Name: **LEE LAWRENCE H & MAY LOUIE TRE**
Mailing Address: [REDACTED]
Legal Description:

Assessment

Total Value: \$361,270	Use Code: 11	Use Type: RESID. SINGLE FAMILY
Land Value: \$276,221	Tax Rate Area: 008-001	County Zoning:
Impr Value: \$85,049	Year Assd: 2022	Census Tract: 3710.00/2
Other Value:	Property Tax:	Price/SqFt: \$215.25
% Improved: 23%	Delinquent Yr:	
Exempt Amt:	HO Exempt: N	

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	08/29/2014			03/15/2016
Document Number:	146467			44418
Document Type:	GRANT DEED			
Transfer Amount:	\$319,000			
Seller (Grantor):				

Property Characteristics

Bedrooms:	3	Fireplace:		Units:	
Baths (Full):	1	A/C:		Stories:	
Baths (Half):		Heating:	CENTRAL	Quality:	
Total Rooms:	7	Pool:		Building Class:	
Bldg/Liv Area:	1,482	Park Type:	GARAGE	Condition:	AVERAGE
Lot Acres:	0.110	Spaces:	2	Site Influence:	
Lot SqFt:	4,800	Garage SqFt:	536	Timber Preserve:	
Year Built:	1931			Ag Preserve:	
Effective Year:	1940				

Revised -

City of Richmond Rent Program
PROPERTY ENROLLMENT FORM



This form may be completed online at richmondrent.org/enroll

**A separate enrollment form must be completed for each parcel with at least one Rental Unit (Regulation 402)
IF THIS PROPERTY IS NOT A RENTAL, PLEASE CALL 510-234-RENT (7368)**

Property Ownership Status (Required)

Rental Property Street Address: 5118 Garvin Ave
 City: Richmond State: CA ZIP: 94805
 Parcel Number: 523-043-003

Does the person or entity to whom this mailing was addressed hold title to the property above?
 YES → please complete Steps A-D
 NO → please enter the New Property Owner's information below (if known) and send this form back to the Richmond Rent Program (address located on the bottom left of this page)

New Property Owner's Information
 Name (first, last): _____ Phone Number: _____
 Mailing Address: _____
 City: _____ State: _____ ZIP: _____

A: Who holds title? (Required)

ALL Owners must be on title; attach additional sheets as necessary if there are more than 2 owners

**Bus. = Business*

Owner 1 Information (Individual, Trust, LLC, etc.)
 Name (first, last): Lee Lawrence / May Lee (TRUST) ^{LL}
 Ownership %: 100
 Bus. Mail: [REDACTED]
 City: [REDACTED]
 Bus. Phone: [REDACTED]

Enter the name of the trustee, managing member, CEO or responsible party below if the Owner is a trust, LLC, corporation or business partnership.
 Name: Lawrence Lee Title: Owner

Owner 2 Information (Individual, Trust, LLC, etc.)
 Name (first, last): _____ Ownership % (if any): _____
 Bus. Mailing Address: _____
 City: _____ State: _____ ZIP: _____
 Bus. Phone Number: _____ Bus. Email Address: _____

Enter the name of the trustee, managing member, CEO or responsible party below if the Owner is a trust, LLC, corporation or business partnership.
 Name: _____ Title: _____

B: Who do you authorize to sign Rent Program documents for you? (Optional)

AUTHORIZE AN AGENT OR PROPERTY MANAGER (OPTIONAL)

Declaration: I am the owner of the property identified above. I hereby authorize and appoint the following agent to complete and execute, under penalty of perjury, the Richmond Rent Program Enrollment, Termination of Tenancy and Rent Increase forms for this property. I agree to be bound by each document filed by this person to the same extent as if I had completed the document and executed it under penalty of perjury myself.

