



**REGULAR 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, November 15, 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: 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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## 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**

- |  |                     |
|--|---------------------|
| <b>F-1.</b> RECEIVE the Fiscal Year 2023-24 Monthly Activity Report through October 2023.                    | <i>Cynthia Shaw</i> |
| <b>F-2.</b> RECEIVE the Rent Program FY 2023-24 Monthly Revenue and Expenditure Report through October 2023. | <i>Fred Tran</i>    |
| <b>F-3.</b> APPROVE late fee waiver(s) for November 2023 pursuant to Regulation 425.                         | <i>Fred Tran</i>    |

**G. RENT BOARD AS A WHOLE**

- |   |                                      |
|---|--------------------------------------|
| <b>G-1.</b> APPROVE the Rent Program to work with the Finance Department to set up a new line item "Recognition / Awards" and process a budget transfer not to exceed \$300 from the Miscellaneous (400322) line item to the new line item. | <i>Nicolas Traylor<br/>Fred Tran</i> |
|---|--------------------------------------|

**H. TRAINING**

- |  |                        |
|--|------------------------|
| <b>H-1.</b> RECEIVE training on the Richmond Rent Board Appeals Process. | <i>Palomar Sanchez</i> |
|--|------------------------|

**I. SCHEDULING**

- I-1. Oral report to discuss scheduling of future meetings.

*Nicolas Traylor  
Charles Oshinuga*

**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).***

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 15, 2023

Final Decision Date Deadline: November 15, 2023

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

## INDICATE APPROPRIATE BODY

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

## ITEM

- |   |  |  |
|---|--|--|
| <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 2023-24 Monthly Activity Report through October 2023 - Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**F-1.**

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Rent Program  
FY2023-24 Monthly Activity Report

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24		
	MTD ACTUAL	YTD TOTAL												
<b>3 Public Information &amp; Enrollment Unit</b>														
5 Rent/Eviction Counseling Appointments By Phone	122	181	172	181	-	-	-	-	-	-	-	-	-	656
6 Rent/Eviction Counseling Appointments By Walk-ins	35	43	53	61	-	-	-	-	-	-	-	-	-	192
7 Rent/Eviction Counseling Questions Addressed By Email	102	132	347	262	-	-	-	-	-	-	-	-	-	843
<b>8 TOTAL RENT/EVICTION COUNSELING APPOINTMENTS</b>	<b>259</b>	<b>356</b>	<b>572</b>	<b>504</b>	-	-	-	-	-	-	-	-	-	<b>1,691</b>
9 Rent/Eviction Counseling Sessions Conducted in Spanish	27	34	32	40	-	-	-	-	-	-	-	-	-	133
10 Rent/Eviction Counseling Sessions Conducted in Mandarin	-	-	-	-	-	-	-	-	-	-	-	-	-	-
11 Rent/Eviction Counseling Sessions Conducted in Cantonese	-	-	-	-	-	-	-	-	-	-	-	-	-	-
12 Rent/Eviction Counseling Sessions Conducted in Another Language	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>13 TOTAL RENT/EVICTION COUNSELING APPOINTMENTS IN A LANGUAGE OTHER THAN ENGLISH</b>	<b>21</b>	<b>34</b>	<b>32</b>	<b>40</b>	-	-	-	-	-	-	-	-	-	<b>127</b>
14 Legal Service Referrals	12	12	9	11	-	-	-	-	-	-	-	-	-	44
17 Mediations Conducted	4	14	2	-	-	-	-	-	-	-	-	-	-	20
18 Assists from Front Office Staff	51	7	18	6	-	-	-	-	-	-	-	-	-	82
19 Courtesy Compliance Letters Sent	38	3	6	1	-	-	-	-	-	-	-	-	-	48
20 Community Workshop Attendees	-	-	-	-	-	-	-	-	-	-	-	-	-	-
21 Hard Copy Rent Increase Notices Processed	8	-	5	1	-	-	-	-	-	-	-	-	-	14
22 Hard Copy Termination of Tenancy Notices Processed	1	-	21	-	-	-	-	-	-	-	-	-	-	22
24	9	-	26	1	-	-	-	-	-	-	-	-	-	36
25 Billing/Enrollment/Registration Counseling Appointments In-Person	4	13	13	21	-	-	-	-	-	-	-	-	-	51
26 Billing/Enrollment/Registration Counseling Appointments By Phone	20	53	50	48	-	-	-	-	-	-	-	-	-	171
27 Billing/Enrollment/Registration Counseling Questions Addressed By Email	23	28	157	80	-	-	-	-	-	-	-	-	-	288
<b>28 TOTAL BILLING/ENROLLMENT/REGISTRATION COUNSELING APPOINTMENTS</b>	<b>43</b>	<b>81</b>	<b>207</b>	<b>128</b>	-	-	-	-	-	-	-	-	-	<b>459</b>
29 Enrollment/Tenancy Registration Packets Mailed	5	6	-	1	-	-	-	-	-	-	-	-	-	12
30 Enrollment Forms Processed	12	49	10	22	-	-	-	-	-	-	-	-	-	93
31 Rental Housing Fee Invoices Generated	30	7,832	1	37	-	-	-	-	-	-	-	-	-	7,900
32 Checks Processed	3	113	156	76	-	-	-	-	-	-	-	-	-	348
33 Checks Returned	2	1	-	4	-	-	-	-	-	-	-	-	-	7
34 Tenancy Registrations Received	11	51	19	7	-	-	-	-	-	-	-	-	-	88
35 Rental Units Discovered Not in Database	8	6	5	7	-	-	-	-	-	-	-	-	-	26
36 Property Information Updated	5	9	5	377	-	-	-	-	-	-	-	-	-	396
37 Compliance Actions (Reviewing Records, Exemption Statuses, Addresses)	74	16	119	16	-	-	-	-	-	-	-	-	-	225
38 Applications for Administrative Determination of Exempt/Inapplicable Status Received	5	2	11	14	-	-	-	-	-	-	-	-	-	32
39 Administrative Determination of Exempt/Inapplicable Status Issued	2	-	2	5	-	-	-	-	-	-	-	-	-	9
40 Declarations of Exemption Processed	-	-	1	-	-	-	-	-	-	-	-	-	-	1
<b>41 LEGAL UNIT</b>														
42 Public Records Act Requests Received	-	4	3	2	-	-	-	-	-	-	-	-	-	9
43 Owner Move-In Eviction Termination of Tenancy Notices Reviewed	2	-	4	-	-	-	-	-	-	-	-	-	-	6
44 Withdrawal from the Rental Market (Ellis Act) Termination of Tenancy Notices Reviewed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
45 Substantial Repairs Termination of Tenancy Notices Reviewed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
46 Appeal Hearings Held	-	-	-	2	-	-	-	-	-	-	-	-	-	2
<b>47 HEARINGS UNIT</b>														
50 Consultations with Hearings Unit Coordinator By Phone	10	4	6	3	-	-	-	-	-	-	-	-	-	23
51 Hearings-Related Questions Addressed by Email	20	27	30	17	-	-	-	-	-	-	-	-	-	94
<b>52 TOTAL HEARINGS-RELATED CONSULTATIONS</b>	<b>30</b>	<b>31</b>	<b>36</b>	<b>20</b>	-	-	-	-	-	-	-	-	-	<b>117</b>
53 MNOI Petitions Received (Attachment A)	-	-	1	-	-	-	-	-	-	-	-	-	-	1
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	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>59 TOTAL LANDLORD PETITIONS RECEIVED</b>	<b>-</b>	<b>1</b>	<b>2</b>	<b>-</b>	<b>3</b>									
60 Excess Rent or Failure to Return Sec Dep Petitions Received (Attachment A)	1	-	4	2	-	-	-	-	-	-	-	-	-	7
61 Decrease in Space/Services or Habitability Petitions Received (Attachment B)	-	-	3	2	-	-	-	-	-	-	-	-	-	5
62 Reduction in Number of Tenants Petitions Received (Attachment C)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
63 Tenant Petition Based on Multiple Grounds	1	-	5	4	-	-	-	-	-	-	-	-	-	10
64 Tenant Petition for Rent Withholding Petitions Received	-	-	-	-	-	-	-	-	-	-	-	-	-	-
65 Tenant Petition for Failure to Pay Relocation Payment Petitions Received	-	1	1	5	-	-	-	-	-	-	-	-	-	7
<b>66 TOTAL TENANT PETITIONS RECEIVED</b>	<b>2</b>	<b>1</b>	<b>13</b>	<b>13</b>	<b>-</b>	<b>29</b>								
67 Petition for Determination of Occupancy Status	-	-	-	-	-	-	-	-	-	-	-	-	-	-

