



**REGULAR MEETING OF THE RENT BOARD OF THE CITY OF RICHMOND
MUTI-PURPOSE ROOM (BASEMENT), COMMUNITY SERVICES BUILDING
440 Civic Center Plaza, Richmond, CA 94804**

**AGENDA
Tuesday, February 27, 2024**

Link to Rent Board Meeting Agendas and Accompanying Materials:
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 and 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

- | | |
|--|---------------------|
| F-1. APPROVE the minutes of the January 17, 2024, Regular Meeting of the Richmond Rent Board. | <i>Cynthia Shaw</i> |
| F-2. RECEIVE the Fiscal Year 2023-24 Monthly Activity Report through January 2024. | <i>Cynthia Shaw</i> |
| F-3. RECEIVE the Rent Program FY 2023-24 Monthly Revenue and Expenditure Report through January 2024. | <i>Fred Tran</i> |
| F-4. APPROVE late fee waiver(s) for January 2024 pursuant to Regulation 425. | <i>Fred Tran</i> |

G. CONSIDERATION OF APPEALS

- | | |
|---|-------------------------|
| G-1. Appeal to Petition No. RC22-T155: Appellants appeal the Hearing Examiner's Decision that awarded Respondent \$1,141.46, due to defective conditions existing in Respondent's Rental Unit. Specifically, the Hearing Examiner found that the Appellant failed to meet their obligation under a settlement agreement, where they failed to repair the windows, refrigerator, and remediate mold within Respondent's Rental Unit.
On appeal, Appellants contend the following:
1) The amount of Rent the Hearing Examiner relied on is incorrect. The proper Rent amount is \$800, not \$955.11. | <i>Charles Oshinuga</i> |
|---|-------------------------|

2) The refrigerator should not be included in an award because the issue was immediately addressed. On the same day Respondent made the request for a new refrigerator, Appellants purchased a new refrigerator; however, delivery was going to take a few days. In the interim, Appellants offered Respondent a temporary refrigerator, but Respondent rejected it, opting to wait for the new one.

H. REGULATIONS

H-1. AMEND the language of Regulation 322A, 322A(b) and 322A(c).

*Board Member
Elaine Dockens*

I. BUDGET

I-1. RECEIVE a presentation regarding the Rent Program Budget timeline and requirements for the Fiscal Year 2024-25 Rent Program operating Budget.

*Nicolas Traylor
Fred Tran*

J. ANNOUNCEMENTS/SCHEDULING

K. ADJOURNMENT

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

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 27, 2024

Final Decision Date Deadline: February 27, 2024

STATEMENT OF THE ISSUE: The minutes of the January 17, 2024, Regular Meeting of the Richmond Rent Board require approval.

INDICATE APPROPRIATE BODY

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

ITEM

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

RECOMMENDED ACTION: APPROVE the minutes of the January 17, 2024, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-1.

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RICHMOND, CALIFORNIA, January 17, 2024

The Regular Meeting of the Richmond Rent Board was called to order at 5:05 P.M.

PLEDGE TO THE FLAG

ROLL CALL

Board Members Present: Dockens, Espinoza, Hite, Vice Chair Guadalupe and Chair Cantor.

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

Absent: None.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

None.

PUBLIC FORUM

Iлона Clark expressed concerns about the inability to hold hybrid Rent Board meetings. She mentioned that she attends the meetings monthly, and there are no more than three public attendees. She also stated she has heard Board Members express concerns about the lack of public participation and the process the Rent Program oversees, as the meetings are still not hybrid. Ms. Clark also said she doesn't see any effort to encourage public participation. She feels that the Board and Staff should think about it, get creative, and follow what other commissions are doing. She added that Rent Board meetings should be offered for more people to attend more easily.

RENT BOARD CONSENT CALENDAR

On motion from Board Member Hite, seconded by Board Member Dockens, the item(s) marked with an (*) were approved unanimously.

***F-1.** Approve the minutes of the December 20, 2023, Regular Meeting of the Richmond Rent Board.

***F-2.** Receive the Fiscal Year 2023-24 Monthly Activity Report through December 2023.

***F-3.** Receive the Rent Program FY 2023-24 Monthly Revenue and Expenditure Report through December 2023.

***F-4.** Receive the Budgeted versus Actual Revenue and Expenditures Report for the Second Quarter Ending December 31, 2023.

***F-5.** Approve Late Fee Waiver(s) for January 2024 pursuant to Regulation 425.

RENT BOARD AS A WHOLE

G-1. The matter to approve Rent Board Resolution 24.01, which creates the Rent Board's policy for honoring past Board Members and approve the Proposed Final Proclamation of Appreciation template honoring the service of past Board Members was presented by Executive Director Nicolas Traylor. The presentation included the Statement of the Issue, Fiscal Impact, a discussion about the proposed Resolution 24.01, the final Proclamation of Appreciation template, standard proclamation language and design, Next Steps, and the Recommended Action. There were no public comments on this item. Discussion ensued. A motion by Vice Chair Guadalupe and seconded by Board Member Espinoza to approve Rent Board Resolution 24.01 to create the Rent Board's Policy for honoring past Board Members and approve the Proposed Final Proclamation of Appreciation template honoring the service of past Board Members passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, Vice Chair Guadalupe and Chair Cantor. **Noes:** None. **Abstentions:** None. **Absent:** None.

REPORTS OF OFFICERS/SCHEDULING

Executive Director Nicolas Traylor briefly reported that there are no scheduling updates. He reminded the Board that budget season is quickly approaching and that meetings will likely begin within the next few months. Board Member Dockens asked for clarification. Executive Director Traylor mentioned that starting in January and February, we will begin presenting the budget and having discussions. He wanted to inform the Board that budget discussions will be coming up.

Chair Cantor asked for date confirmation for the next Rent Board meeting. Staff confirmed that the next Rent Board Meeting is scheduled on February 21, 2024.

Board Member Espinoza requested a copy of the 2024 Rent Board Meetings schedule. Executive Director Nicolas Traylor responded that Board Clerk Cynthia Shaw will send all Board Members the 2024 Rent Board Meeting Schedule on Thursday, January 18, 2024.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:33 P.M.

Cynthia Shaw
Staff Clerk

(SEAL)

Approved:

Rent Board Chair

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 27, 2024

Final Decision Date Deadline: February 27, 2024

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

INDICATE APPROPRIATE BODY

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

ITEM

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| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) | | |
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| <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 January 2024 - Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-2.