Company Name (if any): _____ Agent Name: _____
 Bus. Mailing Address: _____
 City: _____ State: _____ ZIP: _____
 Bus. Phone Number: _____ Bus. Email Address: _____

Owner Signature (Required): _____

TURN TO PAGE 2 ↓

PLEASE RETURN TO:
440 Civic Center Plaza, Suite 200
Richmond, CA 94804

(510) 234-RENT (7368)
rent@ci.richmond.ca.us

STAFF USE ONLY:
Date: _____ Initials: _____

C: Rent Program Mail

Where would you like us to send Rent Program notifications and statements? (Check ONE)

Owner 1 Business Mailing Address Owner 2 Business Mailing Address

Authorized Agent or Property Manager Business Mailing Address

Would you like to have your email added to our Rent Program Listserv? Yes No

D: What is the Status of each Rental Unit? (Required)

Total # of Dwelling Units: 1

Indicate your Property Type (CHECK ONE)

Multi-unit (2+ units) constructed BEFORE February 1, 1995

Multi-unit (2+ units) constructed AFTER February 1, 1995

Single-Family Home or Condominium

Rooming and Boarding House or SRO (Single Room Occupancy) Building Rental Property

City of Richmond Building and Planning Department has issued a valid legal permit recognizing a Dwelling Unit as an Accessory Dwelling Unit (ADU)

Other: _____

Refer to the table below for clarification Unit Status Code

List all the units on the parcel. If more space is needed, complete Section D (Part 2)

Unit Address	Unit Status Code LIST ALL THAT APPLY See Codes Below	Date Tenancy Started (mm/dd/yyyy)
5118 Mc Garvin Ave Richmond, CA 94805	CR	5/1/2022

* To claim this unit status, you must have an approved administrative determination. Please contact the Rent Program for more information.

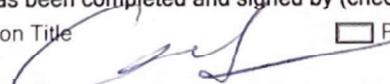
- Unit Status Codes**
- [SEC 8] Governmentally-Subsidized Rental Housing: Section 8 Subsidy (Project-Based or Tenant-Based)
 - [LIHTC] Governmentally-Subsidized Rental Housing: Low Income Housing Tax Credits (LIHTC)
 - [GOVT. OTH.] Governmentally-Subsidized Rental Housing: Other form of subsidy *specify:* _____
 - [BMR] Owner/developer entered into a regulatory agreement w/ a Governmental Agency that restricts the amount of Rent that may be charged
 - [CR] Unit is Currently Rented
 - [AFR] Unit is Available for Rent but is not rented
 - *[NAR] Unit is Not Available for Rent; Will **not** be on the Rental Market at any period during the Fiscal Year July 1 - June 30
 - *[OWN OCCPD] Unit is occupied by an Owner of record
 - *[RENT FREE] Unit is occupied by a Tenant under an agreement in which no rent or anything else given in lieu of rent is collected for the use and occupancy of the Rental Unit
 - [OTHER] Specify: _____

Declaration and Signature

The undersigned does hereby declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

This form has been completed and signed by (check one):

Owner on Title Property Manager / Authorized Agent

Signature:  Print: Lawrence Lee

Date (mm/dd/yyyy): 8/16/2022

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: October 19, 2022

Final Decision Date Deadline: October 19, 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-6.

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AGENDA REPORT

DATE: October 19, 2022

TO: Chair Finlay and Members of the Rent Board

FROM: Charles Oshinuga, General Counsel

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 – Rent Program (Charles Oshinuga 621-1202).

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.

Discussion

COVID-19 continues to pose a serious threat to public health and safety. There are now Approximately 37,778 confirmed cases of COVID-19 and at least 190 deaths in the City of Richmond. That is an increase of approximately 488 confirmed Covid cases and 3 Covid-related deaths in 30 days. Although the increases for the past 30 days are more stable than the prior 30 days, as depicted in last month's agenda report, it still remains the case that the City of Richmond has one of the highest infection rate total and the third highest death total in Contra Costa County.

As of today, the Contra County infection rate is considered "stable" and we are trending towards a positive outlook. However, Richmond resident are still getting sick and dying from Covid-19. Consequently, city officials remain vigilant, as they send out emails advising employees of the need for social distancing, constant mask wearing, and vaccinations. As prior months have demonstrated, Covid-19 is resilient and its infection rates can increase given any lapse of vigilance in the community, especially during the fall season. Additionally, City Council has continued to pass its Resolution under AB 361,

ITEM F-6

rightfully finding that holding public meetings in the Council Chambers would pose an imminent risk to the health and safety of the public.

Given the aforementioned statements and the fact that this Board holds meetings in the same chamber as Council, it's clear that holding Board meetings in person would still present imminent risks to the health and safety of the public and members of Board. Therefore, public meetings cannot safely be held in person at this time.