**Rent Program**  
**FY2023-24 Monthly Activity Report**

**ITEM F-1**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
		Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	
		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)	-	-	-	5	-	-	-	-	-	-	-	-	5
72	<b>TOTAL OTHER PETITIONS RECEIVED</b>	-	-	-	6	-	-	-	-	-	-	-	-	6
73	Decisions Ordered	2	1	-	-	-	-	-	-	-	-	-	-	3
74	Cases Settled	3	2	3	2	-	-	-	-	-	-	-	-	10
75	Cases Dismissed	1	-	1	-	-	-	-	-	-	-	-	-	2
76	Petitions Withdrawn	-	-	-	-	-	-	-	-	-	-	-	-	-
77	<b>TOTAL CASES CLOSED</b>	6	3	4	2	-	-	-	-	-	-	-	-	15
78	Appeals Received	1	-	1	-	-	-	-	-	-	-	-	-	2
79	Total Open Cases (Tenant Petitions)	9	10	10	14	-	-	-	-	-	-	-	-	43
80	Total Open Cases (Landlord Petitions)	2	3	2	-	-	-	-	-	-	-	-	-	7
81	Total Open Cases (Other Petitions)	2	-	3	-	-	-	-	-	-	-	-	-	5
82	<b>TOTAL OPEN CASES</b>	13	13	15	14	-	-	-	-	-	-	-	-	55
83	<b>Form Submissions</b>													
84	Agent Authorization	-	-	-	-	-	-	-	-	-	-	-	-	-
85	Proof of Excess Rent Refund	-	-	-	-	-	-	-	-	-	-	-	-	-
86	Proof of Permanent Relocation Payment	-	-	-	-	-	-	-	-	-	-	-	-	-
87	Proof of Temporary Relocation Payment	-	-	-	-	-	-	-	-	-	-	-	-	-
88	Change in Terms of Tenancy	9	-	-	-	-	-	-	-	-	-	-	-	9
89	<b>TOTAL RENT INCREASE NOTICES FILED</b>	95	-	-	72	-	-	-	-	-	-	-	-	167
90	Termination of Tenancy - Nonpayment of Rent	21	100	61	65	-	-	-	-	-	-	-	-	247
91	Termination of Tenancy - Breach of Lease	1	12	6	13	-	-	-	-	-	-	-	-	32
92	Termination of Tenancy - Failure to Give Access	-	-	-	1	-	-	-	-	-	-	-	-	1
93	Termination of Tenancy - Nuisance	-	4	1	5	-	-	-	-	-	-	-	-	10
94	Termination of Tenancy - Withdrawal from the Rental Market	-	-	-	-	-	-	-	-	-	-	-	-	-
95	Termination of Tenancy - Owner Move-In	3	1	4	-	-	-	-	-	-	-	-	-	8
96	Termination of Tenancy - Substantial Repairs	-	-	-	-	-	-	-	-	-	-	-	-	-
97	Termination of Tenancy - Temporary Tenancy	-	1	-	-	-	-	-	-	-	-	-	-	1
98	<b>TOTAL TERMINATION OF TENANCY NOTICES FILED</b>	25	118	72	84	-	-	-	-	-	-	-	-	299

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 15, 2023

Final Decision Date Deadline: November 15, 2023

**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 2023-24 Monthly Revenue and Expenditure Report through October 2023 – Rent Program (Fred Tran 620-6537).

AGENDA ITEM NO:

**F-2.**

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**RICHMOND RENT PROGRAM**  
**MONTHLY REVENUE AND EXPENDITURES REPORT**  
**FISCAL YEAR 2023-24**