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

ITEM F-2

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1		Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	
2		MTD ACTUAL	YTD TOTAL											
3	Public Information & Enrollment Unit													
5	Rent/Eviction Counseling Appointments By Phone	122	181	172	181	195	101	154	-	-	-	-	-	1,106
6	Rent/Eviction Counseling Appointments By Walk-ins	35	43	53	61	40	30	52	-	-	-	-	-	314
7	Rent/Eviction Counseling Questions Addressed By Email	102	132	347	262	265	228	341	-	-	-	-	-	1,677
8	TOTAL RENT/EVICTION COUNSELING APPOINTMENTS	259	356	572	504	500	359	547	-	-	-	-	-	3,097
9	Rent/Eviction Counseling Sessions Conducted in Spanish	27	34	32	40	27	27	29	-	-	-	-	-	216
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	-	-	-	-	-	-	-	-	-	-	-	-	-
13	TOTAL RENT/EVICTION COUNSELING APPOINTMENTS IN A LANGUAGE OTHER THAN ENGLISH	21	34	32	40	27	27	29	-	-	-	-	-	210
14	Legal Service Referrals	12	12	9	11	10	13	16	-	-	-	-	-	83
17	Mediations Conducted	4	14	2	-	-	-	-	-	-	-	-	-	20
18	Assists from Front Office Staff	51	7	18	6	6	2	55	-	-	-	-	-	145
19	Courtesy Compliance Letters Sent	38	3	6	1	-	-	65	-	-	-	-	-	113
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	-	-	4	-	-	-	-	-	-	26
24		9	-	26	1	-	4	-	-	-	-	-	-	40
25	Billing/Enrollment/Registration Counseling Appointments In-Person	4	13	13	21	15	10	13	-	-	-	-	-	89
26	Billing/Enrollment/Registration Counseling Appointments By Phone	20	53	50	48	33	24	32	-	-	-	-	-	260
27	Billing/Enrollment/Registration Counseling Questions Addressed By Email	23	28	157	80	20	8	31	-	-	-	-	-	347
28	TOTAL BILLING/ENROLLMENT/REGISTRATION COUNSELING APPOINTMENTS	43	81	207	128	53	32	63	-	-	-	-	-	607
29	Enrollment/Tenancy Registration Packets Mailed	5	6	-	1	24	20	2	-	-	-	-	-	58
30	Enrollment Forms Processed	12	49	10	22	39	23	17	-	-	-	-	-	172
31	Rental Housing Fee Invoices Generated	30	7,832	1	37	154	15	10	-	-	-	-	-	8,079
32	Checks Processed	3	113	156	76	25	43	25	-	-	-	-	-	441
33	Checks Returned	2	1	-	4	25	6	1	-	-	-	-	-	39
34	Tenancy Registrations Received	11	51	19	7	35	8	-	-	-	-	-	-	131
35	Rental Units Discovered Not in Database	8	6	5	7	5	2	3	-	-	-	-	-	36
36	Property Information Updated	5	9	5	377	31	5	47	-	-	-	-	-	479
37	Compliance Actions (Reviewing Records, Exemption Statuses, Addresses)	74	16	119	16	9	34	40	-	-	-	-	-	308
38	Applications for Administrative Determination of Exempt/Inapplicable Status Received	5	2	11	14	25	4	9	-	-	-	-	-	70
39	Administrative Determination of Exempt/Inapplicable Status Issued	2	-	2	5	5	1	4	-	-	-	-	-	19
40	Declarations of Exemption Processed	-	-	1	-	-	-	-	-	-	-	-	-	1
41	LEGAL UNIT													
42	Public Records Act Requests Received	-	4	3	2	5	1	2	-	-	-	-	-	17
43	Owner Move-In Eviction Termination of Tenancy Notices Reviewed	2	-	4	-	1	1	3	-	-	-	-	-	11
44	Withdrawal from the Rental Market (Ellis Act) Termination of Tenancy Notices Reviewed	-	-	-	-	-	1	1	-	-	-	-	-	2
45	Substantial Repairs Termination of Tenancy Notices Reviewed	-	-	-	-	-	-	-	-	-	-	-	-	-
46	Appeal Hearings Held	-	-	-	2	-	-	-	-	-	-	-	-	2
47	HEARINGS UNIT													
50	Consultations with Hearings Unit Coordinator By Phone	10	4	6	3	5	4	6	-	-	-	-	-	38
51	Hearings-Related Questions Addressed by Email	20	27	30	17	24	28	34	-	-	-	-	-	180
52	TOTAL HEARINGS-RELATED CONSULTATIONS	30	31	36	20	29	32	40	-	-	-	-	-	218
53	MNOI Petitions Received (Attachment A)	-	-	1	-	-	1	-	-	-	-	-	-	2
54	Increase in Occupants Petitions Received (Attachment B)	-	1	-	-	1	-	-	-	-	-	-	-	2
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	-	-	-	-	-	-	-	2
58	Landlord Petition to Determine Exempt Status Received	-	-	-	-	-	-	-	-	-	-	-	-	-
59	TOTAL LANDLORD PETITIONS RECEIVED	-	1	2	-	2	1	-	-	-	-	-	-	6
60	Excess Rent or Failure to Return Sec Dep Petitions Received (Attachment A)	1	-	4	2	3	1	2	-	-	-	-	-	13
61	Decrease in Space/Services or Habitability Petitions Received (Attachment B)	-	-	3	2	3	1	4	-	-	-	-	-	13
62	Reduction in Number of Tenants Petitions Received (Attachment C)	-	-	-	-	-	-	-	-	-	-	-	-	-
63	Tenant Petition Based on Multiple Grounds	1	-	5	4	4	2	4	-	-	-	-	-	20
64	Tenant Petition for Rent Withholding Petitions Received	-	-	-	-	2	-	-	-	-	-	-	-	2
65	Tenant Petition for Failure to Pay Relocation Payment Petitions Received	-	1	1	5	-	2	4	-	-	-	-	-	13
66	TOTAL TENANT PETITIONS RECEIVED	2	1	13	13	12	6	14	-	-	-	-	-	61

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

ITEM F-2

	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											
67	Petition for Determination of Occupancy Status	-	-	-	-	-	-	-	-	-	-	-	-	-
68	Petition for Initial Rent Determination	-	-	-	-	-	-	-	-	-	-	-	-	-
69	Request to Expedite Hearing Process	-	-	-	-	-	-	-	-	-	-	-	-	-
70	Request for a Continuance of the Hearing Process	-	-	-	1	-	-	1	-	-	-	-	-	2
71	Subpoena(s)	-	-	-	5	-	-	-	-	-	-	-	-	5
72	TOTAL OTHER PETITIONS RECEIVED	-	-	-	6	-	-	1	-	-	-	-	-	7
73	Decisions Ordered	2	1	-	-	1	-	3	-	-	-	-	-	7
74	Cases Settled	3	2	3	2	5	2	4	-	-	-	-	-	21
75	Cases Dismissed	1	-	1	-	-	-	-	-	-	-	-	-	2
76	Petitions Withdrawn	-	-	-	-	-	-	1	-	-	-	-	-	1
77	TOTAL CASES CLOSED	6	3	4	2	6	2	8	-	-	-	-	-	31
78	Appeals Received	1	-	1	-	-	1	-	-	-	-	-	-	3
79	Total Open Cases (Tenant Petitions)	9	10	10	14	19	9	17	-	-	-	-	-	88
80	Total Open Cases (Landlord Petitions)	2	3	2	-	3	2	2	-	-	-	-	-	14
81	Total Open Cases (Other Petitions)	2	-	3	-	-	9	-	-	-	-	-	-	14
82	TOTAL OPEN CASES	13	13	15	14	22	20	19	-	-	-	-	-	116
83	Form Submissions													
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	TOTAL RENT INCREASE NOTICES FILED	95	-	-	72	79	99	-	-	-	-	-	-	345
90	Termination of Tenancy - Nonpayment of Rent	21	100	61	65	76	61	-	-	-	-	-	-	384
91	Termination of Tenancy - Breach of Lease	1	12	6	13	2	4	-	-	-	-	-	-	38
92	Termination of Tenancy - Failure to Give Access	-	-	-	1	-	1	-	-	-	-	-	-	2
93	Termination of Tenancy - Nuisance	-	4	1	5	3	-	-	-	-	-	-	-	13
94	Termination of Tenancy - Withdrawal from the Rental Market	-	-	-	-	-	-	-	-	-	-	-	-	-
95	Termination of Tenancy - Owner Move-In	3	1	4	-	1	2	-	-	-	-	-	-	11
96	Termination of Tenancy - Substantial Repairs	-	-	-	-	3	-	-	-	-	-	-	-	3
97	Termination of Tenancy - Temporary Tenancy	-	1	-	-	-	-	-	-	-	-	-	-	1
98	TOTAL TERMINATION OF TENANCY NOTICES FILED	25	118	72	84	85	68	-	-	-	-	-	-	452
99														
100	(a) - Due to technical issues with Civic Plus, the January 2024 monthly report could not be provided, Staff continues to work with IT to resolve the issue.													

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 27, 2024

Final Decision Date Deadline: February 27, 2024

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) | | |
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| <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 January 2024 – Rent Program (Fred Tran 620-6537).

AGENDA ITEM NO:

F-3.

