

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: April 17, 2024

Final Decision Date Deadline: April 17, 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). *This item was continued from the April 9, 2024, Special Rent Board Meeting.*

AGENDA ITEM NO:

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AGENDA REPORT

DATE: April 17, 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.

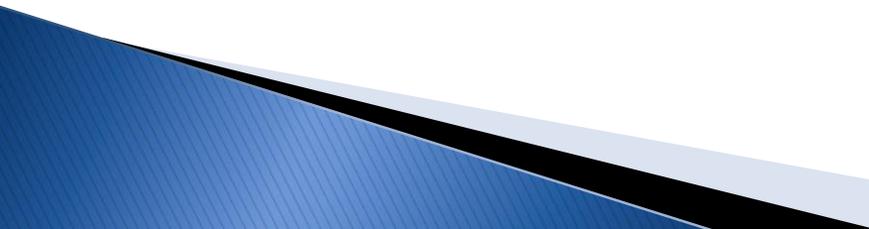
Agenda: Staff Agendizes an Item

- **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]