



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

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

**AGENDA  
Wednesday, September 18, 2024**

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

**Board Chair**  
Sara Cantor

**Board Vice Chair**  
Vacant

**Boardmembers**  
Elaine Dockens  
Tomas Espinoza  
Jim Hite

**NOTICE: MASKS ARE STRONGLY ENCOURAGED!!**

**Accessibility for Individuals with Disabilities**

Upon request, the City will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services and sign language interpreters, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, interpretation service or alternative format requested at least two days before the meeting. Requests should be emailed

to [cynthia\\_shaw@ci.richmond.ca.us](mailto:cynthia_shaw@ci.richmond.ca.us) and [rent@ci.richmond.ca.us](mailto:rent@ci.richmond.ca.us) or submitted by phone at (510) 620-5552. Requests made by mail to the Rent Program Office, Rent Board meeting, 440 Civic Center Plaza, Suite 200, Richmond, CA 94804 must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

### NOTICE TO PUBLIC

The City of Richmond encourages community participation at public meetings and has established procedures that are intended to accommodate public input in a timely and time-sensitive way. As a courtesy to all members of the public who wish to participate in Rent Board meetings, please observe the following procedures:

Public Comment on Agenda Items: Persons wishing to speak on a particular item on the agenda shall file a speaker form with City staff PRIOR to the Rent Board's consideration of the item on the agenda. Once the clerk announces the item, only those persons who have previously submitted speaker forms shall be permitted to speak on the item. Each speaker will be allowed up to four 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.

***This page intentionally left blank***

## REGULAR MEETING OF THE RICHMOND RENT BOARD

### AGENDA

5:30 PM

**A. PLEDGE TO THE FLAG**

**B. ROLL CALL**

**C. STATEMENT OF CONFLICT OF INTEREST**

**D. AGENDA REVIEW**

**E. PUBLIC FORUM**

**F. RENT BOARD CONSENT CALENDAR**

- |             |  |                        |
|-------------|--|------------------------|
| <b>F-1.</b> | APPROVE the minutes of the August 21, 2024, Regular Meeting of the Richmond Rent Board.  | <i>Cynthia Shaw</i>    |
| <b>F-2.</b> | RECEIVE the Fiscal Year 2024-25 Monthly Activity Report through August 2024.   | <i>Cynthia Shaw</i>    |
| <b>F-3.</b> | RECEIVE the Rent Program FY 2024-25 Monthly Revenue and Expenditure Report through August 2024.  | <i>Fred Tran</i>       |
| <b>F-4.</b> | APPROVE amended Regulation 322 to include language that clarifies that Rent Board members, or the Rent Board, may submit agenda item and agenda reports. | <i>Nicolas Traylor</i> |

**G. CONSIDERATION OF APPEALS**

- |             |   |                         |
|-------------|---|-------------------------|
| <b>G-1.</b> | Petition No. RC23-T176: Respondents/Tenants filed a petition based on excess rent charges and decrease of services due to various habitability issues. After holding a hearing, the Hearing Examiner awarded Respondents \$37,369.43. Appellants/Landlords timely filed an appeal, only challenging those portions of the Hearing Examiner's Decision that awarded Respondents \$24,574.05, due to excess rent charges. Specifically, the Hearing Examiner found that Respondents met their burden in demonstrating | <i>Charles Oshinuga</i> |
|-------------|---|-------------------------|

the proper amount of their Base Rent, and the amount of overage payments they made to Appellant. On appeal, Appellant contends the following:

- 1). Tenant's proof that rent was paid during COVID is not sufficient, Landlord indeed refute[d] [sic] the testimony provided by the tenants that the unpaid rent was paid in cash.
- 2). Landlord provided documentation of the amount that rent was paid during COVID which was not accounted for by the hearing examiner.
- 3). Rent was not increased every year as tenants swore under oath it was. (Attachment A)

## H. RENT BOARD AS A WHOLE

- H-1.** Staff recommend that the Rent Board adopt the following: Add to the Note to Reader Section of the Rent Board Regulations following the Table of Contents and appropriate language in that section that: The West County Times is designated as the official newspaper for publishing notices of public hearings and legal notices, unless specified otherwise by the Executive Director.

*Nicolas Traylor*

- H-2.** 1. DIRECTS STAFF to start the research necessary to provide credible guidelines for the Board to follow to identify appropriate donor foundations and submit a written report containing the proposed guidelines to the Board at the December 2024 Regular Meeting of the Rent Board and thereafter on a quarterly basis. 2. DIRECTS STAFF to identify in the written report all expert sources used to support the guidelines presented to the Board. For example, if Staff adopts a recommendation from the Hass Business Institute of the University of California, Berkeley, this source should be identified in full.

*Board Member  
Dockens*

## I. REPORTS OF OFFICERS

## J. ADJOURNMENT

***Any documents produced by the City and distributed to a majority of the Rent Board regarding any item on this agenda will be made available at the Rent***

Wednesday, September 18, 2024

***Program Office located on the second floor of 440 Civic Center Plaza and will be posted at [www.richmondrent.org](http://www.richmondrent.org).***

***This page intentionally left blank***

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: September 18, 2024

Final Decision Date Deadline: September 18, 2024

**STATEMENT OF THE ISSUE:** The minutes of the August 21, 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 August 21, 2024, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**F-1.**

***This page intentionally left blank***

**RICHMOND, CALIFORNIA**, August 21, 2024

The Regular Meeting of the Richmond Rent Board was called to order at 5:40 P.M.

**PLEDGE TO THE FLAG**

**ROLL CALL**

**Board Members Present:** Dockens, Espinoza, Hite, 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**

Cordell Hindler invited the Board and staff to attend several events in October, including the Contra Costa Mayors Conference hosted by the City of Richmond (location to be determined), the Richmond Chamber of Commerce's 100th anniversary Gala at Riggers Loft in Point Richmond, and the Rosie the Riveter Annual Gala at the Salesian Boys and Girls Club in San Pablo. He also mentioned that during the last Rent Board meeting in June, some public speakers spoke too quickly, making translation (interpretations) difficult. He suggested that speakers slow down, keep comments brief, and remain respectful to assist the interpreter.