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

ITEM F-3

OBJECT	ORIGINAL BUDGET	ADOPTED BUDGET	Period 1	Period 2	Period 3	Period 4	Period 5	Period 6	Period 7	ENCUMBRANCES	YTD TOTAL	AVAILABLE BUDGET	% USED
			July	August	September	October	November	December	January				
340445 Rental Housing Fees	(2,914,945.00)	(2,914,945.00)	(17,585.50)	(787,875.98)	(919,573.50)	(344,931.75)	(139,427.75)	(123,841.95)	(153,839.00)	-	(2,487,075.43)	(427,869.57)	85.3%
TOTAL LICENSES, PRMITS&FEES	(2,914,945.00)	(2,914,945.00)	(17,585.50)	(787,875.98)	(919,573.50)	(344,931.75)	(139,427.75)	(123,841.95)	(153,839.00)	-	(2,487,075.43)	(427,869.57)	85.3%
361701 Interest	(20,000.00)	(20,000.00)	-	-	-	(17,242.17)	-	-	(26,514.44)	-	(43,756.61)	23,756.61	218.8%
361705 Realized Gain	(20,000.00)	(20,000.00)	-	-	-	(17,242.17)	-	-	(8,842.69)	-	(25,084.86)	8,842.69	0.0%
TOTAL INTEREST & REALIZED INCOME	(20,000.00)	(20,000.00)	-	-	-	(17,242.17)	-	-	(35,357.13)	-	(68,841.55)	32,599.30	263.0%
364855 OTHER REV/Misc Other Re	(50,000.00)	(50,000.00)	-	-	-	(15.00)	-	-	-	-	(15.00)	15.00	0.0%
364867 Revenue from Collections Agency	(50,000.00)	(50,000.00)	-	-	-	-	-	(26,212.45)	-	-	(26,212.45)	(23,787.55)	52.4%
337373 Other Grants	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
TOTAL OTHER REVENUE	(50,000.00)	(50,000.00)	-	-	-	(15.00)	-	(26,212.45)	-	-	(26,227.45)	(23,787.55)	52.5%
TOTAL REVENUE	(2,984,945.00)	(2,984,945.00)	(17,585.50)	(787,875.98)	(919,573.50)	(362,188.92)	(139,427.75)	(150,054.40)	(189,196.13)	-	(2,565,902.18)	(419,042.82)	86.0%
400001 SALARIES & WAGES/Executive	765,357.00	765,357.00	65,519.38	65,521.38	65,523.38	66,182.86	75,473.98	73,301.78	76,966.68	-	488,489.44	276,867.56	63.8%
400002 SALARIES & WAGES/Mgmt-Local 21	353,101.00	353,101.00	29,114.00	29,749.00	29,749.00	29,749.00	33,493.58	33,493.58	34,833.34	-	220,181.50	132,919.50	62.4%
400003 SALARIES & WAGES/Local 1021	268,646.00	268,646.00	18,678.44	18,678.44	18,678.44	18,678.44	19,416.58	19,416.58	20,193.24	-	133,740.16	134,905.84	49.8%
400006 SALARIES & WAGES/PT- Temp	37,565.00	37,565.00	1,246.21	3,146.24	2,040.90	2,479.43	4,357.79	4,339.00	4,230.79	-	21,840.36	15,724.64	58.1%
400031 OVERTIME/General	2,500.00	2,500.00	284.60	-	-	-	-	-	-	-	284.60	-	11.4%
400048 OTHER PAY/Bilingual Pay	11,470.00	11,470.00	968.02	928.26	928.26	2,541.26	933.94	933.94	939.30	-	8,172.98	3,297.02	71.3%
400049 OTHER PAY/Auto Allowance	4,200.00	4,200.00	350.00	350.00	350.00	350.00	350.00	350.00	350.00	-	2,450.00	1,750.00	58.3%
400053 OTHER PAY/Pension Credit	-	-	1,333.05	1,331.58	1,331.62	1,344.81	1,530.63	1,453.84	1,319.06	-	9,644.59	(9,644.59)	100.0%
400058 400058 OTHER PAY/Bonuses	-	-	-	-	-	-	2,000.00	-	-	-	2,000.00	(2,000.00)	100.0%
TOTAL SALARIES AND WAGES	1,442,839.00	1,442,839.00	117,493.70	119,704.90	118,601.60	121,325.80	135,556.50	135,288.72	138,832.41	-	886,803.63	556,035.37	61.5%
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	1,948.50	1,949.05	2,003.37	-	12,767.38	6,942.62	64.8%
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	20,777.22	20,777.22	23,137.92	-	147,801.24	101,525.76	59.3%
400106 P-ROLL BEN/Dental Insurance	16,644.00	16,644.00	1,387.32	1,387.32	1,387.32	1,387.32	1,387.32	1,387.32	1,387.32	-	9,711.24	6,932.76	58.3%
400109 P-ROLL BEN/Employee Assistance	216.00	216.00	18.36	18.36	18.36	18.36	18.36	18.36	18.36	-	128.52	87.48	59.5%
400110 P-ROLL BEN/Professional Dev-Mg	6,750.00	6,750.00	250.00	-	-	-	-	-	297.00	-	547.00	6,203.00	8.1%
400111 P-ROLL BEN/Vision	1,992.00	1,992.00	166.44	166.44	166.44	166.44	166.44	166.44	166.44	-	1,165.08	826.92	58.5%
400112 P-ROLL BEN/Life Insurance	3,931.00	3,931.00	327.53	327.53	327.53	327.53	327.53	327.53	327.53	-	2,292.71	1,638.29	58.3%
400114 P-ROLL BEN/Long Term Disabilit	11,803.00	11,803.00	593.06	599.32	599.53	606.41	663.60	663.60	693.80	-	4,419.32	7,383.68	37.4%
400116 P-ROLL BEN/Unemployment Ins	5,472.00	5,472.00	494.00	532.00	532.00	532.00	608.00	608.00	608.00	-	3,914.00	1,558.00	71.5%
400117 P-ROLL BEN/Personal/Prof Dev	2,250.00	2,250.00	108.32	-	-	-	-	-	230.48	-	338.80	1,911.20	15.1%
400121 P-ROLL BEN/Worker Comp-Clerica	6,923.00	6,923.00	1,242.56	755.50	728.84	723.96	837.17	836.29	856.43	-	5,980.75	942.25	86.4%
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	9,817.12	9,620.32	10,071.04	-	61,709.00	39,621.00	60.9%
400127 P-ROLL BEN/POEB	20,956.00	20,956.00	2,574.30	1,780.24	1,780.24	1,790.53	2,006.08	1,971.98	2,062.22	-	13,965.59	6,990.41	66.6%
400130 P-ROLL BEN/PARS Benefits	-	-	16.20	40.90	26.54	32.24	56.67	55.00	-	-	283.97	(283.97)	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	17,962.27	17,660.56	18,464.32	-	117,397.52	69,577.48	62.8%
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	19,509.60	19,509.60	19,509.60	-	140,895.72	93,224.28	60.2%
TOTAL FRINGE BENEFITS	868,399.00	868,399.00	75,010.45	72,153.57	72,097.02	72,529.40	76,085.88	75,783.17	79,658.35	-	523,317.84	345,081.16	60.3%
400201 PROF SVCS/Professional Svcs	263,400.00	270,050.00	-	252.57	1,422.57	9,207.60	1,250.15	2,250.15	1,329.97	-	18,951.99	15,818.01	12.9%
400206 PROF SVCS/Legal Serv Cost	275,000.00	275,000.00	-	16,666.00	16,666.00	16,666.00	16,666.00	16,666.00	16,666.00	100,004.00	99,996.00	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	-	-	-	-	-	-	510.00	-	510.00	1,140.00	30.9%
400271 AD & PROMO/Advertising&Promo	800.00	800.00	-	-	-	649.00	-	-	-	-	649.00	151.00	81.1%
400272 400272 AD & PROMO/Community Ev	-	-	-	-	-	-	-	-	1.00	-	1.00	(1.00)	100.0%
400280 ADM EXP/Program Supplies	5,808.00	5,808.00	-	491.07	-	1,064.42	491.07	491.07	491.07	-	3,028.70	2,779.30	52.1%
TOTAL PROF & ADMIN SERVICES	547,458.00	554,108.00	-	17,409.64	18,088.57	27,587.02	18,407.22	19,507.22	18,998.04	118,955.99	119,997.71	315,154.30	43.1%
400231 OFF EXP/Postage & Mailing	-	-	206.55	-	4,229.91	111.90	362.32	46.79	181.19	-	5,138.66	(5,138.66)	0.0%
400232 OFF EXP/Printing & Binding	15,425.00	15,425.00	2,967.65	-	-	1,393.54	-	35.99	-	-	4,397.18	11,027.82	28.5%
400233 OFF EXP/Copying & Duplicating	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
400304 RENTAL EXP/Equipment Rental	9,000.00	9,000.00	-	186.58	-	373.16	186.58	186.58	795.44	4,510.62	1,728.34	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	134.24	159.97	154.32	-	1,616.78	(16.78)	101.0%
400341 OFF SUPP/Office Supplies	5,000.00	5,000.00	-	1,611.89	-	199.62	191.20	238.55	527.47	-	2,768.73	2,231.27	55.4%
TOTAL OTHER OPERATING	33,425.00	33,025.00	3,174.20	2,135.90	4,229.91	2,909.04	874.34	667.88	1,658.42	4,510.62	15,649.69	12,864.69	61.0%
400401 UTILITIES/Tel & Telegraph	500.00	500.00	-	-	-	-	-	-	-	-	500.00	-	0.0%
TOTAL UTILITIES	500.00	500.00	-	-	-	-	-	-	-	-	500.00	-	0.0%
400538 CONTRACT SVCS/Oth Cntrc	400.00	400.00	-	-	28.11	-	-	-	28.11	-	3.78	360.00	15.0%
400552 PROV FR INS LOSS/Ins Gen Liab	9,300.00	9,300.00	-	-	-	8,077.00	-	-	1,118.00	40.00	9,195.00	65.00	99.3%
TOTAL PROVISION FOR INS LOSS	9,300.00	9,300.00	-	-	-	8,077.00	-	-	1,118.00	40.00	9,195.00	65.00	99.3%
400574 COST POOL/ISF-Gen Liability	217,744.00	217,744.00	-	-	54,439.00	18,145.00	18,145.00	18,145.00	18,145.00	-	127,010.00	90,725.00	58.3%
400586 COST POOL/(CAP)-Admin Charges	52,481.00	52,481.00	-	-	13,124.00	4,373.00	4,373.00	4,373.00	4,373.00	-	30,616.00	21,865.00	58.3%
400591 COST POOL/(IND)Civic Ctr Alloc	60,248.00	60,248.00	-	-	15,059.00	5,021.00	5,021.00	5,021.00	5,021.00	-	35,143.00	25,105.00	58.3%
TOTAL COST POOL	330,473.00	330,473.00	-	-	82,622.00	27,539.00	27,539.00	27,539.00	27,539.00	-	192,778.00	137,695.00	58.3%
400601 NONCAP ASST/Comp Hrdware<K	3,000.00	3,000.00	-	-	-	-	-	-	-	-	3,000.00	-	0.0%
TOTAL ASSET/CAPITAL OUTLAY	3,000.00	3,000.00	-	-	-	-	-	-	-	-	3,000.00	-	0.0%
391994 391994 TRANSFER IN/From Gen Fund	(150,000.00)	(150,000.00)	(12,500.00)	-	(25,000.00)	(12,500.00)	(12,500.00)	(12,500.00)	(12,500.00)	-	(87,500.00)	(62,500.00)	58.3%
90 OPER XFRS IN	(150,000.00)	(150,000.00)	(12,500.00)	-	(25								