**ITEM F-2**

OBJECT	ORIGINAL BUDGET	ADOPTED BUDGET	Period 1	Period 2	Period 3	Period 4	ENCUMBRANCES	YTD TOTAL	AVAILABLE BUDGET	% USED
			July	August	September	October				
340445 Rental Housing Fees	(2,914,945.00)	(2,914,945.00)	(17,585.50)	(787,875.98)	(919,573.50)	(344,931.75)	-	(2,069,966.73)	(844,978.27)	71.0%
<b>TOTAL LICENSES, PRMITS&amp;FEES</b>	<b>(2,914,945.00)</b>	<b>(2,914,945.00)</b>	<b>(17,585.50)</b>	<b>(787,875.98)</b>	<b>(919,573.50)</b>	<b>(344,931.75)</b>	-	<b>(2,069,966.73)</b>	<b>(844,978.27)</b>	<b>71.0%</b>
361701 Interest	(20,000.00)	(20,000.00)	-	-	-	(17,242.17)	-	(17,242.17)	(2,757.83)	86.2%
361705 Realized Gain	-	-	-	-	-	-	-	-	-	0.0%
<b>TOTAL INTEREST &amp; REALIZED INCOME</b>	<b>(20,000.00)</b>	<b>(20,000.00)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(17,242.17)</b>	<b>-</b>	<b>(17,242.17)</b>	<b>(2,757.83)</b>	<b>86.2%</b>
364855 OTHER REV/Misc Other Re	-	-	-	-	-	(15.00)	-	(15.00)	15.00	0.0%
364867 Revenue from Collections Agency	(50,000.00)	(50,000.00)	-	-	-	-	-	-	(50,000.00)	0.0%
337373 Other Grants	-	-	-	-	-	-	-	-	-	0.0%
<b>TOTAL OTHER REVENUE</b>	<b>(50,000.00)</b>	<b>(50,000.00)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(15.00)</b>	<b>(50,000.00)</b>	<b>0.0%</b>
<b>TOTAL REVENUE</b>	<b>(2,984,945.00)</b>	<b>(2,984,945.00)</b>	<b>(17,585.50)</b>	<b>(787,875.98)</b>	<b>(919,573.50)</b>	<b>(362,188.92)</b>	<b>-</b>	<b>(2,087,223.90)</b>	<b>(897,721.10)</b>	<b>69.9%</b>
400001 SALARIES & WAGES/Executive	765,357.00	765,357.00	65,519.38	65,521.38	65,523.38	66,182.86	-	262,747.00	502,610.00	34.3%
400002 SALARIES & WAGES/Mgmt-Local 21	353,101.00	353,101.00	29,114.00	29,749.00	29,749.00	29,749.00	-	118,361.00	234,740.00	33.5%
400003 SALARIES & WAGES/Local 1021	268,646.00	268,646.00	18,678.44	18,678.44	18,678.44	18,678.44	-	74,713.76	193,932.24	27.8%
400006 SALARIES & WAGES/PT- Temp	37,565.00	37,565.00	1,246.21	3,146.24	2,040.90	2,479.43	-	8,912.78	28,652.22	23.7%
400031 OVERTIME/General	2,500.00	2,500.00	284.60	-	-	-	-	284.60	2,215.40	11.4%
400048 OTHER PAY/Bilingual Pay	11,470.00	11,470.00	968.02	928.26	928.26	2,541.26	-	5,365.80	6,104.20	46.8%
400049 OTHER PAY/Auto Allowance	4,200.00	4,200.00	350.00	350.00	350.00	350.00	-	1,400.00	2,800.00	33.3%
400053 OTHER PAY/Pension Credi	-	-	1,333.05	1,331.58	1,331.62	1,344.81	-	5,341.06	(5,341.06)	100.0%
<b>TOTAL SALARIES AND WAGES</b>	<b>1,442,839.00</b>	<b>1,442,839.00</b>	<b>117,493.70</b>	<b>119,704.90</b>	<b>118,601.60</b>	<b>121,325.80</b>	<b>-</b>	<b>477,126.00</b>	<b>965,713.00</b>	<b>33.1%</b>
400103 P-ROLL BEN/Medicare Tax-ER Shr	19,710.00	19,710.00	1,694.62	1,721.51	1,705.50	1,744.83	-	6,866.46	12,843.54	34.8%
400105 P-ROLL BEN/Health Insurance Be	249,327.00	249,327.00	20,777.22	20,777.22	20,777.22	20,777.22	-	83,108.88	166,218.12	33.3%
400106 P-ROLL BEN/Dental Insurance	16,644.00	16,644.00	1,387.32	1,387.32	1,387.32	1,387.32	-	5,549.28	11,094.72	33.3%
400109 P-ROLL BEN/Employee Assistance	216.00	216.00	18.36	18.36	18.36	18.36	-	73.44	142.56	34.0%
400110 P-ROLL BEN/Professional Dev-Mg	6,750.00	6,750.00	250.00	-	-	-	-	250.00	6,500.00	3.7%
400111 P-ROLL BEN/Vision	1,992.00	1,992.00	166.44	166.44	166.44	166.44	-	665.76	1,326.24	33.4%
400112 P-ROLL BEN/Life Insurance	3,931.00	3,931.00	327.53	327.53	327.53	327.53	-	1,310.12	2,620.88	33.3%
400114 P-ROLL BEN/Long Term Disabilit	11,803.00	11,803.00	593.06	599.32	599.53	606.41	-	2,398.32	9,404.68	20.3%
400116 P-ROLL BEN/Unemployment Ins	5,472.00	5,472.00	494.00	532.00	532.00	532.00	-	2,090.00	3,382.00	38.2%
400117 P-ROLL BEN/Personal/Prof Dev	2,250.00	2,250.00	108.32	-	-	-	-	108.32	2,141.68	4.8%
400121 P-ROLL BEN/Worker Comp-Clerica	6,923.00	6,923.00	1,242.56	755.50	728.84	723.96	-	3,450.86	3,472.14	49.8%
400122 P-ROLL BEN/Worker Comp-Prof	101,330.00	101,330.00	6,397.46	8,581.22	8,581.22	8,640.62	-	32,200.52	69,129.48	31.8%
400127 P-ROLL BEN/OPEB	20,956.00	20,956.00	2,574.30	1,780.24	1,780.24	1,790.53	-	7,923.31	13,030.69	37.8%
400130 P-ROLL BEN/PARS Benefits	-	-	16.20	40.90	26.54	32.24	-	115.88	(115.88)	100.0%
400149 P-ROLL BEN/PERS-Misc	186,975.00	186,975.00	15,124.94	15,956.41	15,956.68	16,272.34	-	63,310.37	123,664.63	33.9%
400151 P-ROLL BEN/PERS-Misc (UAL)	234,120.00	234,120.00	23,838.12	19,509.60	19,509.60	19,509.60	-	82,366.92	151,753.08	35.2%
<b>TOTAL FRINGE BENEFITS</b>	<b>868,399.00</b>	<b>868,399.00</b>	<b>75,010.45</b>	<b>72,153.57</b>	<b>72,097.02</b>	<b>72,529.40</b>	<b>-</b>	<b>291,790.44</b>	<b>576,608.56</b>	<b>33.6%</b>
400201 PROF SVCS/Professional Svcs	263,400.00	270,050.00	-	252.57	1,422.57	9,207.60	21,412.26	10,882.74	237,755.00	12.0%
400206 PROF SVCS/Legal Serv Cost	275,000.00	275,000.00	-	16,666.00	16,666.00	16,666.00	-	50,000.00	75,000.00	72.7%
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	-	-	-	649.00	-	649.00	151.00	81.1%
400280 ADM EXP/Program Supplies	5,808.00	5,808.00	-	491.07	-	1,064.42	-	1,555.49	4,252.51	26.8%
<b>TOTAL PROF &amp; ADMIN SERVICES</b>	<b>547,458.00</b>	<b>554,108.00</b>	<b>-</b>	<b>17,409.64</b>	<b>18,088.57</b>	<b>27,587.02</b>	<b>171,414.26</b>	<b>63,085.23</b>	<b>319,608.51</b>	<b>42.3%</b>
400231 OFF EXP/Postage & Mailing	-	-	206.55	-	4,229.91	111.90	-	4,548.36	(4,548.36)	0.0%
400232 OFF EXP/Printing & Binding	15,425.00	15,425.00	2,967.65	-	-	180.80	-	3,148.45	12,276.55	20.4%
400233 OFF EXP/Copying & Duplicating	-	-	-	-	-	-	-	-	-	0.0%
400304 RENTAL EXP/Equipment Rental	9,000.00	9,000.00	-	186.58	-	373.16	5,679.22	559.74	2,761.04	69.3%
400321 MISC EXP/Misc Contrib	2,000.00	2,000.00	-	-	-	-	-	-	2,000.00	0.0%
400322 MISC EXP/Misc Exp	2,000.00	1,600.00	-	337.43	-	830.82	-	1,168.25	431.75	73.0%
400341 OFF SUPP/Office Supplies	5,000.00	5,000.00	-	1,611.89	-	199.62	-	1,811.51	3,188.49	36.2%
<b>TOTAL OTHER OPERATING</b>	<b>33,425.00</b>	<b>33,025.00</b>	<b>3,174.20</b>	<b>2,135.90</b>	<b>4,229.91</b>	<b>1,696.30</b>	<b>5,679.22</b>	<b>11,236.31</b>	<b>16,109.47</b>	<b>51.2%</b>
400401 UTILITIES/Tel & Telegraph	500.00	500.00	-	-	-	-	-	-	500.00	0.0%
<b>TOTAL UTILITIES</b>	<b>500.00</b>	<b>500.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>500.00</b>	<b>0.0%</b>
400538 CONTRACT SVCS/Oth Cntrc	-	400.00	-	-	28.11	-	31.89	28.11	340.00	15.0%
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%
<b>TOTAL PROVISION FOR INS LOSS</b>	<b>9,300.00</b>	<b>9,300.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8,077.00</b>	<b>8.00</b>	<b>8,077.00</b>	<b>1,215.00</b>	<b>86.9%</b>
400574 COST POOL/(ISF)-Gen Liability	217,744.00	217,744.00	-	-	54,439.00	18,145.00	-	72,584.00	145,160.00	33.3%
400586 COST POOL/(CAP)- Admin Charges	52,481.00	52,481.00	-	-	13,124.00	4,373.00	-	17,497.00	34,984.00	33.3%
400591 COST POOL/(IND)Civic Ctr Alloc	60,248.00	60,248.00	-	-	15,059.00	5,021.00	-	20,080.00	40,168.00	33.3%
<b>TOTAL COST POOL</b>	<b>330,473.00</b>	<b>330,473.00</b>	<b>-</b>	<b>-</b>	<b>82,622.00</b>	<b>27,539.00</b>	<b>-</b>	<b>110,161.00</b>	<b>220,312.00</b>	<b>33.3%</b>
400601 NONCAP ASST/Comp Hrdware<SK	3,000.00	3,000.00	-	-	-	-	-	-	3,000.00	0.0%
<b>TOTAL ASSET/CAPITAL OUTLAY</b>	<b>3,000.00</b>	<b>3,000.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,000.00</b>	<b>0.0%</b>
391994 391994 TRANSFER IN/From Gen Fund	(150,000.00)	(150,000.00)	(12,500.00)	-	(25,000.00)	(12,500.00)	-	(50,000.00)	(100,000.00)	33.3%
<b>90 OPER XFERS IN</b>	<b>(150,000.00)</b>	<b>(150,000.00)</b>	<b>(12,500.00)</b>	<b>-</b>	<b>(25,000.00)</b>	<b>(12,500.00)</b>	<b>-</b>	<b>(50,000.00)</b>	<b>(100,000.00)</b>	<b>33.3%</b>
<b>TOTAL EXPENDITURES</b>	<b>3,235,394.00</b>	<b>3,242,044.00</b>	<b>195,678.35</b>	<b>211,404.01</b>	<b>295,667.21</b>	<b>258,754.52</b>	<b>177,133.37</b>	<b>961,504.09</b>	<b>2,103,406.54</b>	<b>35.1%</b>
<b>NET OPERATING (SURPLUS)/DEFICIT</b>	<b>100,449.00</b>	<b>107,099.00</b>	<b>165,592.85</b>	<b>(576,471.97)</b>	<b>(648,906.29)</b>	<b>(115,934.40)</b>	<b>177,133.37</b>	<b>(1,175,719.81)</b>	<b>1,105,685.44</b>	<b>-93.4%</b>
<b>CASH BALANCE</b>			<b>1,111,439.76</b>	<b>1,720,174.18</b>	<b>2,371,046.02</b>	<b>2,493,898.47</b>				