**RENT BOARD CONSENT CALENDAR**

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

**\*F-1.** Approve the minutes of the June 28, 2024, Special Meeting of the Richmond Rent Board.

**\*F-2.** Receive letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100.

**\*F-3.** Receive the Fiscal Year 2024-25 Monthly Activity Report through July 2024.

**\*F-4.** Receive the Rent Program FY 2024-25 Monthly Revenue and Expenditure Report through July 2024.

**REPORTS OF OFFICERS**

Executive Director Nicolas Traylor reported that he has no reports.

Chair Cantor requested confirmation of the date and time for the next Rent Board Meeting held in September. Rent Board Clerk Cynthia Shaw confirmed the next meeting would be held on September 18th at 5:30 PM.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 5:47 P.M.

Cynthia Shaw  
Staff Clerk

(SEAL)

Approved:

\_\_\_\_\_  
Rent Board Chair

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: September 18, 2024

Final Decision Date Deadline: September 18, 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

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

**RECOMMENDED ACTION:** RECEIVE the Fiscal Year 2024-25 Monthly Activity Report through August 2024 - Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**F-2.**

***This page intentionally left blank***

**Rent Program  
FY2024-25 Monthly Activity Report**

**ITEM F-2**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
		Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Apr-25	Apr-25	Apr-25	May-25	Jun-25	
		MTD ACTUAL	YTD TOTAL											
<b>3 Public Information &amp; Enrollment Unit</b>														
5 Rent/Eviction Counseling Appointments By Phone		124	125	-	-	-	-	-	-	-	-	-	-	249
6 Rent/Eviction Counseling Appointments By Walk-ins		30	54	-	-	-	-	-	-	-	-	-	-	84
7 Rent/Eviction Counseling Questions Addressed By Email		293	50	-	-	-	-	-	-	-	-	-	-	343
<b>8 TOTAL RENT/EVICTION COUNSELING APPOINTMENTS</b>		<b>447</b>	<b>229</b>	-	-	-	-	-	-	-	-	-	-	<b>676</b>
9 Rent/Eviction Counseling Sessions Conducted in Spanish		60	30	-	-	-	-	-	-	-	-	-	-	90
10 Rent/Eviction Counseling Sessions Conducted in Mandarin		-	-	-	-	-	-	-	-	-	-	-	-	-
11 Rent/Eviction Counseling Sessions Conducted in Cantonese		-	-	-	-	-	-	-	-	-	-	-	-	-
12 Rent/Eviction Counseling Sessions Conducted in Another Language		-	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL RENT/EVICTION COUNSELING APPOINTMENTS IN A LANGUAGE OTHER THAN ENGLISH</b>		60	60	-	-	-	-	-	-	-	-	-	-	<b>120</b>
14 Legal Service Referrals		15	19	-	-	-	-	-	-	-	-	-	-	34
17 Mediations Conducted		-	-	-	-	-	-	-	-	-	-	-	-	-
18 Assists from Front Office Staff		221	211	-	-	-	-	-	-	-	-	-	-	432
19 Courtesy Compliance Letters Sent		349	-	-	-	-	-	-	-	-	-	-	-	349
20 Community Workshop Attendees		1	-	-	-	-	-	-	-	-	-	-	-	1
21 Hard Copy Rent Increase Notices Processed		61	-	-	-	-	-	-	-	-	-	-	-	61
22 Hard Copy Termination of Tenancy Notices Processed		19	-	-	-	-	-	-	-	-	-	-	-	19
24		<b>80</b>	-	-	-	-	-	-	-	-	-	-	-	<b>80</b>
25 Billing/Enrollment/Registration Counseling Appointments In-Person		-	24	-	-	-	-	-	-	-	-	-	-	24
26 Billing/Enrollment/Registration Counseling Appointments By Phone		7	44	-	-	-	-	-	-	-	-	-	-	51
27 Billing/Enrollment/Registration Counseling Questions Addressed By Email		31	21	-	-	-	-	-	-	-	-	-	-	52
<b>28 TOTAL BILLING/ENROLLMENT/REGISTRATION COUNSELING APPOINTMENTS</b>		<b>38</b>	<b>65</b>	-	-	-	-	-	-	-	-	-	-	<b>103</b>
29 Enrollment/Tenancy Registration Packets Mailed		-	4	-	-	-	-	-	-	-	-	-	-	4
30 Enrollment Forms Processed		51	14	-	-	-	-	-	-	-	-	-	-	65
31 Rental Housing Fee Invoices Generated		3	14,591	-	-	-	-	-	-	-	-	-	-	14,594
32 Checks Processed		-	24	-	-	-	-	-	-	-	-	-	-	24
33 Checks Returned		-	-	-	-	-	-	-	-	-	-	-	-	-
34 Tenancy Registrations Received		24	-	-	-	-	-	-	-	-	-	-	-	24
35 Rental Units Discovered Not in Database		3	6	-	-	-	-	-	-	-	-	-	-	9
36 Property Information Updated		146	78	-	-	-	-	-	-	-	-	-	-	224
37 Compliance Actions (Reviewing Records, Exemption Statuses, Addresses)		119	6	-	-	-	-	-	-	-	-	-	-	125
38 Applications for Administrative Determination of Exempt/Inapplicable Status Received		4	11	-	-	-	-	-	-	-	-	-	-	15
39 Administrative Determination of Exempt/Inapplicable Status Issued		6	8	-	-	-	-	-	-	-	-	-	-	14
40 Declarations of Exemption Processed		41	2	-	-	-	-	-	-	-	-	-	-	43
<b>41 LEGAL UNIT</b>														
42 Public Records Act Requests Received		7	7	-	-	-	-	-	-	-	-	-	-	14
43 Owner Move-In Eviction Termination of Tenancy Notices Reviewed		2	1	-	-	-	-	-	-	-	-	-	-	3
44 Withdrawal from the Rental Market (Ellis Act) Termination of Tenancy Notices Reviewed		1	3	-	-	-	-	-	-	-	-	-	-	4
45 Substantial Repairs Termination of Tenancy Notices Reviewed		-	-	-	-	-	-	-	-	-	-	-	-	-
46 Appeal Hearings Held		-	-	-	-	-	-	-	-	-	-	-	-	-
<b>47 HEARINGS UNIT</b>														
50 Consultations with Hearings Unit Coordinator By Phone		10	8	-	-	-	-	-	-	-	-	-	-	18
51 Hearings-Related Questions Addressed by Email		35	22	-	-	-	-	-	-	-	-	-	-	57
<b>52 TOTAL HEARINGS-RELATED CONSULTATIONS</b>		<b>45</b>	<b>30</b>	-	-	-	-	-	-	-	-	-	-	<b>75</b>
53 MNOI Petitions Received (Attachment A)		-	-	-	-	-	-	-	-	-	-	-	-	-
54 Increase in Occupants Petitions Received (Attachment B)		-	-	-	-	-	-	-	-	-	-	-	-	-
55 Increase in Space or Services Petitions Received (Attachment C)		1	-	-	-	-	-	-	-	-	-	-	-	1
56 Restoration of Denied AGA Petitions Received (Attachment D)		-	-	-	-	-	-	-	-	-	-	-	-	-
57 Landlord Individual Rent Adjustment Petitions Received		-	-	-	-	-	-	-	-	-	-	-	-	-
58 Landlord Petition to Determine Exempt Status Received		-	-	-	-	-	-	-	-	-	-	-	-	-
<b>59 TOTAL LANDLORD PETITIONS RECEIVED</b>		<b>1</b>	-	-	-	-	-	-	-	-	-	-	-	<b>1</b>
60 Excess Rent or Failure to Return Sec Dep Petitions Received (Attachment A)		2	3	-	-	-	-	-	-	-	-	-	-	5
61 Decrease in Space/Services or Habitability Petitions Received (Attachment B)		4	4	-	-	-	-	-	-	-	-	-	-	8
62 Reduction in Number of Tenants Petitions Received (Attachment C)		-	-	-	-	-	-	-	-	-	-	-	-	-