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, remains great. 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 22-11

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RESOLUTION NO. 22-11

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 for the unvaccinated 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

ITEM F-6
ATTACHMENT 1

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 previously 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 has maintained its declaration of a local emergency due to the COVID-19 pandemic and recommends masks wearing, vaccinations and social distancing while indoors; 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, and the City of Richmond remains in a state of emergency due to the COVID-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, and local 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;

**ITEM F-6
ATTACHMENT 1**

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 October 19, 2022 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

RENT BOARD CHAIR

APPROVED AS TO FORM:

ATTEST:

GENERAL COUNSEL

RENT BOARD CLERK

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: October 19, 2022

Final Decision Date Deadline: October 19, 2022

STATEMENT OF THE ISSUE: Section 11.100.060(e)(6) of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (Rent Board Powers and Duties) requires the Rent Board to report annually to the City Council on the status of rental housing covered by the Rent Ordinance. In November of 2021, staff members received and approved the 2019-20/2020-21 Annual Report. The 2019-20/2020-21 Annual Report presented to the Rent Board has been converted into an infographic video. Prior to presenting the infographic video version of the 2019-20/2020-21 Annual Report to the Richmond City Council, staff seek approval by the Rent Board.

INDICATE APPROPRIATE BODY

- | | | | | |
|-----------------------------------------------------|---------------------------------------------------------------------------|------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> City Council | <input type="checkbox"/> Redevelopment Agency | <input type="checkbox"/> Housing Authority | <input type="checkbox"/> Surplus Property Authority | <input type="checkbox"/> Joint Powers Financing Authority |
| <input type="checkbox"/> Finance Standing Committee | <input type="checkbox"/> Public Safety Public Services Standing Committee | <input type="checkbox"/> Local Reuse Authority | <input checked="" type="checkbox"/> Other: <u>Rent Board</u> | |

ITEM

- Presentation/Proclamation/Commendation (3-Minute Time Limit)
- Public Hearing Regulation Other:
- 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 AND APPROVE the 2019-20/2020-21 Rent Program Annual Report infographic video and DIRECT staff to present the report to the City Council.

AGENDA ITEM NO:

G-1.

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AGENDA REPORT

DATE: October 19, 2022

TO: Chair Finlay and Members of the Rent Board

FROM: Nicolas Traylor, Executive Director

SUBJECT: 2019-20/2020-21 RENT PROGRAM ANNUAL REPORT INFOGRAPHIC VIDEO PRESENTATION

STATEMENT OF THE ISSUE:

Section 11.100.060(e)(6) of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (Rent Board Powers and Duties) requires the Rent Board to report annually to the City Council on the status of rental housing covered by the Rent Ordinance. In November of 2021, staff members received and approved the 2019-20/2020-21 Annual Report. The 2019-20/2020-21 Annual Report presented to the Rent Board has been converted into an infographic video. Prior to presenting the infographic video version of the 2019-20/2020-21 Annual Report to the Richmond City Council, staff seek approval by the Rent Board.

RECOMMENDED ACTION:

RECEIVE AND APPROVE the 2019-20/2020-21 Rent Program Annual Report infographic video and DIRECT staff to present the report to the City Council.

FISCAL IMPACT:

There is no fiscal impact related to this item.

DISCUSSION:

Background

Section 11.100.060(e)(6) of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (Rent Board Powers and Duties) requires the Rent Board to report annually to the City Council on the status of rental housing covered by the Rent Ordinance. At a minimum, the report must include a summary of the number of notices served, the basis upon which they were served, the amount of rent increases, and the addresses for which they were served.

Contents of the 2019-20/ 2020-21 Annual Report

The 2019-20/ 2020-21 Annual Report achieves its mandate of providing the City Council with an update on Richmond's rental housing stock, while providing additional contextual information about the Rent Program and its activities during the 2019-20/ 2020-21 fiscal year.

More specifically, the infographic video report includes the following sections:

- A discussion of the Rent Program's mission and the connection between health and housing
- An overview of how the Rent Program enforces the Rent Ordinance
- A profile of Richmond's rental housing stock and landlords
- An analysis of rent increase notices filed with the Rent Program
- An analysis of termination of tenancy notices filed with the Rent Program
- A financial summary of the 2019-20/2020-21 fiscal years

Next Steps

If approved by the Rent Board at its October 19, 2022, Regular Meeting, staff members anticipate the 2019-20/2020-21 Rent Program Annual Report infographic video will be presented to the Richmond City Council's at a Regular City Council Meeting in November 2022.