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# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 15, 2023

Final Decision Date Deadline: November 15, 2023

**STATEMENT OF THE ISSUE:** At the November 17, 2021, Regular Meeting of the Richmond Rent Board, the Board adopted Regulation 425, titled, "Waiver of Delinquent Residential Housing Fee Assessment. As required by Regulation 425, the Executive Director 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, for the month of November 2023, are the compiled late fee waiver requests and associated documentation.

## INDICATE APPROPRIATE BODY

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

## ITEM

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) |  |  |
| <input type="checkbox"/> Public Hearing   | <input type="checkbox"/> Regulation  | <input checked="" type="checkbox"/> Other: <u>CONSENT CALENDAR</u> |
| <input type="checkbox"/> Contract/Agreement   | <input type="checkbox"/> Rent Board As Whole                                     |  |
| <input type="checkbox"/> Grant Application/Acceptance                                 | <input type="checkbox"/> Claims Filed Against City of Richmond                   |  |
| <input type="checkbox"/> Resolution   | <input type="checkbox"/> Video/PowerPoint Presentation (contact KCRT @ 620.6759) |  |

**RECOMMENDED ACTION:** APPROVE late fee waiver(s) for November 2023 pursuant to Regulation 425 - Rent Program (Fred Tran/510-620-6537).

AGENDA ITEM NO:

**F-3.**

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# ITEM F-3

## Late Fee Waiver Summary – November 2023 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 1501 Chanslor Ave. and 2617 Cutting Blvd.	Kelly Lu	January 18, 2023	Other, never received the invoice	Full waiver of late fees	\$678.00	\$678.00	None
2 553 Tewksbury Ave./2349 Gaynor Ave. / 1125 Chanslor Ave. 622 18th St./338 20th St./1531 Virginia Ave./2026 Barrett Ave.	Chris Cochrane	October 15, 2022	Other, Covid - technical issue with the invoice	Full waiver of late fees	\$7,595.50	\$7,595.50	None
3 5700 Skyview Pl.	John and Regina Clyde	February 1, 2023	Wrong Mailing Address	Full waiver of late fees	\$125.00	\$125.00	None
4 101 Harbour Way	Herman and Anisa Survine	January 19, 2023	Covid - impacted, unable to collect rent	Full waiver of late fees	\$757.50	\$757.50	None

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To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation – 101 Harbour Way South

Date: November 15, 2023

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 November 2023:

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)
Herman and Anisa Survine	January 19, 2023	Covid – Impacted	Full waiver of late fees	\$757.50	\$757.50	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 deciding of whether there exists 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 January 19, 2023, (Attachment 1) Herman and Anisa Survine, the property owners of 101 Harbour Way South indicated that they were financially

impacted by COVID-19 and unable to collect some or all of the rent for their property. Staff confirmed that the property had been enrolled in October 2018.

### 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 425 (D) and (E), provide the factors required when making a determining of good cause.

In this case, the owner had not previously submitted a Late Fee Waiver request.

### 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.*

Rent Program staff confirmed Herman and Anisa Survine paid the base Residential Rental Housing Fees for Fiscal Years 2022-2023 on January 25, 2023.

Rent Program staff verified with Contra Costa County records that the property is designated as a 7-unit apartment built in 1989.