**Rent Program  
FY2024-25 Monthly Activity Report**

**ITEM F-2**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
		Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Apr-25	Apr-25	Apr-25	May-25	Jun-25	
		MTD ACTUAL	YTD TOTAL											
63	Tenant Petition Based on Multiple Grounds	5	6	-	-	-	-	-	-	-	-	-	-	11
64	Tenant Petition for Rent Withholding Petitions Received	-	-	-	-	-	-	-	-	-	-	-	-	-
65	Tenant Petition for Failure to Pay Relocation Payment Petitions Received	4	3	-	-	-	-	-	-	-	-	-	-	7
66	<b>TOTAL TENANT PETITIONS RECEIVED</b>	<b>15</b>	<b>16</b>	-	-	-	-	-	-	-	-	-	-	<b>31</b>
67	Petition for Determination of Occupancy Status	-	-	-	-	-	-	-	-	-	-	-	-	-
68	Petition for Initial Rent Determination	-	-	-	-	-	-	-	-	-	-	-	-	-
69	Request to Expedite Hearing Process	1	-	-	-	-	-	-	-	-	-	-	-	1
70	Request for a Continuance of the Hearing Process	-	1	-	-	-	-	-	-	-	-	-	-	1
71	Subpoena(s)	-	1	-	-	-	-	-	-	-	-	-	-	1
72	<b>TOTAL OTHER PETITIONS RECEIVED</b>	<b>1</b>	<b>2</b>	-	-	-	-	-	-	-	-	-	-	<b>3</b>
73	Decisions Ordered	-	1	-	-	-	-	-	-	-	-	-	-	1
74	Cases Settled	-	4	-	-	-	-	-	-	-	-	-	-	4
75	Cases Dismissed	-	1	-	-	-	-	-	-	-	-	-	-	1
76	Petitions Withdrawn	-	-	-	-	-	-	-	-	-	-	-	-	-
77	<b>TOTAL CASES CLOSED</b>	-	<b>6</b>	-	-	-	-	-	-	-	-	-	-	<b>6</b>
78	Appeals Received	-	1	-	-	-	-	-	-	-	-	-	-	1
79	Total Open Cases (Tenant Petitions)	22	22	-	-	-	-	-	-	-	-	-	-	44
80	Total Open Cases (Landlord Petitions)	2	2	-	-	-	-	-	-	-	-	-	-	4
81	Total Open Cases (Other Petitions)	-	-	-	-	-	-	-	-	-	-	-	-	-
82	<b>TOTAL OPEN CASES</b>	<b>24</b>	<b>24</b>	-	-	-	-	-	-	-	-	-	-	<b>48</b>
83	<b>Form Submissions</b>													
84	Agent Authorization	-	-	-	-	-	-	-	-	-	-	-	-	-
85	Proof of Excess Rent Refund	-	-	-	-	-	-	-	-	-	-	-	-	-
86	Proof of Permanent Relocation Payment	-	-	-	-	-	-	-	-	-	-	-	-	-
87	Proof of Temporary Relocation Payment	-	-	-	-	-	-	-	-	-	-	-	-	-
88	Change in Terms of Tenancy	-	-	-	-	-	-	-	-	-	-	-	-	-
89	Tenancy Registration Forms Processed	-	-	-	-	-	-	-	-	-	-	-	-	-
90	<b>TOTAL RENT INCREASE NOTICES FILED</b>	<b>212</b>	-	-	-	-	-	-	-	-	-	-	-	<b>212</b>
91	Termination of Tenancy - Nonpayment of Rent	93	-	-	-	-	-	-	-	-	-	-	-	93
92	Termination of Tenancy - Breach of Lease	6	-	-	-	-	-	-	-	-	-	-	-	6
93	Termination of Tenancy - Failure to Give Access	-	-	-	-	-	-	-	-	-	-	-	-	-
94	Termination of Tenancy - Nuisance	2	-	-	-	-	-	-	-	-	-	-	-	2
95	Termination of Tenancy - Withdrawal from the Rental Market	1	-	-	-	-	-	-	-	-	-	-	-	1
96	Termination of Tenancy - Owner Move-In	6	1	-	-	-	-	-	-	-	-	-	-	7
97	Termination of Tenancy - Substantial Repairs	-	-	-	-	-	-	-	-	-	-	-	-	-
98	Termination of Tenancy - Temporary Tenancy	-	-	-	-	-	-	-	-	-	-	-	-	-
99	<b>TOTAL TERMINATION OF TENANCY NOTICES FILED</b>	<b>108</b>	<b>1</b>	-	-	-	-	-	-	-	-	-	-	<b>109</b>
100														

