



**SPECIAL MEETING OF THE RENT BOARD OF THE CITY OF RICHMOND**

**CITY COUNCIL CHAMBERS, COMMUNITY SERVICES BUILDING  
440 Civic Center Plaza, Richmond, CA 94804**

**AGENDA  
Wednesday, October 25, 2023**

***Link to Rent Board Meeting Agendas and Accompanying Materials:***  
[www.ci.richmond.ca.us/3375/Rent-Board](http://www.ci.richmond.ca.us/3375/Rent-Board)

**Board Chair**  
Sara Cantor

**Board Vice Chair**  
Karina Guadalupe

**Boardmembers**  
Elaine Dockens  
Tomas Espinoza  
Jim Hite

**NOTICE: SEATING IN THE CHAMBERS WILL BE LIMITED TO THE FIRST 39 PEOPLE AND MASKS ARE STRONGLY ENCOURAGED.**

**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. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, interpretation service or alternative format requested at least two days before the meeting. Requests should be emailed

to [cynthia\\_shaw@ci.richmond.ca.us](mailto:cynthia_shaw@ci.richmond.ca.us) and [rent@ci.richmond.ca.us](mailto:rent@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.

### 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 4 minutes; 16 to 24 speakers, a maximum of 3 and one-half minutes; and 25 or more speakers, a maximum of 3 minutes.

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.

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## SPECIAL 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**

- |             |   |                     |
|-------------|---|---------------------|
| <b>F-1.</b> | APPROVE the minutes of the September 20, 2023, Regular Meeting of the Richmond Rent Board.                          | <i>Cynthia Shaw</i> |
| <b>F-2.</b> | RECEIVE the Fiscal Year 2023-24 Monthly Activity Report through September 2023.                                     | <i>Cynthia Shaw</i> |
| <b>F-3.</b> | RECEIVE the Rent Program FY 2023-24 Monthly Revenue and Expenditure Report through September 2023.                  | <i>Fred Tran</i>    |
| <b>F-4.</b> | RECEIVE the Budgeted versus Actual Revenue and Expenditures Report for the first quarter ending September 30, 2023. | <i>Fred Tran</i>    |
| <b>F-5.</b> | APPROVE late fee waiver(s) for October 2023 pursuant to Regulation 425.   | <i>Fred Tran</i>    |

**G. CONSIDERATION OF APPEALS**

- |             |  |                         |
|-------------|--|-------------------------|
| <b>G-1.</b> | Appeal to Petition No. RC22-T167: Appellant appeals the Hearing Examiner's Decision that rejected Appellant's Excess Rent claim due to impressible trash and sewer charges, but awarded Appellant \$245.76, due to an increase in security alarm charges. Specifically, the Hearing Examiner found that the Appellant failed to demonstrate that the trash and sewer charges were commercially unreasonable. However, the Hearing Examiner did | <i>Charles Oshinuga</i> |
|-------------|--|-------------------------|

find that Respondent engaged in rent overcharges when they increased the Appellant's alarm charges by \$5.12, for 48 months. On appeal, Appellant contends the following: Appellant's lease agreement, which was signed by both the Appellant and Respondent, states that Appellant would pay \$0 for trash and sewer each month.

- G-2.** Appeal to Petition No. RC23-T169: Appellant appeals the Hearing Examiner's Decision that rejected Appellant's claim of Excess Rent due to Respondent's alleged defective Rent increase notice, but ultimately awarded Appellant \$632.70, due to Respondent's overall excessive rent charges. Specifically, the Hearing Examiner found that the Appellant failed to demonstrate by a preponderance of the evidence that Respondent's 2021 rent increase notice was void due to Respondent's alleged failure to file a copy of said rent increase notice with the Rent Program. However, the Hearing Examiner did review Respondent's various rent charges and found that Respondent charged Appellant excessive rents in the amount of \$632.70. On appeal, Appellant contends the following: The evidence that was presented in the hearing was insufficient. There were emails dated January 2023, that were addressed after the fact. My Rent increase was supposed to be submitted in 2020/2021. Supposedly there was an error submitting my rent increase that the rent board wasn't initially privy to. Also, if indeed the rent increase was submitted it would have been rejected because the amount was incorrect. I would like everything re-evaluated and reconsidered.

*Charles Oshinuga*

## **H. REGULATIONS**

- H-1.** AMEND Chapter 2 Regulations to include a definition of nonprofit homes for the aged, residential care facilities for the elderly, and other related dwellings.

*Nicolas Traylor  
Charles Oshinuga*

## **I. REPORTS OF OFFICERS/SCHEDULING**

**J. 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](http://www.richmondrent.org).***

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