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 27, 2024

Final Decision Date Deadline: February 27, 2024

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 February 2024, 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 February 2024 pursuant to Regulation 425 - Rent Program (Fred Tran/510-620-6537).

AGENDA ITEM NO:

F-4.

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Late Fee Waiver Summary – February 2024 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)
1 529 21st Street	John Hayden	February 24, 2023	Transfer of Property Management Company	Full waiver of late fees	\$1,582.00	\$1,582.00	None
2 210 Tunnel Ave	Han & Jean LLC	October 20, 2022	Did not receive the invoice	Late fee reduced to at least 10%	\$2,034.00	\$1,627.20	\$406.80
3 3329 Wall Avenue and 420 37th Street	Mehari Gebremichael	March 1, 2023	Wrong mailing address	Full waiver of late fees	\$365.50	\$365.50	None
4 701 Lincoln Avenue	Leonardo Lopez	February 27, 2023	New Owner, did not receive invoice	Full waiver of late fees	\$1,284.00	\$1,284.00	None

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To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation – 210 Tunnel Avenue

Date: February 27, 2024

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 February 2024:

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)
Han & Jean LLC	October 20, 2022	Owner did not receive the Invoice	Partial Waiver to the 10% penalty level	\$2,034.00	\$1,627.20	\$406.80

Good Cause and Late Payment History

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

Claim of "Good Cause"

In the request dated October 20, 2022, (Attachment 1) Han & Jean LLC the property owner at 210 Tunnel Avenue indicated that the reason for paying late was that the invoices were not received. They paid the outstanding fees on January 9, 2023 after receiving their invoice.

Rent Program staff confirmed Han & Jean LLC met the requirements of enrolling the property on February 1, 2019. Rent Program staff confirmed Han & Jean LLC paid the base Residential Rental Housing Fees for prior Fiscal Years on January 9, 2023.

Upon additional research, Rent Program staff verified a prior late fee waiver had been submitted to the Program and approved in April 2021, for prior years Rental Housing Fee.

Payment History

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

In this case, timely payments were not made during the last two fiscal years, disallowing the possibility of a ministerial waiver.

Evaluation of Owner's Claim of Good Cause

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

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

8. *Any other circumstances relevant to the inquiry of Good Cause.*

Rent Program staff confirmed Han & Jean LLC paid the base Residential Rental Housing Fees for prior Fiscal Years on January 9, 2023.

Rent Program staff verified with Contra Costa County records that 210 Tunnel Avenue is a Residential Apartment built in 1912.

Staff Recommendation

Han & Jean LLC displayed good faith efforts to be compliant by contacting the Rent Program to inquire about the invoices, being enrolled with the Rent Program, and paying all past fees due. Staff recommends a partial waiver of the late fees to at least a 10% percent assessment pursuant to Rent Board Regulation 425 G (3). Regulation 425 G (3) requires that if there was one late fee waiver request granted in the prior three fiscal years, the late fee assessment shall be reduced to at least a 10% percent assessment. Since a late fee waiver was previously granted for in April 2021, a 10% late fee penalty of \$406.80 should be assessed.

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4 Messages
Richmon...



Request to Remove Late Fees

Property Owner Name: HAN & JEAN LLC 210 Tunnel Ave Richmond CA 94801
FRJC #: [REDACTED]
Property Owner Phone Number or Email: [REDACTED]

The Property Owner has requested the removal of late fees on their account totaling \$ 408.⁶⁰/₁₀₀ 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: DID NOT RECEIVED THE INVOICE. WAITING FOR LONG TIME. FINALLY CALL FOR INVOICE. NOW PAID \$408.⁶⁰ ON 10/20/2022

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: 10/20/2022

Printed Name: HAN TE DAUG

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 – 529 21st Street

Date: February 27, 2024

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 February 2024:

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 Hayden	February 24, 2023	Transfer of Property Management Company	Full waiver of late fees	\$1,582.00	\$1,582.00	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 24, 2023, (Attachment 1) John Hayden the property owner of 529 21st Street indicated that due to the transfer of the property management, the previous company never forwarded mail and did not receive a Rental Housing Fee invoice. In February 2023 the new property management company contacted the City of Richmond to inquire about the rental units being in compliance with the Rent Program. Staff informed them of the outstanding invoice and enrollment updated form. Payment was made on March 16, 2023 and staff confirmed that the updated property management company had been enrolled in February 2023 once the requirements were explained.

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 the base Residential Rental Housing Fee for the outstanding Fiscal Year was paid on March 16, 2023 when notified of the amount due.

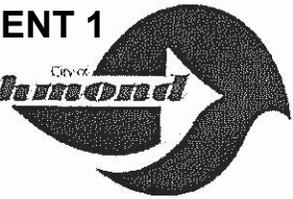
Rent Program staff verified with Contra Costa County records that the property is designated as a 14-unit building that was built in 1965.

The new property management company demonstrated Good Cause that warrants a waiver of late fees with a timely payment when they receive the invoice and updated the enrollment form. The fees were paid immediately once informed of the outstanding amount.

Staff Recommendation

John Hayden and the property managers demonstrated good faith efforts to come into compliance by contacting the Rent Program to inquire about the Program, 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 \$1,582.00 be granted.

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Request to Remove Late Fees

Property Owner Name: JOHN HAYDEN

FRJC #: [REDACTED]

Property Owner Phone Number or Email: [REDACTED]

- The Property Owner is requesting the removal of all late fees on their account.
- The Property Owner is requesting the removal of partial late fees on their account totaling \$ _____

Check all that apply (required for request to be complete):

- New Owner, did not receive invoice
- Wrong Mailing Address - Please provide correct 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: TRANSFER OF PROPERTY MANAGEMENT, PREVIOUS PM COMPANY NEVER FORWARDED MAIL TO NEW COMPANY

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: 02 / 24 / 23

Printed Name: DIANA ESCOBAR, Agent for owner.

Rent Program Staff Use Only:

The late fee amount on the account is a total of \$ _____

Staff Member Name: _____ Date: ____ / ____ / ____

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To: Members of the Richmond Rent Board

From: Fred Tran, Deputy Director

Re: Late Fee Waiver Recommendation – 701 Lincoln Avenue

Date: February 27, 2024

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 February 2024:

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)
Leonardo Lopez	February 27, 2023	New Owner, did not receive invoice	Full waiver of late fees	\$1,284.00	\$1,284.00	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 27, 2023, (Attachment 1) Leonardo Lopez the property owner of 701 Lincoln Avenue indicated that due to being a new owner, he did not receive a Rental Housing Fee invoice. In February 2023 Leonardo Lopez contacted the City of Richmond to inquire about the rental units being in compliance with the Rent Program. Staff informed him of the outstanding invoice balance and enrollment form. Payment was made on March 3, 2023 and staff confirmed that the updated enrollment form was completed on February 23, 2023 once the requirements were explained.