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: September 18, 2024

Final Decision Date Deadline: September 18, 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) |  |  |
| <input type="checkbox"/> Public Hearing   | <input type="checkbox"/> Regulation  | <input checked="" type="checkbox"/> Other: <u>Consent Calendar</u> |
| <input type="checkbox"/> Contract/Agreement   | <input type="checkbox"/> Rent Board As Whole                                     |  |
| <input type="checkbox"/> Grant Application/Acceptance                                 | <input type="checkbox"/> Claims Filed Against City of Richmond                   |  |
| <input type="checkbox"/> Resolution   | <input type="checkbox"/> Video/PowerPoint Presentation (contact KCRT @ 620.6759) |  |

**RECOMMENDED ACTION:** RECEIVE the Rent Program FY 2024-25 Monthly Revenue and Expenditure Report through August 2024 – Rent Program (Fred Tran 620-6537).

AGENDA ITEM NO:

**F-3.**

***This page intentionally left blank***

**RICHMOND RENT PROGRAM  
MONTHLY REVENUE AND EXPENDITURES REPORT  
FISCAL YEAR 2024-25**

**ITEM F-3**

OBJECT	ORIGINAL BUDGET	ADOPTED BUDGET	Period 1	Period 2	ENCUMBRANCES	YTD TOTAL	AVAILABLE BUDGET	% USED
			July	August				
340445 Rental Housing Fees	(3,299,011)	(3,299,011)	(28,917.00)	(783,730.20)	-	(812,647.20)	(2,486,363.80)	24.6%
<b>TOTAL LICENSES, PRMITS&amp;FEES</b>	<b>(3,299,011)</b>	<b>(3,299,011)</b>	<b>(28,917.00)</b>	<b>(783,730.20)</b>	-	<b>(812,647.20)</b>	<b>(2,486,363.80)</b>	<b>24.6%</b>
361701 Interest	(50,000)	(50,000)	-	-	-	-	(50,000.00)	0.0%
361705 Realized Gain	-	-	914.66	-	-	914.66	(914.66)	0.0%
<b>TOTAL INTEREST &amp; REALIZED INCOME</b>	<b>(50,000)</b>	<b>(50,000)</b>	<b>914.66</b>	-	-	<b>914.66</b>	<b>(50,914.66)</b>	<b>-1.8%</b>
364855 OTHER REV/Misc Other Re	-	-	-	-	-	-	-	0.0%
364867 Revenue from Collections Agency	(50,000)	(50,000)	-	-	-	-	(50,000.00)	0.0%
337373 Other Grants	-	-	-	-	-	-	-	0.0%
<b>TOTAL OTHER REVENUE</b>	<b>(50,000)</b>	<b>(50,000)</b>	-	-	-	-	<b>(50,000.00)</b>	<b>0.0%</b>
<b>TOTAL REVENUE</b>	<b>(3,399,011)</b>	<b>(3,399,011)</b>	<b>(28,002.34)</b>	<b>(783,730.20)</b>	-	<b>(811,732.54)</b>	<b>(2,587,278.46)</b>	<b>23.9%</b>
400001 SALARIES & WAGES/Executive	984,703	984,703	80,343.73	78,067.84	-	158,411.57	826,291.80	16.1%
400002 SALARIES & WAGES/Mgmt-Local 21	467,164	467,164	36,198.82	36,632.32	-	72,831.14	394,332.73	15.6%
400003 SALARIES & WAGES/Local 1021	360,875	360,875	23,492.68	21,992.87	-	45,485.55	315,389.45	12.6%
400006 SALARIES & WAGES/PT- Temp	47,000	47,000	2,561.11	7,247.97	-	9,809.08	37,190.92	20.9%
400031 OVERTIME/General	2,500	2,500	288.63	1,038.11	-	1,326.74	1,173.26	53.1%
400048 OTHER PAY/Bilingual Pay	14,289	14,289	939.30	939.30	-	1,878.60	12,410.16	13.1%
400049 OTHER PAY/Auto Allowance	4,200	4,200	350.00	350.00	-	700.00	3,500.00	16.7%
400053 OTHER PAY/Pension Credi	19,694	19,694	1,586.19	1,541.58	-	3,127.77	16,566.23	15.9%
400058 400058 OTHER PAY/Bonuses	-	-	-	-	-	-	-	100.0%
<b>TOTAL SALARIES AND WAGES</b>	<b>1,900,425</b>	<b>1,900,425</b>	<b>145,760.46</b>	<b>147,809.99</b>	-	<b>293,570.45</b>	<b>1,606,854.55</b>	<b>15.4%</b>
400103 P-ROLL BEN/Medicare Tax-ER Shr	26,457	26,457	2,106.52	2,128.07	-	4,234.59	22,222.41	16.0%
400105 P-ROLL BEN/Health Insurance Be	326,838	326,838	24,162.60	24,143.27	-	48,305.87	278,532.13	14.8%
400106 P-ROLL BEN/Dental Insurance	19,418	19,418	1,502.93	1,502.93	-	3,005.86	16,412.14	15.5%
400109 P-ROLL BEN/Employee Assistance	252	252	19.89	19.89	-	39.78	212.22	15.8%
400110 P-ROLL BEN/Professional Dev-Mg	6,750	6,750	750.00	140.57	-	890.57	5,859.43	13.2%