Herman and Anisa Survine demonstrated Good Cause that warrants a waiver of late fees with a full payment of their base fees and informing the Program they were financially impacted by COVID-19 and unable to collect some or all of the rent for their property.

Staff Recommendation

Herman and Anisa Survine demonstrated good faith efforts to come into compliance by paying the Residential Rental Housing Fees and enrolling in the Program. Considering these factors, staff recommend that a full waiver of late fees in the amount of \$757.50 be granted.

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Request to Remove Late Fees

Property Owner Name: Anisa Survine

FRJC #: [REDACTED]

Property Owner Phone Number or Email: [REDACTED]

The Property Owner has requested the removal of late fees on their account totaling \$ 416.50 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: \_\_\_\_\_

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: Anisa Survine Date: 01 / 19 / 2023

Printed Name: Anisa Survine

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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To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation – 1501 Chanslor Avenue and 2616 Cutting Blvd.

Date: November 15, 2023

### 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 November 2023:

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)
Kelly Lu	January 18, 2023	Other, Invoice not received	Full waiver of late fees	\$678.00	\$678.00	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 deciding of whether there exists 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 January 18, 2023, (Attachment 1) Kelly Lu the property owner of 1501 Chanslor Avenue and 2616 Cutting Blvd. indicated that she did not receive the Rental Housing Fee invoice because her mail was lost. In January 2023 the owner had

contacted the City of Richmond to inquire about the invoice. Rent Program staff informed her of the outstanding invoice and also confirmed that all properties have been enrolled since January 2019.

### 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 425 (D) and (E), provide the factors required when making a determining of good cause.

In this case, the owner had not previously submitted a Late Fee Waiver request.

### 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.*

Rent Program staff confirmed Kelly Lu paid the base Residential Rental Housing Fees for Fiscal Year 2022-2023 on January 18, 2023.

Rent Program staff verified with Contra Costa County records that the properties are designated as a Duplex and Fourplex built in 1927 and 1961, respectively.

Kelly Lu demonstrated Good Cause that warrants a waiver of late fees with a timely payment when she received the invoice. Kelly Lu paid the balance immediately once informed of the outstanding amount.

Staff Recommendation

Kelly Lu demonstrated good faith efforts to come into compliance by contacting the Rent Program to inquire about the invoice, paying the Residential Rental Housing Fees when the invoice was provided, and enrolling with the Program. Considering these factors, staff recommend that a full waiver of late fees in the amount of \$678.00 be granted.

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### Request to Remove Late Fees

Property Owner Name: KELLY B. LU

FRJC #: [REDACTED]

Property Owner Phone Number or Email [REDACTED]

The Property Owner has requested the removal of late fees on their account totaling \$ 679.00 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.) *never knew was received*

Other: mail was lost and found on 1/18/2023. Family was sick one after another (COVID-19 & the A). Please do excuse us for it was our intention to delay the payment. It's greatly appreciated your kindness.

**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: 1/18/2023

Printed Name: KELLY LU

**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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To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation – 5700 Skyview Pl.

Date: November 15, 2023

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 November 2023:

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)
John and Regina Clyde	February 1, 2023	Wrong Mailing Address	Full waiver of late fees	\$125.00	\$125.00	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 deciding of whether there exists 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 February 1, 2023, (Attachment 1) John and Regina Clyde, the property owners of 5700 Skyview Pl. indicated that they did not receive the Rental Housing Fee invoice because of a wrong mailing address. In January 2023 the owners

contacted the Rent Program to inquire about their invoice. Rent Program staff informed them that the address in the system was from an enrollment form submitted in May 2019. John Clyde stated they had a new mailing address and submitted an Amended Property Enrollment Form on February 1, 2023 with the correct 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 425 (D) and (E), provide the factors required when making a determining of good cause.

In this case, the owner had not previously submitted a Late Fee Waiver request.

### 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.*

Rent Program staff confirmed John and Regina Clyde paid the base Residential Rental Housing Fees for Fiscal Years 2021-2022 and 2022-2023 on February 1, 2023. Rent Program staff verified with Contra Costa County records that the property is designated as a Single-Family home built in 1985. John and Regina Clyde demonstrated Good Cause that warrants a waiver of late fees with a timely payment when they received the invoice. John and Regina Clyde paid the balance immediately once informed of the outstanding amount.

Staff Recommendation

John and Regina Clyde demonstrated good faith efforts to come into compliance by contacting the Rent Program to inquire about the invoice, paying the Residential Rental Housing Fees when the invoice was provided, and enrolling with the Program. Considering these factors, staff recommend that a full waiver of late fees in the amount of \$125.00 be granted.

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## Request to Remove Late Fees

Property Owner Name: John and Regina Clyde

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: \_\_\_\_\_

### 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: John R Clyde Digitally signed by John R Clyde  
Date: 2023.02.01 09:34:52 -06'00' Date: 02 / 01 / 2023

Printed Name: John R Clyde

### 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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To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation – 553 Tewksbury Avenue, 2349 Gaynor Avenue, 1125 Chanslor Avenue, 622 18th Street, 338 20th Street, 1531 Virginia Avenue, and 2026 Barrett Avenue

Date: November 15, 2023

### 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 November 2023:

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)
Chris Cochrane	October 15, 2022	Other, Impacted by COVID-19, no Invoice received	Full waiver of late fees	\$7,595.50	\$7,595.50	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 deciding of whether there exists 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 October 15, 2022, (Attachment 1) Carlos Valero had submitted on behalf of Chris Cochrane, the property owner of 553 Tewksbury Avenue, 2349 Gaynor Avenue, 1125 Chanslor Avenue, 622 18th Street, 338 20th Street, 1531 Virginia Avenue, and 2026 Barrett Avenue. He indicated that he did not receive the Rental Housing Fee invoices and was financially impacted by COVID-19. In August 2022 the owner’s property manager had contacted the City of Richmond to inquire about the invoice and information that had been submitted to the Program for compliance. Rent Program staff informed him of the outstanding invoice and also confirmed that all properties have been enrolled since August 2022, October 2022, and August 2023.

### 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 425 (D) and (E), provide the factors required when making a determining of good cause.

In this case, the owner had not previously submitted a Late Fee Waiver request.

### 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.*

Rent Program staff confirmed Chris Cochrane paid the base Residential Rental Housing Fees for Fiscal Years 2018-2019, 2019-2020, 2020-2021, 2021-2022, and 2022-2023 on September 27, 2022.

Rent Program staff verified with Contra Costa County records that the properties are designated as a Duplex, Triplex, Fourplex, and Single-Family Dwelling, built in 1910, 1950, 1952, 1947, 1910, 1935, and 1946 respectively.

Chris Cochrane demonstrated Good Cause that warrants a waiver of late fees with a timely payment when he received the invoice. Chris Cochrane paid the balance immediately once informed of the outstanding amount.

Staff Recommendation

Chris Cochrane demonstrated good faith efforts to come into compliance by contacting the Rent Program to inquire about the invoice, paying the Residential Rental Housing Fees when the invoice was provided, and enrolling with the Program. Considering these factors, staff recommend that a full waiver of late fees in the amount of \$7,595.50 be granted.