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 the base Residential Rental Housing Fee for the outstanding Fiscal Year was paid on March 3, 2023 when notified of the amount due. Rent Program staff verified with Contra Costa County records that the property is designated as a Triplex building that was built in 1965.

The new property owner demonstrated Good Cause that warrants a waiver of late fees with a timely payment when he received the invoice and updated the enrollment form. The fees were paid immediately once informed of the outstanding amount.

Staff Recommendation

Leonardo Lopez demonstrated good faith efforts to come into compliance by contacting the Rent Program to inquire about the Program, 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 \$1,284.00 be granted.

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Request to Remove Late Fees

Property Owner Name: Leonardo Lopez

FRJC #: [REDACTED]

Property Owner Phone Number or Email: [REDACTED]

The Property Owner has requested the removal of late fees on their account totaling \$ 1,284.00 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.)
- 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: Leonardo Lopez Date: 2/27/2023

Printed Name: Leonardo Lopez

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 – 3329 Wall Avenue and 420 37th Street

Date: February 27, 2024

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 February 2027:

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)
Mehari Gebremichael	March 1, 2023	Wrong Mailing Address	Full waiver of late fees	\$365.50	\$365.50	None

Good Cause and Late Payment History

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

Claim of "Good Cause"

In the request dated March 1, 2023, (Attachment 1) Mehari Gebremichael the property owner of 3329 Wall Avenue and 420 37th Street indicated that he did not receive any invoices in the past because of a wrong mailing address. He paid the outstanding Residential Rental Housing Fees on April 12, 2023 when he was informed a balance was due.

Rent Program staff confirmed Mehari Gebremichael met the requirements of enrolling the properties on March 7, 2023. Rent Program staff confirmed Mehari Gebremichael paid the base Residential Rental Housing Fees for the prior Fiscal Years on April 12, 2023.

Upon additional research, Rent Program staff verified no prior late fee waiver had been submitted to the Program for prior years.

Payment History

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

In this case, no prior late fee waiver had been submitted to the Program for the properties.

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 verified with Contra Costa County records that 3329 Wall Avenue is a Single-Family Home built in 1971 and 420 37th Street is a Single-Family Home built in 1944.

Staff Recommendation

Mehari Gebremichael displayed good faith efforts to be compliant by contacting the Rent Program to inquire about the outstanding invoices, being enrolled with the Rent Program, and paying all past fees due (minus late fees). Considering these factors, staff recommend that a full waiver of late fees in the amount of \$365.50 be granted.

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Request to Remove Late Fees

Property Owner Name: MEHARI GEBREMICHAEL

FRJC #: [REDACTED]

Property Owner Phone Number or Email: [REDACTED]

The Property Owner has requested the removal of late fees on their account totaling \$ 365⁵⁰ 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: Through the years I've come to pay the Business license fee in person and I was never asked or told to pay

Declaration & Signature: this fee. Never received any communication from
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: Mehari Gebremichael Date: 3/01/2023

Printed Name: MEHARI GEBREMICHAEL

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: February 27, 2024

Final Decision Date Deadline: February 27, 2024

STATEMENT OF THE ISSUE: The Rent Board Regulation 322 fails to clearly state that the Rent Board as a Whole and Individual Rent Board Members may present Agenda Reports at Regular Meetings of the Rent Board.

INDICATE APPROPRIATE BODY

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

ITEM

- | | | |
|---|--|---------------------------------|
| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) | | |
| <input type="checkbox"/> Public Hearing | <input checked="" type="checkbox"/> Regulation | <input type="checkbox"/> Other: |
| <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: AMEND the language of Regulation 322A, 322A(b) and 322A(c) - (Nicolas Traylor, 510-620-6564).

AGENDA ITEM NO:

H-1.

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AGENDA REPORT

DATE: February 27, 2024
TO: Chair Cantor and Members of the Richmond Rent Board
FROM: Elaine Dockens, Member, Richmond Rent Board
SUBJECT: The Rent Board Regulation 322A, 322A(b), and 322A(c)

STATEMENT OF THE ISSUE:

The Rent Board Regulation 322 fails to clearly state that the Rent Board as a Whole and Individual Rent Board Members may present Agenda Reports at Regular Meetings of the Rent Board.

RECOMMENDED ACTION:

AMEND the language of Regulation 322A, 322A(b) and 322A(c).

FISCAL IMPACT:

There is no fiscal impact related to this item.

DISCUSSION:

Background

(1) On May 23, 2023, General Counsel Oshinuga outlined the procedure for the Staff, the Rent Board as a Whole and Individual Rent Board Members to present Agenda Reports at Regular Meetings (Attachment 1).

(2) On July 3, 2023, Executive Director Nicolas Traylor presented Agenda Report Training.

Purpose

(3) To clearly state that the Rent Board as a Whole and Individual Rent Board Members may present Agenda Reports for discussion and further action at Regular Meetings of the Richmond Rent Board.

Examples:

- 322A “Agenda Items may be submitted by Staff, the Rent Board as a Whole or by Individual Board Members.”
- 322A(b) “The originator of an Agenda item will present a report.”
- 322A(c) “Rent Board Members may ask questions of the originator of the Agenda Item.”

Proposed Timeline

February 2024 to April 2024

Next Steps

- (1) RECEIVE the Agenda Report regarding The Rent Board as a Whole and Individual Board Members submitting Agenda Reports at Regular Rent Board Meetings.
- (2) DISCUSS the pros and cons of the Agenda Report.
- (3) VOTE by the Board on the Recommended Action.

If approved by the Board,

- (4) DIRECT STAFF to draft an Amended Regulation 322 which clearly states that the Rent Board as a Whole and Individual Rent Board Members may submit Agenda Reports at Regular Meetings.
- (5) DIRECT THE STAFF to submit the amended Regulation 322 for the Board’s consideration, vote and adoption at the next Regular Meeting of the Richmond Rent Board.
- (6) DIRECT STAFF to:
 - (a) publicize the adopted amended Regulation 322 on the Board’s website and any other appropriate medium prior to promulgation in 30 days.
 - (b) submit a written list of places where Amended Regulation 322 was publicized to the Board at the meeting immediately prior to promulgation.

DOCUMENTS ATTACHED:

- Attachment 1: *How to Agendize Items & Staff Role*. Charles Oshinuga, General Counsel, May 8, 2023 (12 pages).
- Attachment 2: City of Richmond Rent Board Regulations.
* 322 Consideration of Agenda Items.
* 322A(b).
* 322A(c).

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How to Agendize items & Staff Role

Charles Oshinuga, General Counsel
May 8, 2023, Regular Meeting of the
Richmond Rent Board

Contents

1. Agenda Overview
2. Staff Agendizing Items
3. Rent Board Agendizing Items
4. Boardmembers Agendizing Items

What is an Agenda Item?

- A topic of discussion that falls within the subject matter jurisdiction of the Rent Board.
- Agendizing the topic of discussion serves to notify the public of the issues and potential Board action so that the public can engage in meaningful participation.

What is an Agenda Item cont'd

- Meaningful description:
 - “ [S]ufficiently clear and specific to alert a person of average intelligence and education whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information on the item ”
- Identify as action or discussion item
- Members of the public allowed to speak on all items – time limits OK

Why does it matter what is listed on the agenda?

**A LEGISLATIVE BODY
CANNOT DISCUSS OR ACT
ON ITEMS NOT ON AN AGENDA.**

How to Agendize an Item

Three main ways:

- ▶ Staff agendizes an item.
- ▶ The Board as a whole directs staff to include an item on the agenda.
- ▶ An individual Boardmember agendizes an item.

Agenda: Staff Agendizes an Item

- **Staff identifies an issue:**
 - Counseling sessions
 - Public Feedback
 - Staff comments and/or review
- **The issue(s) is discussed internally**
 - Creating or adjustment of administrative policies and procedures.
- **If it cannot be resolved internally, agendize the issue to the Board**
 - Issue is too pervasive or requires new Rules and Regulation.