400111 P-ROLL BEN/Vision	2,324	2,324	180.31	180.31	-	360.62	1,963.38	15.5%
400112 P-ROLL BEN/Life Insurance	4,047	4,047	332.33	332.33	-	664.66	3,382.34	16.4%
400114 P-ROLL BEN/Long Term Disabilit	13,025	13,025	711.25	709.23	-	1,420.48	11,604.52	10.9%
400116 P-ROLL BEN/Unemployment Ins	6,384	6,384	608.00	608.00	-	1,216.00	5,168.00	19.0%
400117 P-ROLL BEN/Personal/Prof Dev	3,750	3,750	-	-	-	-	3,750.00	0.0%
400121 P-ROLL BEN/Worker Comp-Clerica	-	-	634.05	-	-	634.05	(634.05)	100.0%
400122 P-ROLL BEN/Worker Comp-Prof	81,614	81,614	5,097.37	-	-	5,097.37	76,516.93	6.2%
400127 P-ROLL BEN/OPEB	-	-	2,182.33	2,147.69	-	4,330.02	(4,330.02)	100.0%
400130 P-ROLL BEN/PARS Benefits	-	-	34.06	94.23	-	128.29	(128.29)	100.0%
400149 P-ROLL BEN/PERS-Misc	240,175	240,175	18,721.45	18,263.81	-	36,985.26	203,189.74	15.4%
400151 P-ROLL BEN/PERS-Misc (UAL)	274,260	274,260	24,753.82	21,222.24	-	45,976.06	228,283.94	16.8%
<b>TOTAL FRINGE BENEFITS</b>	<b>1,005,294</b>	<b>1,005,294</b>	<b>81,796.91</b>	<b>71,492.57</b>	-	<b>153,289.48</b>	<b>852,004.82</b>	<b>15.2%</b>
400201 PROF SVCS/Professional Svcs	90,700	90,700	-	425.15	36,574.85	425.15	53,700.00	40.8%
400206 PROF SVCS/Legal Serv Cost	275,000	275,000	-	16,666.00	116,662.00	16,666.00	141,672.00	48.5%
400220 PROF SVCS/Info Tech Ser	2,500	2,500	-	-	-	-	2,500.00	0.0%
400261 DUES & PUB/Memberships & Dues	2,025	2,025	-	-	-	-	2,025.00	0.0%
400263 DUES & PUB/Subscription	7,500	7,500	-	-	-	-	7,500.00	0.0%
400271 AD & PROMO/Advertising&Promo	3,000	3,000	-	-	-	-	3,000.00	0.0%
400280 ADM EXP/Program Supplies	6,881	6,881	-	519.87	-	519.87	6,361.13	7.6%
<b>TOTAL PROF &amp; ADMIN SERVICES</b>	<b>387,606</b>	<b>387,606</b>	-	<b>17,611.02</b>	<b>153,236.85</b>	<b>17,611.02</b>	<b>216,758.13</b>	<b>44.1%</b>
400231 OFF EXP/Postage & Mailing	30,000	30,000	3,280.95	-	-	3,280.95	26,719.05	0.0%
400232 OFF EXP/Printing & Binding	30,000	30,000	-	-	-	-	30,000.00	0.0%
400304 RENTAL EXP/Equipment Rental	9,000	9,000	-	-	9,000.00	-	-	100.0%
400338 Recognition	300	300	-	-	-	-	300.00	0.0%
400341 OFF SUPP/Office Supplies	8,000	8,000	-	731.76	-	731.76	7,268.24	9.1%
<b>TOTAL OTHER OPERATING</b>	<b>77,300</b>	<b>77,300</b>	<b>3,280.95</b>	<b>731.76</b>	<b>9,000.00</b>	<b>4,012.71</b>	<b>64,287.29</b>	<b>16.8%</b>
400401 UTILITIES/Tel & Telegraph	500	500	-	-	-	-	500.00	0.0%
<b>TOTAL UTILITIES</b>	<b>500</b>	<b>500</b>	-	-	-	-	<b>500.00</b>	<b>0.0%</b>
400552 PROV FR INS LOSS/Ins Gen Liab	9,500	9,500	-	-	-	-	9,500.00	0.0%
<b>TOTAL PROVISION FOR INS LOSS</b>	<b>9,500</b>	<b>9,500</b>	-	-	-	-	<b>9,500.00</b>	<b>0.0%</b>
400574 COST POOL/(ISF)-Gen Liability	99,980	99,980	8,328.29	8,332.00	-	16,660.29	83,320.00	16.7%
400586 COST POOL/(CAP)- Admin Charges	52,481	52,481	4,378.00	4,373.00	-	8,751.00	43,730.00	16.7%
400591 COST POOL/(IND)Civic Ctr Alloc	56,315	56,315	4,692.00	4,693.00	-	9,385.00	46,930.00	16.7%
<b>TOTAL COST POOL</b>	<b>208,776</b>	<b>208,776</b>	<b>17,398.29</b>	<b>17,398.00</b>	-	<b>34,796.29</b>	<b>173,980.00</b>	<b>16.7%</b>
391994 391994 TRANSFER IN/From Gen Fund	(290,391)	(290,391)	(24,190.59)	(24,200.00)	-	(48,390.59)	(242,000.00)	16.7%
<b>90 OPER XFRS IN</b>	<b>(290,391)</b>	<b>(290,391)</b>	<b>(24,190.59)</b>	<b>(24,200.00)</b>	-	<b>(48,390.59)</b>	<b>(242,000.00)</b>	<b>16.7%</b>
<b>TOTAL EXPENDITURES</b>	<b>3,299,011</b>	<b>3,299,011</b>	<b>224,046.02</b>	<b>230,843.34</b>	<b>162,236.85</b>	<b>454,889.36</b>	<b>2,681,884.79</b>	<b>18.7%</b>
<b>NET OPERATING (SURPLUS)/DEFICIT</b>	<b>(100,000)</b>	<b>(100,000)</b>	<b>196,043.68</b>	<b>-52,886.86</b>	<b>162,236.85</b>	<b>-356,843.18</b>	<b>94,606.33</b>	<b>194.6%</b>
<b>CASH BALANCE</b>			<b>1,385,693.52</b>	<b>1,709,724.80</b>				