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Request to Remove Late Fees

Property Owner Name: CHRIS COCHRANE

FRJC #: \_\_\_\_\_

Property Owner Phone Number or Email: [REDACTED]

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

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

Declaration & Signature:

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

Signature of Landlord/Property Manager: Carlos Valero Date: 10/15/22

Printed Name: CARLOS VALERO

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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# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 15, 2023

Final Decision Date Deadline: November 15, 2023

**STATEMENT OF THE ISSUE:** On October 18, 2023, the Richmond Rent Board approved a policy to honor past Board members with proclamations of appreciation and a perpetual plaque to be housed at the Rent Program office or other appropriate space. The total cost associated with honoring past Board members is anticipated to be approximately \$280, the cost to purchase a perpetual plaque. The cost of developing and producing proclamations will be staff time and actual costs of printing will be charged to the Office Expense/Printing & Binding (400232) line item. Currently there is no line item for "Recognition / Awards", Staff are requesting approval from the Board to work with the Finance Department to set up a new line item. Once created, Staff recommend a Budget Transfer not to exceed \$300 from the Miscellaneous (400322) line item to the new "Recognition / Awards" line item. Because the proposed budget transfer is not increasing the overall Budget, but rather reallocating funds, there will be no impact on the Residential Rental Housing Fee for Fiscal Year 2023-24.

## 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 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 checked="" type="checkbox"/> Regulation                                   | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Public Hearing   | <input type="checkbox"/> Rent Board As Whole                                     |                                 |
| <input type="checkbox"/> Contract/Agreement   | <input type="checkbox"/> Claims Filed Against City of Richmond                   |                                 |
| <input type="checkbox"/> Grant Application/Acceptance                                 | <input type="checkbox"/> Video/PowerPoint Presentation (contact KCRT @ 620.6759) |                                 |
| <input type="checkbox"/> Resolution   |  |                                 |

**RECOMMENDED ACTION:** APPROVE the Rent Program to work with the Finance Department to set up a new line item "Recognition / Awards" and process a budget transfer not to exceed \$300 from the Miscellaneous (400322) line item to the new line item. – Rent Program (Nicolas Traylor/Fred Tran – 620-6564).

AGENDA ITEM NO:

**G-1.**

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# AGENDA REPORT

**DATE:** November 15, 2023

**TO:** Chair Cantor and Members of the Rent Board

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

**SUBJECT:** BUDGET TRANSFER FOR BOARD MEMBER RECOGNITION

## STATEMENT OF THE ISSUE:

On October 18, 2023, the Richmond Rent Board approved a policy to honor past Board members with proclamations of appreciation and a perpetual plaque to be housed at the Rent Program office or other appropriate space. The total cost associated with honoring past Board members is anticipated to be approximately \$282, the cost to purchase a perpetual plaque. The cost of developing and producing proclamations will be staff time and actual costs of printing will be charged to the Office Expense/Printing & Binding (400232) line item. Currently there is no line item for "Recognition / Awards". Staff are requesting approval from the Board to work with the Finance Department to set up a new line item. Once created, Staff recommend a Budget Transfer not to exceed \$300 from the Miscellaneous (400322) line item to the new "Recognition / Awards" line item. Because the proposed budget transfer is not increasing the overall Budget, but rather reallocating funds, there will be no impact on the Residential Rental Housing Fee for Fiscal Year 2023-24.

## RECOMMENDED ACTION:

**APPROVE** the Rent Program to work with the Finance Department to set up a new line item "Recognition / Awards" and process a budget transfer not to exceed \$300 from the Miscellaneous (400322) line item to the new line item. – Rent Program (Nicolas Traylor/Fred Tran – 620-6564).

## FISCAL IMPACT:

There is no fiscal impact for this item.  
The proposed budget transfer will not increase the Fiscal Year 2023-24 Rent Program Budget, but rather reallocate funds from one budget line item to another.

## **DISCUSSION:**

### Past Board member Recognition Policy

On October 18, 2023, the Richmond Rent Board approved a policy to honor past Board members with proclamations of appreciation and a perpetual plaque with the past Board member names and terms to be housed at the Rent Program office or other appropriate space. The Board must approve a Budget Transfer and reallocating an amount not to exceed \$300 from the Miscellaneous (400322) line item to a new line item. It is anticipated that approximately \$282 be allocated for Past Board Member recognition is a one-time cost (to purchase the perpetual plaque) and that in future fiscal years, only the cost of adding at most 5 additional Board member's name and term to the plaque will be budgeted in future fiscal years.