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: October 19, 2022

Final Decision Date Deadline: October 19, 2022

STATEMENT OF THE ISSUE: The Richmond Rent Program has received a check for \$10,000 for participating in the creation and development of Richmond's rent assistance program. At the meeting on August 17, 2022, the Richmond Rent Board directed staff to return to propose options utilizing the Rent Assistance Partner Grant. Rent Program Staff propose three (3) options: (1) Mediation training for Public Information Unit Staff, (2) Mass Mailing Outreach Campaign to inform the Richmond Landlords and Tenants about Rent Program services, eviction protections and rent assistance resources, or to (3) Use grant to fund general operating purposes.

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:
- 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 proposed options for utilizing the \$10,000 Rent Assistance Partner Grant and APPROVE and AUTHORIZE one of the three proposed options to spend the funds.

AGENDA ITEM NO:

G-2.

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AGENDA REPORT

DATE: October 19, 2022
TO: Chair Finlay and Members of the Rent Board
FROM: Nicolas Traylor, Executive Director
SUBJECT: Proposed Options for Utilizing \$10,000 Rent Assistance Partner Grant

STATEMENT OF THE ISSUE:

The Richmond Rent Program has received a check for \$10,000 for participating in the creation and development of Richmond's rent assistance program. At the meeting on August 17, 2022, the Richmond Rent Board directed staff to return to propose options utilizing the Rent Assistance Partner Grant. Rent Program Staff propose three (3) options: (1) Mediation training for Public Information Unit Staff, (2) Mass Mailing Outreach Campaign to inform the Richmond Landlords and Tenants about Rent Program services, eviction protections and rent assistance resources, or to (3) Use grant to fund general operating purposes.

RECOMMENDED ACTION:

RECEIVE proposed options for utilizing the \$10,000 Rent Assistance Partner Grant and APPROVE and AUTHORIZE one of the three proposed options to spend the funds.

FISCAL IMPACT:

A separate special fund (within the Rent Program fund) has been established to hold the \$10,000 Rent Assistance Partner Grant.

DISCUSSION:

Background

On August 3, 2022, the Richmond Rent Program received an email from Jessica Travenia, Program Coordinator for the Richmond Rapid Response Rent Relief Committee, informing the Rent Program that it had been awarded a \$10,000 grant to support development of Richmond's rent assistance program.

History of the Rent Relief Committee

Prior to the COVID-19 pandemic, in 2018 and 2019, the Rent Program's Executive Director organized a series of meetings with the City of Richmond, past Richmond Rent Board members and Richmond City Council members to discuss the creation of a rent assistance program dedicated to Richmond Tenants and Landlords.

Based on the high percentage of housing counseling cases that revolved around non-payment of rent evictions in Richmond, it was clear that there was an on-going demand for rent assistance. At the time rent assistance resources were not only scarce, but spread out among many local organizations, each competing for rent assistance funds. These preliminary meetings spurred discussions on the need for a permanent rent assistance program. Initial ideas included modeling a program for Richmond on Oakland's "Keep Oakland Housed" program, a collaboration between the City of Oakland, corporations, foundations, local non-profits, and philanthropic organizations. When the COVID-19 pandemic began in the Spring of 2020, the urgency to create a Richmond rent assistance program escalated, and in response, the Rent Program spearheaded efforts to create a permanent rent assistance program.

In the Spring of 2020, the Executive Director and Deputy Director of the Rent Program organized a meeting with the City of Richmond's Community Development Department to urgently address the anticipated increase in demand for rent assistance services in Richmond and began the process of developing a permanent rent assistance program. Rent Program Staff and Community Development Staff realized that it would make sense to invite local non-profits that administer existing rent assistance services to the meeting in order to learn from their expertise and to include them in the effort to develop a permanent rent assistance program. Those local non-profits included Seasons of Sharing, SparkPoint, Shelter Inc., the West Contra Costa County EdFund, Richmond Community Foundation, and Catholic Charities. Eventually the coalition of non-profits grew to include the Richmond Neighborhood Housing Services (RNHS), the Office of Mayor Tom Butt, Richmond Land (Trust), and the Community Housing Development Corporation (CDHC). Meeting weekly to strategize efforts, the coalition known as the Rent Relief Committee, has raised hundreds of thousands of dollars, integrated itself into the Richmond Rapid Response Fund (R3F), and disbursed over \$385,000 in rent assistance to 77 Richmond renters and landlords.