Agenda: Staff Agendizes an Item, cont'd

- **Staff Report:**
 - The tool by which topics for discussion are brought before the Rent Board.
 - Typically contains the following:
 - Overview
 - Recommended Action
 - Fiscal impact
 - Brief discussion of the topic to be discussed
- **Staff request the Board to direct it to further explore the issue and return with policy options.**
- **Staff engages in researches, analyzes, and outreach**
 - Explore what other jurisdictions have done
 - Best ways to resolve the issue
 - Shop the various options around to the public
- **Return to the Rent Board with various policy options, which ultimately gets translated into a Rule and/or Regulation.**

Owner Move-In Example

- **Questions concerning how many evictions a Landlord can perform on a property**
 - Counselors
 - Attorneys
- **Staff decided the issue impacted the community as a whole and agendized it to the Board.**
- **Board directed staff to research the issue and return with policy options**
- **Staff engaged in months of research and outreach**
- **Staff presented its findings to the Board with various policy options**
- **Board selected its preferred set of options and directed staff to memorialize its selection in a set of Rules and Regulations.**
- **Legal review altered a few options**
- **Staff presented the Board with the Regulations and the Board adopted it.**

Agenda: Rent Board as a whole Agendizes an Item

- ▶ At the conclusion of a discussion of an item that is before the Rent Board, the Rent Board may direct staff to take any action that is related to the item of discussion.
 - Majority vote
 - Consistent with the Brown Act
 - Cannot exceed the parameters of the current item.
 - Limited discussion
 - The time to debate the consequence of the potential item is when the item returns to the Rent Board
 - Timing
 - The Board may instruct staff when it wants the item to appear before it.

Agenda: Individual Board Member

- ▶ An individual Board member may agendaize for discussion any topic that falls within the subject matter jurisdiction of the Rent Board.
- ▶ Subject matter jurisdiction: Those issues that reasonably relate to rents and/or evictions

Agenda: Individual Board Member, cont'd:

- ▶ Identify the topic or issue of concern
- ▶ Contact staff members and request data that will support or illuminate the concern
- ▶ Request staff to provide a staff report template
- ▶ Fill in the appropriate sections of the template staff report
 - The report does not have to be long but should contain enough information to aid the public and the Board in a fruitful consideration of the item.
 - Staff will review the language contained in the “Recommended Action” section.
- ▶ Submit the completed staff report to staff.
 - Staff will help post the staff report as an item to be discussed at the next Board meeting
- ▶ Optional: Prepare a PowerPoint for the Board
 - Typically, the maker of the item simply gives an oral presentation of their staff report and elicits conversation from the sitting Boardmembers
- ▶ Optional: Staff may prepare a staff report that either opposes, supports, or contextualizes the Boardmembers’ Staff Report.

Recommended Action

- ▶ Receive training on agenda scheduling and appropriate content of said agenda.

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Chapter 3: RENT BOARD

300. Purpose

The purpose of this Chapter is to ensure consistency and predictability during Rent Board meetings by creating a framework in which Rent Boardmembers will conduct the business of the public in adherence with existing State law.

301. Boardmember Qualifications

- A. Consistent with both City of Richmond Municipal Code Section 11.100 et.seq, and the City of Richmond Charter, the Mayor and City Council are vested with the power to both appoint and remove Boardmembers. The Rent Board shall consist of five (5) Boardmembers, all of whom must maintain Richmond residency during their tenure.
- B. There shall not be more than two Boardmembers serving on the Board that either own or manage any rental property or are realtors.

301.5. Expiration of Term

- A. Where a Rent Boardmember's term has expired, that member shall continue to discharge their duties until they are either reappointed, or their successor is appointed.
- B. In the event that a Rent Boardmember who continued to discharge their duties after the expiration of their term is reappointed, the time during which they continued to discharge their duties while awaiting reappointment shall be counted against their overall two-year term.
- C. In no event shall a Rent Board member serve a total of five (5) terms.

[Adopted February 17, 2021]

302. Election of Chairperson

The members of the Rent Board shall elect from among themselves a Chair and Vice Chair for a term not to exceed one year. The election of the Chair and Vice Chair requires a majority vote. At the end of the Chair and Vice Chair term, neither person will be eligible to hold the same position until at least one year after the expiration of their chairship. The election of the Chair and Vice Chair must be held at a properly agendized, Regular Rent Board meeting.

303. Rent Board Motions

All Rent Board motions taken at a properly agendized Rent Board meeting requires the affirmative vote of three (3) Rent Boardmembers. All decisions by the Rent Board shall be recorded by roll call vote and a record of such action shall be available to the public.

304. Quorum

Three (3) Boardmembers shall constitute a quorum of the Board.

305. Agenda

The Rent Board clerk shall compile the agenda. The agenda, with all supporting matters, shall be transmitted to the Boardmembers and be available to the public at least seventy-two (72) hours prior to the regularly scheduled Board Meeting, unless specified otherwise by state law. Any item of public interest or concern added to the agenda after its publication to the general public shall not be considered unless it is accompanied by a full explanation by the advocate of such item and not until after a majority of the Board has voted to do so.

306. Time and Place for Holding Regular Meeting

The City of Richmond Rent Board shall hold regularly scheduled meetings as are necessary to ensure the timely performance of its duties under the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance. At the minimum, the Rent Board must hold at least one (1) meeting per year. All meetings shall be called and conducted in accordance with state law. Accordingly:

- A. The City of Richmond Rent Board hereby establishes regular meetings to be held on the third Wednesday of each month at 5:00 P.M., unless the agenda includes a closed-session item, in which case the regular meeting shall commence at the conclusion of closed session. If any such Wednesday falls on any day designated by law or by the City Council as a holiday or City closure, or if a change in the date for a regular meeting is reasonably necessary for the Board to perform its duties, the Board shall give the public reasonable notice of the alternative date for the regular meeting.

- B. The City Council Chamber in City Hall located at 440 Civic Center Plaza, Richmond, California, is established as the location for holding the Rent Board's meetings. If, for any reason, the City Council Chamber is unavailable for a particular regular meeting, the Board shall give the public reasonable notice of the alternative site of the meeting in its published agenda. If, however, the City Council Chamber becomes permanently unavailable, the Board shall, with reasonable notice, amend this regulation to set forth the new location(s) of its regular meetings, in its published agenda.

307. Meetings must be Public -- Exception for Closed Sessions

In accordance with the Brown Act, all regular, adjourned regular, and special meetings of the Rent Control Board shall be public except that the Rent Board may hold Closed Sessions during a regular or special meeting, from which the public may be excluded, for the purpose of considering the matters referred to in §§54956.7-54957.10 of the California Government Code relating to Closed Sessions of the legislative body, or pursuant to other provisions of law.

308. Rent Board Correspondence

- A. The Rent Board Clerk is authorized to open all mail or other written communications addressed collectively to the Rent Board and to give it immediate attention so that all administrative business referred to in said communication which does not necessarily require Rent Board action may be acted upon.

- B. All written communications addressed to the Rent Board, the subject matter of which comes within the Rent Board, shall be placed on the agenda of the earliest regular meeting if the Executive Director deems Board receipt appropriate, except for those written communication containing material which:
 - 1. is profane;
 - 2. is in the nature of a criminal or civil slander, or is potentially slanderous or libelous;
 - 3. advocates or opposes the candidacy of any person or party for any elective office;
 - 4. is primarily an advertisement or promotion or has as a substantial purpose the advancement of any cause the major benefit of which is private and not public; or
 - 5. does not necessitate Board action.

- C. Written communications addressed to individual Boardmembers shall not be opened by the Rent Board Clerk unless authorized to do so by individual Boardmembers. Such communications shall not become public records until received and filed by the Board at a regular, special or adjourned meeting of the Board, or retained or used as provided in §6250 of the California Government Code.

- D. Written communication received by the Rent Board Clerk after the deadline to publish the agenda shall not be placed on that agenda unless it concerns a matter to be considered by the Board at the upcoming regular meeting and is determined by the Rent Board Clerk to be an urgent matter which should be brought to the immediate attention of the Board. If it is determined that the communication must be placed on the agenda, Rent Board staff shall amend the agenda, to include the written communication.

- E. Written communications received by the Rent Board shall not be read aloud at a Board Meeting unless requested by a majority vote of the Board. No item which is exempted by §6254 of the California Government Code shall be disclosed or treated as a public record.

