



**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, December 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.

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## REGULAR MEETING OF THE RICHMOND RENT BOARD

### AGENDA

5:00 PM

**A. PLEDGE TO THE FLAG**

**B. ROLL CALL**

**C. STATEMENT OF CONFLICT OF INTEREST**

**D. AGENDA REVIEW**

**E. PUBLIC FORUM**

**F. RENT BOARD CONSENT CALENDAR**

- F-1.** APPROVE the minutes of the November 20, 2024, Regular Meeting of the Richmond Rent Board. *Cynthia Shaw*
- F-2.** RECEIVE the Fiscal Year 2024-25 Monthly Activity Report through November 2024. *Cynthia Shaw*
- F-3.** RECEIVE the Rent Program FY 2024-25 Monthly Revenue and Expenditure Report through November 2024. *Fred Tran*
- F-4.** 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. ***This item was continued from the November 20, 2024, Regular Rent Board Meeting.*** *Nicolas Traylor*

**G. REGULATIONS**

- G-1.** APPROVE staff to create language to amend Regulation 205 to clarify that applications for Administrative Determinations have a statute of limitations to prevent applications beyond a *Palomar Sanchez*

specified number of fiscal or calendar years in the past (amount to be determined). The amended language will be presented at the January or February regular Rent Board meeting.

## H. RENT BOARD AS A WHOLE

- H-1.** 1.DIRECT 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.DIRECT 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 Haas Business Institute of the University of California, Berkeley, this source should be identified in full. ***This item was continued from the November 20, 2024, Regular Rent Board Meeting.***

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

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: December 18, 2024

Final Decision Date Deadline: December 18, 2024

**STATEMENT OF THE ISSUE:** The minutes of the November 20, 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 November 20, 2024, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**F-1.**

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**RICHMOND, CALIFORNIA, November 20, 2024**

The Open Session to Hear Public Comments before Closed Session was called to order at 5:19 PM.

**ROLL CALL**

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

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

**Absent:** None.

**PUBLIC COMMENT BEFORE CLOSED SESSION**

None.

**ADJOURN TO CLOSED SESSION**

The Open Session to Hear Public Comments Before Closed Session adjourned at 5:21 PM.

**CLOSED SESSION – Shimada Room, City Council Chambers**

The Regular Meeting of the Richmond Rent Board was called to order at 5:45 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.

**REPORT FROM LEGAL COUNSEL OF FINAL DECISIONS MADE IN CLOSED SESSION**

General Counsel Charles Oshinuga reported that there were no final decisions made during closed session.

**AGENDA REVIEW**

Board Member Dockens, recommended to remove Item G-6 under the Consent Calendar for discussion at the next Regular Rent Board meeting in December under the Consent Calendar. Approved by Chair Cantor and no formal Board action was taken.

**PUBLIC FORUM**

Cordell Hindler invited the Board and staff to the Contra Costa Mayors Conference on December 5th, hosted by San Pablo, and will provide location details to Rent Board Clerk Cynthia Shaw. He expressed disappointment with the previous Rent Board Meeting, noting difficulties with the interpreter's audibility and pace, and suggested slowing down. Despite this, he appreciated the availability of the services. Lastly, he mentioned having one topic to discuss but had to leave for another meeting.

Elsa Stevens expressed her gratitude for support and advocacy, acknowledging the increased challenges renters face in Richmond. She highlighted a troubling trend of shady practices by corporate landlords, including unjustified rent overcharges and targeting vulnerable populations, such as seniors in large complexes. She emphasized the importance of organizations like ACCE with educating, organizing, and empowering residents to resist exploitation. Despite the challenges ahead, she expressed appreciation for the ongoing efforts to protect renters.

**RENT BOARD CONSENT CALENDAR**

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

**\*G-1.** Approve the minutes of the August 21, 2024, Regular Meeting of the Richmond Rent Board. *This item was continued from the October 15, 2024, Regular Rent Board Meeting.*

**\*G-2.** Receive the Fiscal Year 2024-25 Monthly Activity Report through October 2024.

**\*G-3.** Receive the Rent Program FY 2024-25 Monthly Revenue and Expenditure Report through October 2024.

**\*G-4.** Receive the Budgeted versus Actual Revenue and Expenditures Report for the first quarter ending September 30, 2024.

**\*G-5.** Approve amended Regulation 322 to include language that clarifies that Rent Board members, or the Rent Board, may submit agenda item and agenda reports. *This item was continued from the October 15, 2024, Regular Rent Board Meeting.*

**CONSIDERATION OF APPEALS**

**H-1.** General Counsel Oshinuga presented on the matter of an Appeal regarding Petition number RC23-T176. The 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 the proper amount of their Base Rent, and the amount of overage payments they made to Appellant. On appeal, Appellant contended 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). There were no public comments on this item. All parties to the case were present. The Respondent requested interpretation and all parties’ times were double to present their case. The Counsel for the Appellant was given 10 minutes to present and presented for 7 minutes. Then the Respondent was given 14 minutes to present and presented for 6:57 minutes. Finally, the Appellant was given 4 minutes to close presentation and presented for 2:56 minutes. After hearing the issues brought on appeal and considering the arguments of all parties on appeal, Chair Cantor moved to approve the General Counsel’s recommendation to affirm the finding that Appellants’ challenged rent increases were invalid and void, as the rent increases were not properly noticed and/or not filed

with the Rent Program, in a manner consistent with the Rent Board Regulation 601 and Rent Board Regulation 603. As it relates to the findings of the Base Rent amount and subsequent award, Chair Cantor moved o remand back to the Hearing Examiner to take into account all legal issues raised in General Counsel’s legal recommendation, to allow the record to remain open for 30 calendar days for documentary evidence in regards to the base rent, with the goal of finding the earliest rent after the ordinance went into effect, that theirs is documentary evidence to support to use that as the base rent, and to allow the record to also remain open for 30 calendar days to allow documentary evidence regarding the amount paid by the tenants and a new finding of excess rent restitution, if any. Chair Cantor amended her motion, seconded by Board Member Hite, that regarding the subsequent petition filed by the respondents, this issue that is remanded back to the Hearing Examiner should be decided prior to any hearing conducted for the subsequent petition and the matter should not be consolidated. Board Member Hite seconded the motion. The motion passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, and Chair Cantor. **Noes:** None. **Abstentions:** None. **Absent:** None.