***This page intentionally left blank***

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: September 18, 2024

Final Decision Date Deadline: September 18, 2024

**STATEMENT OF THE ISSUE:** At its April 17, 2024, meeting, the Rent Board directed staff to amend Regulation 322, to include language indicating that individual Rent Board Members, or the Rent Board, may submit agenda items and agenda reports. Consequently, staff now presents amended Regulation 322, for the Rent Board's 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 amended Regulation 322 to include language that clarifies that Rent Board members, or the Rent Board, may submit agenda item and agenda reports. (Nicolas Traylor/Fred Tran – 620-6564).

AGENDA ITEM NO:

**F-4.**

***This page intentionally left blank***



# AGENDA REPORT

**DATE:** September 18, 2024

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

**FROM:** Palomar Sanchez, Staff Attorney  
Nicolas Traylor, Executive Director

**SUBJECT:** AMEND REGULATION 322 TO CLARIFY THAT RENT BOARD MEMBERS MAY SUBMIT AGENDA ITEMS AND AGENDA REPORTS

## STATEMENT OF THE ISSUE:

At its April 17, 2024, meeting, the Rent Board directed staff to amend Regulation 322, to include language indicating that individual Rent Board Members, or the Rent Board, may submit agenda items and agenda reports. Consequently, staff now presents amended Regulation 322, for the Rent Board's approval.

## RECOMMENDED ACTION:

**APPROVE** amended Regulation 322 to include language that clarifies that Rent Board members, or the Rent Board, may submit agenda item and agenda reports. (Nicolas Traylor/Fred Tran – 620-6564).

## FISCAL IMPACT:

There is no fiscal impact for this item.

## DISCUSSION:

Inherent in a legislative body's power is the ability for individual members of the body to submit their own agenda item. The Rent Board is no exception. In fact, members of the current iteration of the Rent Board have on a few occasions, submitted their own agenda items.

On April 17, 2024, the Rent Board directed staff to include language in its regulations that stated individual Rent Board members, or the Rent Board, may submit their own agenda items and agenda reports. Consequently, staff has added the requested amendments to Regulation 322, and presented the amendments to the Rent Board for its consideration at the May 15, 2024 meeting. There was an additional amendment

## **ITEM F-4**

recommended at the meeting to remove “or the Rent Board” under Section 322 (a). Per General Counsel, the Item must be brought back for approval at a following meeting due the change being substantive. The Item can be agendaized on the Consent Calendar for approval.

### **DOCUMENTS ATTACHED:**

Attachment 1 - Regulation 322 Redline Version

Attachment 2 - Regulation 322 Clean Version

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. ~~In addition to staff, agenda items may be submitted by individual Rent Board members. or the Rent Board.~~
  - b. A report will be presented by staff ~~or Board member(s)~~, if called for by the Presiding Officer.
  - c. Rent ~~Board members~~ may ask questions of staff ~~or Board member(s) who submitted the agenda item or presented the report.~~
  - 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 ~~Board member~~ 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.

*[Amended (DATE)]*

***This page intentionally left blank***

**322. Consideration of Agenda Items**

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. In addition to staff, agenda items may be submitted by individual Rent Board members.
- b. A report will be presented by staff or Board member(s), if called for by the Presiding Officer.
- c. Rent Board members may ask questions of staff or Board member(s) who submitted the agenda item or presented the report.
- 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 Board member 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.

*[Amended (DATE)]*

***This page intentionally left blank***

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: September 18, 2024

Final Decision Date Deadline: September 18, 2024

**STATEMENT OF THE ISSUE:** Under Richmond Municipal Code 11.100.060(n) Budget, each year, before July 1st, the Board is mandated to conduct a public hearing on the proposed budget and to formally adopt an annual budget for the upcoming fiscal year. No later than 35 days before the fiscal year begins, the Executive Director must present the proposed budget to the Board. Following a thorough review and any necessary revisions, the Board will schedule the public hearing and ensure that a notice is published in the official newspaper at least 10 days prior to the hearing. The issue before the Rent Board is to identify and select the official newspaper for publishing Rent Board public hearings as required by the Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance. Both the City of Richmond and the Richmond Rent Program currently utilize the West County Times as the newspaper for publishing notices of public hearings for adoption of their respective annual budgets and legal notices. At the May 15, 2024, Regular Meeting of the Rent Board, the Board directed staff to create a Note to Reader section of the Rent Board Regulations following the Table of Contents and to compose appropriate language to identify the Official Newspaper 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 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:** Staff recommend that the Rent Board adopt the following: Add to the Note to Reader Section of the Rent Board Regulations following the Table of Contents and appropriate language in that section that: The West County Times is designated as the official newspaper for publishing notices of public hearings and legal notices, unless specified otherwise by the Executive Director. (Nicolas Traylor – 620-6564).