309. Order of Business

- A. The Board will ordinarily consider and dispose of its business in the following order, unless otherwise specified by the Board:

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1. Call to Order. The Chair will call the meeting to order, and the Rent Board Clerk will call the roll.
2. Closed Session. The Board will recess to closed session to consider items on the closed-session agenda.
3. Reconvene to Open Session. The Chair will call the open session to order and invite the Rent Board and public to salute the flag.
4. Report of Closed Session. The Staff Attorney will provide a report of the Rent Board's closed session.
5. Roll Call. The Rent Board Clerk will call roll of the Boardmembers and shall announce for the record the names of the absent Boardmember(s). If a Boardmember has been recorded as absent, but later arrives at the meeting, the Rent Board Clerk shall announce that Boardmembers and the time of arrival for the record.
6. Statement of Conflict of Interest. The Rent Board Clerk will inquire as to whether any Rent Boardmember has a conflict of interest as it relates to any of the items appearing on that meeting's agenda.
7. Agenda Review. The Rent Board Chair or one serving in the Chair's capacity will inquire as to whether Rent Boardmembers and/or Rent Board staff would like to make changes to the agenda.
8. Swearing in New Boardmembers. Where applicable, the Rent Board Clerk will swear-in new Boardmembers at the first meeting they appear.
9. Electing Chair and Vice-Chair. Where applicable, the Rent Boardmembers will elect a Chair and Vice-Chair consistent with Regulation 302 of this Chapter.
10. Special Agenda Items. The Chair or any member of the Board, may make relevant announcements, present commendations or awards, introduce special guests, or conduct other brief business of a like nature.
11. Public Forum. Members of the public will be given the opportunity to directly address the Board on any item of interest to the public that is within the Board's subject-matter jurisdiction; however, members of the public wishing to address the Board on specific agenda items should address the Board on those items when they are under consideration by the Board. All speakers must complete and file a speaker's card with Rent Board 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. Should any speaker require interpretation, the above time limits shall be doubled within the applicable category.

12. Rent Board Consent Calendar. The Rent Board will consider all consent items as a group by a single motion to approve the consent calendar. Because the consent calendar includes only items of a noncontroversial nature that do not require a public hearing such as receiving reports, approving minutes or making technical, non-substantive changes to regulations, the title to the individual consent items will not be read unless a request to do so is made by a member of the Board. Public discussion by the Rent Board is permitted only if the item is removed from the consent agenda and a specific request to be heard is made.
13. Continued Business. The Rent Board will consider any unconcluded items from previous Board Meeting agendas.
14. Appeals. The Rent Board will hear matters in which the Board is required to make a decision concerning an appeal.
15. Administrative Items, Including Regulations. The Rent Board will consider issues placed on the agenda by the Rent Program staff members, including those items placed on the agenda on behalf of non-Rent Program staff members.
16. Reports of Officers. The Executive Director and/or Deputy Director may share relevant news or updates to the Rent Board as it relates to the Rent Program or Rent Board's course of business.
17. Adjournment. The Rent Board will adjourn, and will remain adjourned until its next regularly scheduled meeting unless an emergency or special meeting is called before the next regularly-scheduled meeting.

- B. The Rent Board may alter the order of its agenda for an individual meeting, except the call to order and adjournment, by a majority vote.

[Amended 8/16/2023]

310. Preparation of Minutes

The Rent Board Clerk shall have exclusive responsibility for preparation of the minutes, and any directions for changes in the minutes shall be made only by a majority action of the Rent Board.

311. Presiding Officer

The Chair shall be the Presiding Officer at all meetings of the Rent Board. In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and the Vice-Chair, the Rent Board Clerk shall call the Rent Board to order whereupon a temporary Presiding Officer shall be elected by a majority of the Boardmembers present to serve until the arrival of the Chairperson or Vice Chairperson or until adjournment.

312. Powers and Duties of Presiding Officer

- A. Duties. The Presiding Officer shall preserve order at all regular, adjourned regular, and special meetings of the Board. Such officer shall state each agenda item or question coming before the Board, announce the decisions of the Board on all subjects, and decide all

questions of order.

- B. Signing of Documents. The Presiding Officer shall sign all Resolutions and other documents necessitating their signature which were adopted in their presence, unless they are unavailable, in which case the signature of the alternate Presiding Officer may be used.
- C. Sworn Testimony. Where appropriate, the Presiding Officer may require any person addressing the Board to be sworn as a witness and to testify under oath, and the Presiding Officer shall so require if directed to do so by a majority vote of the Board. Any member of the Board may request that anyone appearing before the Board on any matter shall be sworn.
- D. Subpoena. The Rent Board may, through the Presiding Officer, compel the attendance of witnesses, to examine them under oath, and to compel the production of evidence before it.

313. Rules of Debate

- A. Getting the Floor. Every Rent Boardmember desiring to speak shall first address the Chair, gain recognition by the Presiding Officer, and shall confine their remarks to the question under debate.
- B. Questions to Staff. Every Rent Boardmember desiring to question Board staff shall, after recognition by the Presiding Officer, address his/her questions to the Executive Director, the Deputy Director, the Rent Board's counsel, or any staff member then present on the dais. If either the Executive Director or the Rent Board's counsel feels another staff member who is not located on the dais could best respond to the Boardmember's question, he or she may direct the question to a member of his/her staff in the audience for that purpose.
- C. Interruptions. A Boardmember, once recognized, shall not be interrupted when speaking unless:
 - 1. Called to order by the Presiding Officer;
 - 2. a point of order, point of information, or of personal privilege is raised by another Boardmember; or
 - 3. the speaker chooses to yield to a question by another Boardmember.
- D. Points of Order. The Presiding Officer shall determine all points of order subject to the right of any Rent Boardmember to appeal to the Board. Appropriate points of order relate to anything that would not be considered appropriate procedural conduct of a meeting. If an appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" A majority vote shall conclusively determine such question of order.

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- E. Point of Personal Privilege. The right of a Rent Boardmember to address the Board on a question of personal privilege shall be limited to those issues that would interfere with the normal comfort of the meeting.
- F. Calling the Question. Rent Boardmembers may move to end debate on individual items. However, neither the moving party nor the party seconding any motion is permitted to call for the question.
- G. Motion to Reconsider. A motion to reconsider any action taken by the Board may be made only by a Rent Boardmember of the prevailing side and may be made only on the same day the action is taken and shall have precedence over all other motions or while a member has the floor and said motion shall be debatable.
- H. Limitation of Debate. No Boardmember shall be allowed to speak more than once upon any particular subject until every other Boardmember desiring to do so shall have spoken. Each Boardmember speaking on any item on the agenda shall be limited to ten (10) minutes per item to state his/her opinion and his/her views.
- I. Continue or Table a Matter. Any Rent Boardmember may move to table or continue an agenda item that is currently being discussed. If a Rent Boardmember makes said motion, the motion must contain a specific reference as to when the agenda item will come back to the body.
- J. Recess. Any Rent Boardmember may move the Board to take a recess. If the motion passes, the chair shall determine the length of the recess.
- K. Adjourn. Any Rent Boardmember may move the Board to adjourn. If passed, the Board must immediately adjourn to the next regularly scheduled meeting.
- L. Close Nomination. When choosing a presiding officer, a Rent Boardmember may make a motion to close nomination. Where such a motion is passed, no further Rent Boardmembers may be nominated.
- M. Suspension of the Rules. Any Rent Boardmember may move to suspend the rules for a particular purpose. The suspensions of the rules permit Rent Boardmembers to deviate from the rules or regulations that guide particular procedures and conduct of Rent Board meetings.

314. Rules of Order

Except as otherwise provided in this Chapter or by law, the procedures of this Board shall be governed by the latest revised edition of Rosenberg's Rules of Order.

315. Failure to Observe Rules of Order

Rules under this Chapter are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the Board or invalidate any action taken at a meeting that is otherwise lawful.

316. Voting Procedure

Any vote of the Board, including a roll call vote, may be registered by the members by answering "AYE" or "YES" for an affirmative vote or "NO" for a negative vote upon their name being called by the Rent Board Clerk. Unless a member of the Board states that they are not voting, silence shall be recorded as an affirmative vote.

317. Disqualification for Conflict of Interest

Pursuant to the conflict of interest code adopted by the City of Richmond in accordance with Government Code Section 87300, all Rent Boardmembers shall disclose all present holdings and interests in real property, including interests in corporations, trusts, or other entities with real property holdings, in accordance with applicable state law.