## **DOCUMENTS ATTACHED:**

Attachment 1 - 2023-2024 BUDGET ADOPTED June 26, 2023

# ITEM G-1 ATTACHMENT 1

## ADOPTED FY 2023 - 2024 RENT PROGRAM BUDGET AND FEE STUDY

FEE STUDY														
		Type	# UNITS	Proposed Fee	Revenue	(a) + (b) + (c)	Program Fee	Just Cause Fee	Rent Control Fee					
		Fully-Covered	7,749	\$220	\$1,706,273	(a) + (b) + (c)	\$84	\$41	\$95					
		Partially-Covered	10,385	\$125	\$1,298,425	(a) + (b)	(a)	(b)	(c)					
		Total Units	18,134		\$3,004,698									
<b>BUDGET</b>														
Object #	City Account Description	FY 18-19 ACTUALS	FY 19-20 ACTUALS	FY 20-21 ACTUALS	FY 21-22 ACTUALS	FY 22-23 ADOPTED	FY 23-24 PROPOSED	Notes	Program Allocation (%)	Program Allocation (\$)	Just Cause Allocation (%)	Just Cause Allocation (\$)	Rent Control Allocation (%)	Rent Control Allocation (\$)
<b>REVENUES</b>														
340445	Fees/Admin Fees	2,189,703	2,681,689	2,764,961	2,332,429	3,062,687	3,004,698	(1)						
361701	Int & Invest/Pool-All Other	367	11,537	6,096	4,619	14,000	20,000							
364867	Revenue from Collections & Other	133	13,042	24,796	19,641	30,000	50,000							
	<b>TOTAL REVENUES</b>	<b>2,190,203</b>	<b>2,706,268</b>	<b>2,795,854</b>	<b>2,356,688</b>	<b>3,106,687</b>	<b>3,074,698</b>							
<b>EXPENSES</b>														
400001	Salaries & Wages/Executive	530,092	639,594	649,356	676,463	724,848	846,234	(2)	55%	465,429	20%	169,247	25%	211,559
400002	Salaries & Wages/Mgmts.-Local 21	294,152	263,080	183,838	147,008	324,846	367,225	(2)	55%	201,974	20%	73,445	25%	91,806
400003	Salaries & Wages/Local 1021	128,866	150,317	168,422	152,925	202,332	337,853	(2)	55%	185,709	20%	67,531	25%	84,413
400006	Salaries & Wages/PT-Temp	49,557	45,905	32,244	35,234	35,776	37,565	(2)	55%	20,661	20%	7,513	25%	9,391
400031	Overtime/General	4,778	2,094	1,312	1,793	2,500	2,500	(2)	55%	1,375	20%	500	25%	625
400048	Other Pay/Billingual Pay	6,993	9,064	9,719	7,910	11,172	11,470	(2)	55%	6,309	20%	2,294	25%	2,868
400049	Other Pay/Auto Allowance	4,200	4,200	4,200	4,200	4,200	4,200	(2)	55%	2,310	20%	840	25%	1,050
400050	Other Pay/Medical-In Lieu of	2,700	1,500	-	-	-	-		55%	-	20%	-	25%	-
400079	Comp Absences/WC-Prof-Mgt-Tec	1,486	5,328	-	-	-	-		55%	-	20%	-	25%	-
400058	OTHER PAY/Retro Pay 2022-23 and Prior	-	-	-	34,200	-	63,615		55%	34,988	20%	12,723	25%	15,904
	<b>Subtotal - Salaries &amp; Wages</b>	<b>1,022,823</b>	<b>1,121,084</b>	<b>1,049,091</b>	<b>1,059,732</b>	<b>1,305,674</b>	<b>1,670,462</b>			<b>918,754</b>		<b>334,092</b>		<b>417,615</b>
400103	P-Roll Ben/Medicare Tax-ER Shor	14,937	16,389	15,313	15,435	18,207	20,774	(3)	55%	11,426	20%	4,155	25%	5,194
400105	P-Roll Ben/Health Insurance Be	146,557	136,575	128,611	168,100	232,291	271,329	(3)	55%	149,231	20%	54,266	25%	67,832
400106	P-Roll Ben/Dental Insurance	16,652	17,021	17,534	13,509	17,520	18,031	(3)	55%	9,917	20%	3,606	25%	4,508
400109	P-Roll Ben/Employee Assistance	430	473	422	244	216	234	(3)	55%	129	20%	47	25%	59
400110	P-Roll Ben/Professional Dev-Mg	3,728	5,200	1,500	250	6,750	7,500	(3)	55%	4,125	20%	1,500	25%	1,875
400111	P-Roll Ben/Vision	2,106	2,095	2,049	1,588	2,052	2,158	(3)	55%	1,187	20%	432	25%	540
400112	P-Roll Ben/Life Insurance	5,557	4,006	3,433	3,336	4,139	3,931	(3)	55%	2,162	20%	786	25%	983
400114	P-Roll Ben/Long Term Disability	9,408	10,100	9,259	6,952	12,342	11,996	(3)	55%	6,598	20%	2,399	25%	2,999
400116	P-Roll Ben/Unemployment Ins	1,860	5,100	4,960	4,440	5,472	5,928	(3)	55%	3,280	20%	1,186	25%	1,482
400117	P-Roll Ben/Personal/Prof Dev	750	1,493	1,500	1,140	2,250	2,250	(3)	55%	1,238	20%	450	25%	563
400118	P-Roll Ben/Worker Comp-Injury Appt	-	-	692	-	-	-		55%	-	20%	-	25%	-
400121	P-Roll Ben/Worker Comp-Clerical	13,806	12,154	14,541	9,042	24,001	6,923	(3)	55%	3,808	20%	1,385	25%	1,731
400122	P-Roll Ben/Worker Comp-Prof	69,352	60,744	74,891	47,762	-	-	(14)	55%	-	20%	-	25%	-
400127	P-Roll Ben/OPEB	39,338	43,623	42,145	40,276	40,723	32,127	(3)	55%	17,670	20%	6,425	25%	8,032
400130	P-Roll Ben/PARS Benefits	642	434	50	398	-	-		55%	-	20%	-	25%	-
400149	P-Roll Ben/Misc.	123,021	140,616	139,314	128,986	156,287	186,975	(3)	55%	102,836	20%	37,395	25%	46,744
400151	P-Roll Ben/Misc. (UAL)	162,985	235,683	271,234	252,844	287,268	309,894	(3)	55%	170,442	20%	61,979	25%	77,474
	<b>Subtotal Fringe Benefits</b>	<b>611,127</b>	<b>691,706</b>	<b>727,447</b>	<b>694,301</b>	<b>809,518</b>	<b>880,050</b>			<b>484,028</b>		<b>176,010</b>		<b>220,013</b>
400201	Prof Svcs/Professional Svcs	32,112	38,241	10,957	10,460	143,455	140,900	(4)	55%	77,495	20%	28,180	25%	35,225
400206	Prof Svcs/Legal Serv Cost	137,614	193,742	149,994	183,326	210,000	275,000	(5)	10%	27,500	70%	192,500	20%	55,000
400220	Prof Svcs/Info Tech Services	2,375	-	2,142	2,205	-	2,400	(4)	55%	1,320	20%	480	25%	600
400241	Travel & Trng/Meal Allowance	359	-	-	-	-	-		55%	-	20%	-	25%	-
400242	Travel & Trng/Mileage	1,284	17	-	-	-	-		55%	-	20%	-	25%	-
400243	Travel & Trng/Conf, Mtng Trng	280	-	-	-	-	-		55%	-	20%	-	25%	-
400245	Travel & Trng/Tuition Rmb/Cert	800	800	-	-	800	800	(6)	55%	440	20%	160	25%	200
400261	Dues & Pub/Memberships & Dues	824	1,590	1,453	1,437	1,650	1,650	(7)	55%	908	20%	330	25%	413
400263	Dues & Pub/Subscription	1,500	-	-	-	-	-		55%	-	20%	-	25%	-
400271	Ad & Promo/Advertising & Promo Materials	1,559	2,106	1,702	3,928	800	800	(8)	55%	440	20%	160	25%	200
400272	Ad & Promo/Community Events	1,563	1,722	-	-	-	-		55%	-	20%	-	25%	-
400280	Adm Exp/Program Supplies	5,292	1,600	3,432	1,126	5,380	5,808	(9)	55%	3,194	20%	1,162	25%	1,452
	<b>Subtotal Prof &amp; Admin Services</b>	<b>185,563</b>	<b>239,819</b>	<b>169,680</b>	<b>202,481</b>	<b>362,085</b>	<b>427,358</b>			<b>111,297</b>		<b>222,972</b>		<b>93,090</b>
400231	Off Exp/Postage & Mailing	10,849	5,905	6,528	14,981	17,300	15,355	(10)	55%	8,445	20%	3,071	25%	3,839
400232	Off Exp/Printing & Binding	12,071	3,295	3,428	735	24,404	15,425	(11)	55%	8,484	20%	3,085	25%	3,856
400233	Off Exp/Copying & Duplicating	46	-	236	-	500	-		55%	-	20%	-	25%	-
400304	Rental Exp/Equipment Rental	8,721	4,532	2,488	2,554	9,000	9,000	(12)	55%	4,950	20%	1,800	25%	2,250
400321	Misc. Exp/Misc. Contrib	3,000	-	1,500	1,500	2,000	2,000	(13)	55%	1,100	20%	400	25%	500
400322	Misc. Exp/Misc. Exp	3,061	2,262	-	173	2,000	5,000		55%	2,750	20%	1,000	25%	1,250
400341	Off Supp/Office Supplies	8,721	6,024	1,891	6,457	5,000	5,000		55%	2,750	20%	1,000	25%	1,250
400344	Off Supp/Computer Supplies	18	783	-	-	-	-		55%	-	20%	-	25%	-
	<b>Subtotal Other Operating</b>	<b>46,486</b>	<b>22,801</b>	<b>16,072</b>	<b>26,400</b>	<b>60,204</b>	<b>51,780</b>			<b>28,479</b>		<b>10,356</b>		<b>12,945</b>
400121	Carry forward from FY 2022-23 - System	-	-	-	-	-	(100,000)	(4)	55%	(55,000)	20%	(20,000)	25%	(25,000)
400401	Utilities/Tel & Telegraph	254	414	551	498	500	500		55%	275	20%	100	25%	125
400538	Contract Svcs/Other Contract Svcs	-	-	103	150	-	-		55%	-	20%	-	25%	-
400552	Prov Fr Ins Loss/Ins Gen Liab	8,029	8,765	9,047	8,991	9,300	9,300		55%	5,115	20%	1,860	25%	2,325
400574	Cost Pool/(ISF)-Gen Liab	55,701	75,144	69,513	79,937	-	-	(14)	55%	-	20%	-	25%	-
400586	Cost Pool/(CAP)-Admin Charges	51,454	51,454	51,454	52,481	-	-	(14)	55%	-	20%	-	25%	-
400591	Cost Pool/(IND)/Civic Ctr Alloc	52,420	47,026	50,289	50,286	48,217	60,248	(14)	55%	33,136	20%	12,050	25%	15,062
400601	Noncap Asst/Comp Hardware<5K	-	6,526	-	-	-	5,000	(15)	55%	2,750	20%	1,000	25%	1,250
400604	Noncap Asst/Furniture <5K	13,328	-	-	-	-	-		55%	-	20%	-	25%	-
	<b>TOTAL EXPENSES</b>	<b>2,047,186</b>	<b>2,264,738</b>	<b>2,143,246</b>	<b>2,175,258</b>	<b>2,595,497</b>	<b>3,004,698</b>			<b>1,528,834</b>		<b>738,440</b>		<b>737,424</b>
	<b>NET BUDGET BALANCE</b>	<b>143,017</b>	<b>441,530</b>	<b>652,608</b>	<b>181,431</b>	<b>511,190</b>	<b>70,000</b>			<b>1,528,834</b>		<b>738,440</b>		<b>737,424</b>