AGENDA ITEM NO:

**H-1.**

***This page intentionally left blank***



# AGENDA REPORT

**DATE:** September 18, 2024  
**TO:** Chair Cantor and Members of the Rent Board  
**FROM:** Nicolas Traylor, Executive Director  
**SUBJECT:** Selecting Official Rent Program Newspaper

## **STATEMENT OF THE ISSUE:**

Under Richmond Municipal Code 11.100.060(n) Budget, each year, before July 1st, the Board is mandated to conduct a public hearing on the proposed budget and to formally adopt an annual budget for the upcoming fiscal year. No later than 35 days before the fiscal year begins, the Executive Director must present the proposed budget to the Board. Following a thorough review and any necessary revisions, the Board will schedule the public hearing and ensure that a notice is published in the official newspaper at least 10 days prior to the hearing. The issue before the Rent Board is to identify and select the official newspaper for publishing Rent Board public hearings as required by the Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance. Both the City of Richmond and the Richmond Rent Program currently utilize the West County Times as the newspaper for publishing notices of public hearings for adoption of their respective annual budgets and legal notices. At the May 15, 2024, Regular Meeting of the Rent Board, the Board directed staff to create a Note to Reader section of the Rent Board Regulations following the Table of Contents and to compose appropriate language to identify the Official Newspaper of the Rent Board.

## **RECOMMENDED ACTION:**

Staff recommend that the Rent Board adopt the following: Add to the Note to Reader Section of the Rent Board Regulations following the Table of Contents and appropriate language in that section that: The West County Times is designated as the official newspaper for publishing notices of public hearings and legal notices, unless specified otherwise by the Executive Director.

## **FISCAL IMPACT:**

There is no fiscal impact related to this item.

**DISCUSSION:**

Background

Richmond Municipal Code 11.100.060(n) requires that the Board hold a public hearing on the proposed budget for formal adoption. The Rent Ordinance also requires that the budget hearing be notices in “the official newspaper”. There is no definition of “the official newspaper” listed in the Rent Ordinance. It is important to note that it is a legal requirement under the Rent Ordinance to notice the public regarding the proposed annual Rent Program budget and other public hearings and legal notices. This legal requirement is in place to ensure the public is noticed with the opportunity and ability to provide feedback and comment on the Rent Program’s budget.

Identifying an official newspaper will provide the community a direct source to locate public hearings and legal notices from the Rent Program. Having an established official newspaper will save the public time. The members of the public will no longer need to search through multiple periodicals or various media sources to find published items.

Purpose

The drafters of the Rent Ordinance presumably left this definition to be vague to allow the Board and/or staff to choose which newspaper would best suit its needs to reach the broadest possible audience of Richmond Landlords, Tenants and representatives thereof. During the Rent Program’s first budget cycle in fiscal year 2017-18, in line with the City of Richmond’s practice, Rent Program executive staff elected to use the West County Times as the newspaper for publishing the notice of the annual budget public hearing.

Identifying the Official Newspaper of the Richmond Rent Board

To date, neither the City of Richmond nor the Rent Program has not officially identified a newspaper as its “official” publication. The City of Richmond Municipal Code has no language requiring the City to make such a designation. The decision to utilize a particular newspaper is left for City Management to decide. Giving the City Manager the ability to designate the official newspaper provides for flexibility to pivot and redesignate which newspaper use in the case that the official newspaper goes defunct around the time the City is required to provide public notice, if the turnaround time for publishing changes significantly due to unforeseen circumstances, or another better alternative newspaper arises that can better reach Richmond during a crucial noticing period. Because the Rent Ordinance explicitly states that the Rent Board will publish notices in” the Official Newspaper”, the Board is tasked with selecting a newspaper. Staff recommend however, that the Board approve language giving the Executive Director ability to redesignate the official newspaper in cases where a quick pivot is necessary to meet legal deadlines.

The City of Richmond has historically used the West County Times as the newspaper it uses to notice public hearing notices. According to the City Clerks’ Office, the West County Times was chosen as it is the local (regional) newspaper with the largest

## ITEM H-1

circulation in the Richmond. The Board is not required to utilize the West County Times, simply because it has the largest circulation. However, it is important to bear in mind that while approximately 27% of Richmond Landlords live in Richmond, about 88% of Richmond Landlords live in the surrounding Bay Area<sup>1</sup>. Thus, using a local newspaper that only circulates in Richmond or certain neighborhoods in Richmond, would fail to reach as many Richmond Landlords as it would Richmond Tenants.

1. Source: 2018-10 Rent Program Annual Report

### Proposed Language Identifying the Official Newspaper of the Richmond Rent Board in the Note to Reader Section of the Rent Board Regulation Table of Contents

The West County Times is designated as the official newspaper of the Rent Board for publishing notices of public hearings and legal notices, unless specified otherwise by the Executive Director.

---

<sup>1</sup>

***This page intentionally left blank***

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: September 18, 2024

Final Decision Date Deadline: September 18, 2024

**STATEMENT OF THE ISSUE:** The Ordinance empowers the Richmond Rent Board to request and receive funding when and if necessary, from “any available source” for its reasonable and necessary expenses. [Quotation marks added.] Currently, 85% of the Budget is devoted to personnel, salaries and benefits, which will increase every year due to contractual obligations. Sooner or later the contracted obligations will outpace the money that can be reasonably collected from landlord fees. At that time, the Ordinance permits the Board to seek other sources of funding. Aware of the financial instability this scenario portends, it is imperative that the current Board initiate action now, before the need arises, so we will be fully prepared when the time comes. Every source of money is not an appropriate source. The Board needs guidance from the considered opinion of the Rent Program Staff, supported by experts in academic and financial spheres, to (1) develop/recommend evidence-based guidelines to determine appropriate foundation sources for funding the Richmond Rent Program, to (2) develop policies and regulations for requesting and receiving funding, and (3) to explore different budget formats that provide the fiscal transparency expected by donor foundations.

## INDICATE APPROPRIATE BODY

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

## ITEM

- Presentation/Proclamation/Commendation (3-Minute Time Limit)
- |   |  |                                 |
|---|--|---------------------------------|
| <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:** 1. DIRECTS STAFF to start the research necessary to provide credible guidelines for the Board to follow to identify appropriate donor foundations and submit a written report containing the proposed guidelines to the Board at the December 2024 Regular Meeting of the Rent Board and thereafter on a quarterly basis. 2. DIRECTS STAFF to identify in the written report all expert sources used to support the guidelines presented to the Board. For example, if Staff adopts a recommendation from the Hass Business Institute of the University of California, Berkeley, this source should be identified in full. (Nicolas Traylor/Fred Tran – 620-6564).