After initially forming and leading the Rent Relief Committee since the beginning of the COVID-19 pandemic, the Rent Program passed leadership on to the West Contra Costa County EdFund. In May 2021, Jasmine Jones, the Executive Director of the West Contra Costa EdFund began overseeing the R3F Rent Relief Committee. This transition made sense because the West Contra Costa EdFund was overseeing the Richmond Rapid Response Fund, a City sponsored program that provides financial relief to Richmond residents impacted by the COVID-19 pandemic. In July of 2021, the West Contra Costa County EdFund hired Jessica Travenia, Program Officer, to organize the rent assistance program's governing structure, Memorandums of Agreement between the Richmond Rapid Response Fund and the local agencies that administer rent assistance programs,

and to continue the program's development and efforts to seek additional funding. Efforts are underway develop a permanent standalone City sponsored rent assistance program separate from the Richmond Rapid Response Fund.

Options for Use of \$10,000 Rent Relief Partner Grant

The \$10,000 Rent Relief Partner Grant may be used for general operating costs of any other activity related to the Rent Program, except for lobbying. Rent Program staff have three proposed options for using the grant monies.

Option 1: Mediation Training for Rent Program Staff

One option for use of the \$10,000 Rent Relief Partner Grant is mediation training for Rent Program staff. In fiscal year 2018-19, the Rent Program enrolled three Rent Program Services Analysts (housing counselors) and the Rent Program's Hearing Examiner in mediation training. The Rent Program utilized Steve Rosenberg Mediation Training program, one of the most well established and highly rated mediation training programs in the San Francisco Bay Area.

One of the main purposes of the Richmond Rent Ordinance is to protect Tenants again unwarranted and arbitrary evictions. To enforce those eviction protections, Rent Program staff help resolve eviction disputes, not only by educating Landlords and Tenants on their rights and recourse, but also by engaging in mediation. The most common eviction related issues brought to the Rent Program are non-payment of rent disputes. The COVID-19 pandemic has led to an increase in non-payment of rent and rental debt disputes. Non-payment of rent and rental debt disputes can often be resolved through mediation, saving both the Landlord and Tenant from an unnecessary litigation, and reducing displacement. Mediations that deal with nonpayment of rent often require the negotiating of repayment plans. Mediations also allow Tenants and Landlords to resolve other issues related to the tenancy, such as nuisance, habitability complaints, lease violations, among others. The ability to conduct effective mediations around disputes that often have multiple, intersecting concerns, requires a keen understanding and expertise in mediation practices.

To date, the Rent Program has performed over a hundred mediations on issues such as breach of lease disputes, security deposits, rent overcharges, habitability issues, non-payment of rent and rental debt, nuisance, relocation assistance, and other issues.

Since the beginning of the COVID-19 pandemic, the Rent Program has had almost a complete turnover of its public information staff. There is only one staff member with the Rent Program that completed the 2019 mediation training. There are currently 6 Rent Program staff who may perform mediations and would benefit from mediation training: two Rent Program Services Analysts, one supervising Analyst, the Program's Deputy Director, the Staff Attorney that supports Public Information staff, and the Rent Program's Hearing Examiner. The total cost to train for 6 employees is \$9,750 or \$1,625 per staff.

ITEM G-2

(Attachment 1) Staff recommend using Steve Rosenberg's Mediation Training program, based on feedback from staff who attended the last training.

OPTION 2: Outreach Campaign to Promote Rent Assistance Resources

Another proposed option is to spend the \$10,000 grant on outreach and community education related to evictions and rent assistance resources. Rent Program staff recommend utilizing a mass outreach approach, such as:

Billboard Ad in Richmond: \$10,000 would pay for a billboard on a major intersection of Richmond for approximately 3-6 months depending on location. The billboard would inform Richmond residents about the Rent Program, eviction protections and rent relief.

Mass Mailing: \$10,000 would pay for a mass mailing (postcard) that would reach all Richmond Landlords and Tenants (Attachment 2-example quote). The postcard would inform Tenants and Landlords about the Rent Program's services (e.g., mediation, etc.), eviction protections and rent relief resources.

OPTION 3: Use the \$10,000 Grant for General Operating Purposes

The \$10,000 grant may be used for general operating purposes or could be set aside for reserves.

Proposed Timeline

If the Rent Board directs staff to spend the \$10,000 grant on Option 1: Mediation Training or Option 2: A Mass Outreach Project, Rent Program staff will present a project timeline and update the Rent Board of the project's progress during "Reports of Officers."