**Notes:**

- (1) Assumes a Fiscal Year 2023-24 Rental Housing Fee of \$220 for Fully Covered unit and \$125 for Partially Covered units and Carry forward \$100,000 for cloud-based solution - IT charge from previous fiscal year
- (2) Refer to the Budget and Fee Study for detailed salary and wage assumptions
- (3) The Rent Program received budgeted Fringe Benefits amounts from the City's Finance - Budget Division with the except for Workers Compensation
- (4) Includes \$100,000 for cloud-based solution (2022-23 Carry forward), \$4,500 for a property information subscription, \$3,000 for a legal research subscription, \$23,400 for scheduled interpretation, \$9,500 for written translation, and \$500 for on-demand interpretation services = \$140,900 total; for Object 400220 - \$2,400 TRAKIT annual fee for IT charge
- (5) Includes \$200,000 contract with the Eviction Defense Center to assist with Unlawful Detainer cases, \$75,000 to contract legal services for small landlords
- (6) In accordance with City personnel policies, eligible employees may receive reimbursement of up to \$800 for higher education tuition
- (7) Anticipated cost of Bar Association dues for three attorneys (\$550 per Attorney)
- (8) Budgeted amount includes funds to satisfy the requirement to publish notices in the newspaper for public hearings as part of the budget adoption process and social media promotions
- (9) Budgeted amount includes the cost of email accounts for Rent Board Members, business cards, and videoconference/webinar accounts
- (10) Budgeted amount reflects anticipated postage costs for Rental Housing Fee invoices, tenancy registration mailings, and the Guide to Rent Control
- (11) Budgeted amount reflects anticipated printing costs for Rental Housing Fee invoices, tenancy registration mailings, and the Guide to Rent Control
- (12) Lease of copy machines including a cost-per-copy amount
- (13) Stipends for UC Berkeley Public Service Center interns, ranging from \$1,000 - \$1,500 per intern and \$500 for tenant survey to be conducted
- (14) Rent Program is working with the City to determine the proper methodology of Cost Pool allocation, the methodology and allocation is under review
- (15) Budgeted technology for the Rent Board Members - computer or tablet hardware

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# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 15, 2023

Final Decision Date Deadline: November 15, 2023

**STATEMENT OF THE ISSUE:** The Richmond Rent Board is charged with holding hearings to adjudicate matters on appeal. *Richmond Municipal Code Section 11.100.070(d)* To ensure the Rent Board is able to effectively execute its duties under Richmond Municipal Code Section 11.100.070(d), it is imperative that each Board Member possess an intimate understanding of the Richmond Rent Board Regulations Chapter 8 and other applicable law as it relates to the Appeals process. Thus, education regarding the Richmond Rent Board Regulations Chapter 8, and other applicable law, as it relates to the appeals process, is necessary for all members of the Rent Board. To ensure effective execution of its duties, and disposition of matters on appeal in a fair and efficient manner, staff members intend to bi-annually provide Board members training on the Richmond Rent Board appeals process.

## 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>Training</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 training on the Richmond Rent Board Appeals Process (Nicolas Traylor/Palomar Sanchez 620-6564).

AGENDA ITEM NO:

**H-1.**

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# AGENDA REPORT

**DATE:** November 15, 2023  
**TO:** Members of the Rent Board  
**FROM:** Palomar Sanchez, Staff Attorney  
**SUBJECT:** RENT BOARD APPEALS PROCESS TRAINING

## **STATEMENT OF THE ISSUE:**

The Richmond Rent Board is charged with holding hearings to adjudicate matters on appeal. *Richmond Municipal Code Section 11.100.070(d)* To ensure the Rent Board is able to effectively execute its duties under Richmond Municipal Code Section 11.100.070(d), it is imperative that each Board Member possess an intimate understanding of the Richmond Rent Board Regulations Chapter 8 and other applicable law as it relates to the Appeals process. Thus, education regarding the Richmond Rent Board Regulations Chapter 8, and other applicable law, as it relates to the appeals process, is necessary for all members of the Rent Board. To ensure effective execution of its duties, and disposition of matters on appeal in a fair and efficient manner, staff members intend to bi-annually provide Board members training on the Richmond Rent Board appeals process.

## **RECOMMENDED ACTION:**

RECEIVE training on the Richmond Rent Board Appeals Process (Nicolas Traylor/Palomar Sanchez 620-6564).

## **FISCAL IMPACT:**

There is no fiscal impact related to this item.

## **DISCUSSION:**

Receive a PowerPoint and oral presentation on the Richmond Rent Board Appeals Process.

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