AGENDA ITEM NO:

**H-2.**

***This page intentionally left blank***



# AGENDA REPORT

**DATE:** September 18, 2024  
**TO:** Chair Cantor and Members of the Rent Board  
**FROM:** Elaine Dockens, Member, Richmond Rent Board  
**SUBJECT:** Richmond Rent Ordinance, 11.100.060 (I) Financing

**STATEMENT OF THE ISSUE:**

The Ordinance empowers the Richmond Rent Board to request and receive funding when and if necessary, from “any available source” for its reasonable and necessary expenses. [Quotation marks added.] Currently, 85% of the Budget is devoted to personnel, salaries and benefits, which will increase every year due to contractual obligations. Sooner or later the contracted obligations will outpace the money that can be reasonably collected from landlord fees. At that time, the Ordinance permits the Board to seek other sources of funding. Aware of the financial instability this scenario portends, it is imperative that the current Board initiate action now, before the need arises, so we will be fully prepared when the time comes.

Every source of money is not an appropriate source. The Board needs guidance from the considered opinion of the Rent Program Staff, supported by experts in academic and financial spheres, to (1) develop/recommend evidence-based guidelines to determine appropriate foundation sources for funding the Richmond Rent Program, to (2) develop policies and regulations for requesting and receiving funding, and (3) to explore different budget formats that provide the fiscal transparency expected by donor foundations.

**FISCAL IMPACT:** Not determined.

### **BACKGROUND:**

The Richmond Rent Board has an obligation to set strategic goals for the Rent Program to achieve and maintain financial stability. Strategic goals and the guidelines, policies and regulations supporting the goals are only as good as the evidence-based research and data that goes into drafting them. Therefore, the considered opinion of the Staff, enhanced by evidence-based research and data from recognized experts, is the best way for the Board to fulfill its role to provide strategic direction for the Agency.

### **DISCUSSION: Topics for consideration**

First, Consider the mandate of the second sentence of Section 11.100.060 (I) Financing, of the Rent Ordinance in light of the Board's knowledge of the current budget being 85% salaries, wages, and benefits.

Second, consider receiving research and recommendations from respected academic institutions, e.g., the Hass School of Business at UC Berkeley.

Third, consider using evidence-based research learn the practices and expectations of donor foundations e.g., Candid.org (merging Guidestar.org and the Foundation Directory to deliver accurate and timely information on institutional philanthropy).

Fourth, consider exploring additional budget options, e.g., that clearly state the percentages of funds dedicated to specific goals of The Rent Program and that clearly addresses the budget criteria of appropriate foundation donors.

<https://gettingattention.org/nonprofit-budget>

Fifth, research appropriate donor foundations, i.e., foundations with policies that coincide with and support the goals of the Rent Program.

Sixth: the Board has the discretion to consider, from time to time, the formation of an Ad Hoc Committee consisting of no more than two Board members to monitor/support Staff progress.

Seventh: The first step is to establish guidelines for identifying appropriate donor foundations. Subsequent, separate steps to establish policies, draft and promulgate appropriate regulations will come after the guidelines are established.

**VOTE BY THE BOARD AFTER DISCUSSION:**

The Board shall vote on a motion to direct the Staff to use evidenced-based research to establish guidelines for identifying appropriate donor foundations which would be appropriate sources of additional funds, as the first step in implementing Section 11.100.060, 2<sup>nd</sup> sentence, of the Rent Ordinance.

**RECOMMENDED ACTION:**

**If the motion is passed by vote, the Board,**

- 1.DIRECTS STAFF to start the research necessary to provide credible guidelines for the Board to follow to identify appropriate donor foundations and submit a written report containing the proposed guidelines to the Board at the December 2024 Regular Meeting of the Rent Board and thereafter on a quarterly basis.
- 2.DIRECTS STAFF to identify in the written report all expert sources used to support the guidelines presented to the Board. For example, if Staff adopts a recommendation from the Hass Business Institute of the University of California, Berkeley, this source should be identified in full.

**DOCUMENTS ATTACHED:**

Richmond Rent Ordinance, Section 11.100.060, Section (I) Financing, 2<sup>nd</sup> sentence.

***This page intentionally left blank***

(k) **Dockets**. The Board shall maintain and keep in its office all hearing dockets.

(l) **Financing**. The Board shall finance its reasonable and necessary expenses by charging Landlords annual registration fees in amounts deemed reasonable by the Board. The Board is also empowered to request and receive funding when and if necessary from any available source for its reasonable and necessary expenses.

(1) **Residential Rental Housing Fee**. All Landlords shall pay a business license fee if required by Richmond Municipal Code plus a Residential Rental Housing Fee. The City shall charge the Residential Rental Housing Fee at the same time as the business license fee. The amount will be determined by the City Council after a recommendation by the Board is provided to the City Council. The City Council will vote on the recommendation at the next regularly scheduled meeting. The budget shall be funded by the Rental Housing Fee.

(2) This fee shall become due within thirty (30) days of inception of new tenancy if no fee was paid the prior year. Ongoing tenancies shall have fees collected at the same time as the City business license each year.

(m) **Integrity and Autonomy of Board**. The Board shall be an integral part of the government of the City, but shall exercise its powers and duties under this Chapter independent from the City Council, City Manager, and City Attorney, except by request of the Board. The City shall provide infrastructural support on an ongoing basis as it would with any other department. During the transition period before the Board Members are appointed and an Executive Director is hired, the City shall take whatever steps necessary to perform the duties of the Board and implement the purpose of this Chapter.

(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. Necessary adjustments to city administrative procedures shall be made.

(o) **Personnel**. The Board shall review and assess yearly that sufficient number of staff are employed, including an Executive Director, hearing examiners, housing counselors and legal staff, as may be necessary to perform its function efficiently in order to fulfill the purpose of this Chapter. The Executive Director shall be hired by the Board. All employees of

***This page intentionally left blank***