DOCUMENTS ATTACHED:

Attachment 1 – Steven Rosenberg Mediation Training Cost and Overview of Training

Attachment 2 - Example quote for mass mailing project



Steven Rosenberg 40-Hour Mediation Training

\$1,625.00

< >

An interactive, 40 hour professional training program utilizing simulations, coaching, lectures and demonstrations. Dates Presented: A Live Webinar: October 19-11 & 26-28, 2022

Wednesdays 1:00 p.m. – 6:00 p.m., Thursdays and Fridays 9:00 a.m. – 5:00 p.m.

Categories: [Mediation Training](#), [Online Training](#)



- 1 + [ADD TO CART](#)

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> Description

Live Webinar: October 19-21 & 26-28, 2022

An interactive, 40 hour professional training program utilizing simulations, coaching, lectures and demonstrations.

Time: Wednesdays 1:00 p.m. – 6:00 p.m. Thursdays and Fridays 9:00 a.m. – 5:00 p.m.

Location: Live Webinar (Zoom)

Tuition Includes:

- > Course Materials
- > Comprehensive Resource Manual

This training is designed for:

- > Attorneys
- > Judges
- > Business Professionals
- > Mental Health Professionals
- > Administrators *

In this training you will

- > Develop and refine mediation techniques
- > Enhance constructive communication and negotiation skills
- > Explore the nature of conflict
- > Discover ways to handle emotions and interpersonal dynamics that can impede resolution
- > Develop effective skills for advocacy in mediation
- > Learn ways to establish and market a mediation practice
- > The material covered in the course will allow you to confidently serve as a mediator.

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**ITEM G-2
ATTACHMENT 2**

Aug. 26, 2021

Greenerprinter
1003 Canal Blvd.
Richmond, CA.
94804
www.Greenerprinter.com
Phone 510.647.2511

Monica Bejarano
Rent Program Services Analyst | Public
Information & Enrollment
City of Richmond Rent Program
440 Civic Center Plaza, Suite 200
Richmond, CA 94804
Main Phone: (510) 234-RENT (7368)
Fax: 510-307-8149

EDDM Mailing postcard 1st mailing
Size 6 x 11" finished
Color 4/4 w/ overall Aqueous coating
Stock 100# Silk cover
Finishing; re-design of postcard from 5x 7 " to 6 x 11 to meet EDDM mail standards;
Print, trim, mail processing, and drop at the US Post office using the Greenerprinter
EDDM permit

Mailing area by zip code
94801; 94805 ;94806 ;94804

Total qty 31,914

Print /mail cost: \$3,257.02

Postage total \$ 5,967.92 **Postage payment must be received prior to mail drop at USPS

Total Price \$ 9,224.94

Thank you,

Jeff Cox
jeff@greenerprinter.com

Phone 510-647-2511

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: October 19, 2022

Final Decision Date Deadline: October 19, 2022

STATEMENT OF THE ISSUE: Legislative bodies in the State of California must adhere to the Ralph M. Brown Act, found in Section 54950-54963 of the California Government Code. Education regarding the Ralph M. Brown Act is necessary for all members of the Rent Board. Additionally, because the Rent Board is a legislative body, to conduct its business in a consistent and fair manner, it is important to be familiar with Rosenberg's Rules of Order. To ensure efficiency and compliance with the Brown Act, staff members intend to bi-annually provide Board members training in both the Brown Act and Rosenberg's Rules of Order.

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:
- 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 training on the Brown Act and Rosenberg's Rules of Order (Nicolas Traylor/Charles Oshinuga 620-6564).

AGENDA ITEM NO:

G-3.

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AGENDA REPORT

DATE: October 19, 2022
TO: Members of the Rent Board
FROM: Charles Oshinuga, General Counsel
SUBJECT: BROWN ACT AND RULES OF ROSENBERG TRAINING

STATEMENT OF THE ISSUE:

Legislative bodies in the State of California must adhere to the Ralph M. Brown Act, found in Section 54950-54963 of the California Government Code. Education regarding the Ralph M. Brown Act is necessary for all members of the Rent Board. Additionally, because the Rent Board is a legislative body, to conduct its business in a consistent and fair manner, it is important to be familiar with Rosenberg's Rules of Order. To ensure efficiency and compliance with the Brown Act, staff members intend to bi-annually provide Board members training in both the Brown Act and Rosenberg's Rules of Order.