- A. Any Rent Boardmember who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state the nature of such disqualification in an open meeting.
- B. Where no thoroughly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Rent Boardmember affected, be decided by other Rent Boardmembers.
- C. A Rent Boardmember who is disqualified by reason of conflict of interest in any matter shall not remain in their seat during the debate and shall not vote on such matter, but shall request and be given the permission of the Presiding Officer to step down from the dais and leave the Council Chamber or other room where the meeting is held.
- D. A Rent Boardmember stating such disqualification shall not be counted as part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

318. Impartiality

Where the Rent Board sits as an adjudicative body to hear matters that fall within its jurisdiction, those members must strive to uphold the integrity of the Rent Board by avoiding impropriety and the appearance of impropriety. Thus, Rent Boardmembers must strive to perform their duties in

adjudicating matters that fall within its jurisdiction in a fashion that is impartial, competent, and diligent. To that end, no Rent Boardmember may participate in the consideration or decision of any adjudicative matter in which such person has any personal interest, including equity interest, financial interest, an interest as a landlord, tenant, or management person, or is related by blood or marriage or adoption to a landlord or tenant involved. For the purposes of this Chapter, a personal interest is one where a Boardmember has a vested interest in the outcome of a matter thereby impairing their ability to evaluate the matter impartially. Where issues of partiality arise, Rent Boardmembers shall treat such partiality as a conflict of interest and adhere to Regulation 317, as it relates to disclosure and recusal.

319. Failure to Vote

Every Rent Boardmember is entitled to vote unless disqualified by reason of conflict of interest.

320. Tie Vote

Tie votes shall be lost motions and may be reconsidered.

321. Changing Vote

A member may change their vote only if they make a timely request to do so immediately following the announcement of the vote by the Rent Board Clerk and prior to the time that the next item in the order of business is taken up.

322. Consideration of Agenda Items

- A. The Board will ordinarily consider agenda items in the following order, unless otherwise specified by the Board:
 - a. The Rent Board Clerk or Presiding Officer will read the title of the agenda item to be considered.
 - b. A report will be presented by staff, if called for by the Presiding Officer.
 - c. Rent Boardmembers may ask questions of staff.
 - d. The Presiding Officer will call for public comment public
 - e. After all members of the public wishing to address the Board have done so, the Presiding Officer will announce the close of discussion by the public.
 - f. The Board may publicly deliberate.
 - g. A Rent Boardmember may make a motion, or the Presiding Officer may ask for a motion. If the motion is seconded, the motion is before the Board.
 - h. The Board may discuss the motion that is before it.
 - i. At the conclusion of the discussion, the Presiding Officer will restate the motion and request that the Rent Board Clerk call for a vote.
 - j. The Board will vote on the motion. If more than one motion is before the Board, the Board must vote on the last-made motion first, then proceed in reverse order to the first-made motion.

323. Effective Date of Adopted Regulations and Resolutions

Where the Rent Board by majority vote adopts a Regulation or Resolution, the effective date of the adopted Regulation or Resolution shall be thirty (30) calendar days from the date of the Board meeting where the Rent Board adopted said Regulation or Resolution.

324. Adjournment

The duration of each Board Meeting shall not exceed three hours, unless a majority of the Rent Boardmembers vote otherwise.

325. Record of Meetings

All public meetings of the Board shall be electronically recorded. The recording shall be made available on the Rent Board's website and shall be part of the records of the Board.

326. Interpretation and Modification of the Rules

These rules shall be interpreted liberally in order to provide for the optimum in the free interchange of information and public debate without any unnecessary waste of time or duplication of effort.

[Adopted June 17, 2020]

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 27, 2024

Final Decision Date Deadline: February 27, 2024

STATEMENT OF THE ISSUE: In accordance with Section 11.100.060(l) of the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, the amount of the Residential Rental Housing Fee will be determined by the City Council after a recommendation by the Board is provided to the City Council. Prior to July 1, the Board is required to hold a public hearing on a proposed budget and adopt an annual budget for the ensuing fiscal year. To that end, staff members have prepared a presentation overviewing budget requirements and the budget process/timeline for the Board's consideration and comment.

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

RECOMMENDED ACTION: RECEIVE a presentation regarding the Rent Program Budget timeline and requirements for the Fiscal Year 2024-25 Rent Program operating Budget. (Nicolas Traylor/Fred Tran – 620-6564).

AGENDA ITEM NO:

I-1.

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AGENDA REPORT

DATE: February 27, 2024

TO: Chair Cantor and Members of the Richmond Rent Board

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

SUBJECT: OVERVIEW OF BUDGET REQUIREMENTS AND TIMELINE FOR FISCAL YEAR 2024-25 BUDGET

STATEMENT OF THE ISSUE:

In accordance with Section 11.100.060(l) of the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, the amount of the Residential Rental Housing Fee will be determined by the City Council after a recommendation by the Board is provided to the City Council. Prior to July 1, the Board is required to hold a public hearing on a proposed budget and adopt an annual budget for the ensuing fiscal year. To that end, staff members have prepared a presentation overviewing budget requirements and the budget process/timeline for the Board's consideration and comment.

RECOMMENDED ACTION:

RECEIVE a presentation regarding the Rent Program Budget timeline and requirements for the Fiscal Year 2024-25 Rent Program operating Budget. (Nicolas Traylor/Fred Tran – 620-6564).

FISCAL IMPACT:

There is no fiscal impact related to this item.

DISCUSSION:

Each fiscal year, Rent Program staff provide a presentation to the Rent Board on a proposed Budget and corresponding Fee Study for potential adoption. Prior to approving a final draft of the Fiscal Year 2024-25 Rent Program budget for potential adoption, Rent Program staff present a preliminary draft budget and seek the Board's feedback and direction. Prior to presenting the preliminary draft budget and to facilitate the Board's feedback and direction, staff present a high-level overview of budget requirements and prepare a timeline of the budget to meet the requirements for the July 1, 2024, deadline.

DOCUMENTS ATTACHED:

Attachment 1 – Fiscal Year 2024-25 Budget and Rental Housing Fee Study Timeline

PROPOSED FY 2024-25 BUDGET AND FEE STUDY TIMELINE

Date	Task	Lead
January/February 2024 – Internal Budget Meetings with Rent Program Staff	Budget Kickoff Meetings – Review Proposed Timeline and Discuss Program Needs	Nicolas/Fred
February Regular Rent Board Meeting (2/27/24)	Board Receives Timeline for Budget Adoption/Fee Study Approval/Approval of Fee/Billing	Nicolas/Fred
March Regular Rent Board Meeting (3/20/24)	Board Receives Initial Budget Recommendations	Nicolas/Fred
April 2024	Newspaper announcement is sent to be published in the paper on Wednesday, April 10 & Saturday, April 13, 2024	Cindy
April Regular Rent Board Meeting (4/17/24) <i>Packet published 4/11/24</i>	PUBLIC HEARING HELD: Board receives revised FY 24/25 Budget and Fee Study and considers adoption (if not adopted, item may be continued in April and May, potential Special Meetings required)	Nicolas/Fred
City Council Meeting April 30 or City Council meeting in May – (staff will insert placeholder for subsequent meetings in the event item requires several meetings) <i>(Item request due in eSCRIBE 4/11/24, supporting docs due 4/17)</i>	City Council Adopts Resolution Approving FY 24/25 Rental Housing Fee	Nicolas/Fred
May/June 2024	Rent Program staff notify Finance Department staff of adopted fee for inclusion in the City’s Master Fee Schedule	Nicolas/Fred

Section 11.100.060(n) of the Rent Ordinance states:

(n) Budget. The Board shall, prior to July 1 of each year, hold a public hearing on a proposed budget and adopt an annual budget for the ensuing fiscal year. At least thirty-five days prior to the beginning of each fiscal year, the Board's Executive Director shall submit to the Board the proposed budget as prepared by the Executive Director. After reviewing the same and making such revisions as it may deem advisable, the Board shall determine the time for the holding of a public hearing thereon and shall cause to be published a notice thereof not less than ten days prior to said hearing, by at least one insertion in the official newspaper. Copies of the proposed budget shall be available for inspection by the public in the office of the Board at least ten days prior to said hearing. The City Council and the City Manager shall have no authority to oversee, supervise, or approve this budget. Upon final adoption, the budget shall be in effect for the ensuing fiscal year and the amounts stated therein shall be and become appropriated by the Board for the respective objects and purposes therein specified. At any meeting after the adoption of the budget the Board may amend or supplement the budget by the affirmative votes of at least three members. Copies of the adopted budget and any amendments or supplements shall be filed with the City Clerk, and City Manager.

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