RECOMMENDED ACTION:

RECEIVE training on the Brown Act and Rosenberg's Rules of Order (Nicolas Traylor/Charles Oshinuga 620-6564).

FISCAL IMPACT:

There is no fiscal impact related to this item.

DISCUSSION:

Receive a PowerPoint and oral presentation on the Brown Act and Rosenberg's Rules of Order.

DOCUMENTS ATTACHED:

Attachment 1 – Rosenberg Rules of Order simplified handout

Attachment 2 – Rosenberg Rules of Order materials.

Attachment 3 – Richmond Rent Board Regulation 313

**ROSENBERG'S RULES OF ORDER
CHEAT SHEET**

**ITEM G-3
ATTACHMENT 1**

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn" (Only needed prior to the end of the agenda)	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question" or "Call the question"	No	Yes	No	No	2/3
Postpone consideration of	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Introduce a motion	"I move that..." or "I move to..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..." (You can also ask for a friendly amendment, which is less formal; if mover and second concur, no vote needed)	No	Yes	Yes	Yes	Majority
Refer to a Committee	"I move that the question be referred to a committee for more study"	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Object to considering some undiplomatic or improper matter	"I object to consideration of this question" (This would generally just be used if something is not on the agenda)	Yes	No	No	No	2/3
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..." (Only a member of the prevailing side can make a motion to reconsider)	Yes	Yes	Only if original motion	No	Majority
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

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Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

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Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice?

Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



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313. Rules of Debate

- A. Getting the Floor. Every Rent Boardmember desiring to speak shall first address the Chair, gain recognition by the Presiding Officer, and shall confine their remarks to the question under debate.

- B. Questions to Staff. Every Rent Boardmember desiring to question Board staff shall, after recognition by the Presiding Officer, address his/her questions to the Executive Director, the Deputy Director, the Rent Board's counsel, or any staff member then present on the dais. If either the Executive Director or the Rent Board's counsel feels another staff member who is not located on the dais could best respond to the Boardmember's question, he or she may direct the question to a member of his/her staff in the audience for that purpose.

- C. Interruptions. A Boardmember, once recognized, shall not be interrupted when speaking unless:
 - 1. Called to order by the Presiding Officer;
 - 2. a point of order, point of information, or of personal privilege is raised by another Boardmember; or
 - 3. the speaker chooses to yield to a question by another Boardmember.

- D. Points of Order. The Presiding Officer shall determine all points of order subject to the right of any Rent Boardmember to appeal to the Board. Appropriate points of order relate to anything that would not be considered appropriate procedural conduct of a meeting. If an appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" A majority vote shall conclusively determine such question of order.

- E. Point of Personal Privilege. The right of a Rent Boardmember to address the Board on a question of personal privilege shall be limited to those issues that would interfere with the normal comfort of the meeting.

- F. Calling the Question. Rent Boardmembers may move to end debate on individual items. However, neither the moving party nor the party seconding any motion is permitted to call for the question.

- G. Motion to Reconsider. A motion to reconsider any action taken by the Board may be made only by a Rent Boardmember of the prevailing side and may be made only on the same day the action is taken and shall have precedence over all other motions or while a member has the floor and said motion shall be debatable.

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ATTACHMENT 3

- H. Limitation of Debate. No Boardmember shall be allowed to speak more than once upon any particular subject until every other Boardmember desiring to do so shall have spoken. Each Boardmember speaking on any item on the agenda shall be limited to ten (10) minutes per item to state his/her opinion and his/her views.

- I. Continue or Table a Matter. Any Rent Boardmember may move to table or continue an agenda item that is currently being discussed. If a Rent Boardmember makes said motion, the motion must contain a specific reference as to when the agenda item will come back to the body.

- J. Recess. Any Rent Boardmember may move the Board to take a recess. If the motion passes, the chair shall determine the length of the recess.

- K. Adjourn. Any Rent Boardmember may move the Board to adjourn. If passed, the Board must immediately adjourn to the next regularly scheduled meeting.

- L. Close Nomination. When choosing a presiding officer, a Rent Boardmember may make a motion to close nomination. Where such a motion is passed, no further Rent Boardmembers may be nominated.

- M. Suspension of the Rules. Any Rent Boardmember may move to suspend the rules for a particular purpose. The suspensions of the rules permit Rent Boardmembers to deviate from the rules or regulations that guide particular procedures and conduct of Rent Board meetings.