General Counsel Charles Oshinuga gave a brief overview of the board's decisions. He informed the parties that they should receive a decision within the next two weeks. He added that the decision would explain the motion, the parties' obligations, and the limited opportunity to enter new documents into the record to prove excess rent to this case. He mentioned that the latest petition regarding the utilities or issues will not be heard until this matter is finished. He added that the \$12,795.38 amount that wasn't appealed will also be mentioned in the order so that the Appellant will know their obligations. Rent Board Clerk Cynthia Shaw concluded the hearing for Appeal RC23-T176. Parties were dismissed. A motion was made by Chair Cantor to recess for 10 minutes before continuing Item H-2, seconded by Board Member Espinoza. The motion to recess for 10 minutes passed unanimously. The meeting was adjourned for recess at 7:10 PM. The meeting was called back to order at 7:21 PM.

**H-2.** General Counsel Oshinuga presented on the matter of an Appeal regarding Petition number RC23-T184. Respondents/Tenants filed a petition based on excess rent charges due to unlawful rent increases and utility charges. After holding a hearing, the Hearing Examiner awarded Respondents \$14,727.58. Appellant/Landlord timely filed an appeal. The summation of Appellant’s appeal challenged whether the Record contained substantial evidence to warrant the Hearing Examiner’s finding that Respondents met their burden in proving that Appellant

collected rents in excess of the Maximum Allowable Rent (hereinafter, "MAR"). All parties to the case were present. The Appellant presented for 5 minutes, then the Respondent was given 7 minutes to present and presented for 5:12 minutes. Finally, the Appellant was given 2 minutes to close and presented for 1:89 minutes. The Appeal hearing began, and the following individuals presented their case: Avan Gangapuram and Bruce Frazer. After hearing the issues brought on appeal and discussing the matter amongst themselves, Chair Cantor moved to do the following: 1) affirm the findings that Appellant's rent amount of \$3500, set in the lease, and subsequent increases were invalid and void under the Rent Ordinance, Rent Board Regulation 601 and Rent Board Regulation 603; 2) affirm the finding that Appellant's utility charges were improper and violated the Rent Ordinance as the utilities were not separately metered, nor did the charges comply with PUC; 3) reverse the Hearing Examiner's finding of the Base Rent amount and subsequent award of \$7,431.52 as the record does not contain substantial evidence to support such a finding and subsequent award. However, the amount of the utilities to be reimbursed to the tenants by the landlord of \$7,296.06 is not reversed; and 4) Remand the matter back to the Hearing Examiner to determine Base Rent based on the Record and subsequent award, if applicable. The Hearing Examiner shall identify the specific evidence (testimony or otherwise) they are relying on when determining the Base Rent. The Hearing Examiner shall conclusively determine the owner of the property for the purposes determining liability and to make sure that the actual landlord is being represented at the hearing. Ch General Counsel Oshinuga presented on the matter of an Appeal regarding Petition number RC23-T184. Respondents/Tenants filed a petition based on excess rent charges due to unlawful rent increases and utility charges. After holding a hearing, the Hearing Examiner awarded Respondents \$14,727.58. Appellant/Landlord timely filed an appeal. The summation of Appellant's appeal challenged whether the Record contained substantial evidence to warrant the Hearing Examiner's finding that Respondents met their burden in proving that Appellant collected rents in excess of the Maximum Allowable Rent (hereinafter, "MAR"). All parties to the case were present. The Appellant presented for 5 minutes, then the Respondent was given 7 minutes to present and presented for 5:12 minutes. Finally, the Appellant was given 2 minutes to close and presented for 1:89 minutes. The Appeal hearing began, and the following individuals presented their case: Avan Gangapuram and Bruce Frazer. After hearing the issues brought on appeal and discussing the matter amongst themselves, Chair Cantor moved to do the following: 1) affirm the findings that Appellant's rent amount of \$3500,

set in the lease, and subsequent increases were invalid and void under the Rent Ordinance, Rent Board Regulation 601 and Rent Board Regulation 603; 2) affirm the finding that Appellant's utility charges were improper and violated the Rent Ordinance as the utilities were not separately metered, nor did the charges comply with PUC; 3) reverse the Hearing Examiner's finding of the Base Rent amount and subsequent award of \$7,431.52 as the record does not contain substantial evidence to support such a finding and subsequent award. However, the amount of the utilities to be reimbursed to the tenants by the landlord of \$7,296.06 is not reversed; and 4) Remand the matter back to the Hearing Examiner to determine Base Rent based on the Record and subsequent award, if applicable. The Hearing Examiner shall identify the specific evidence (testimony or otherwise) they are relying on when determining the Base Rent. The Hearing Examiner shall conclusively determine the owner of the property for the purposes determining liability and to make sure that the actual landlord is being represented at the hearing. Chair Cantor also added that any subsequent petitions should not be consolidated with the remand hearing and that this matter be finalized before hearing any subsequent petitions. Board Member Espinoza seconded the motion. The motion passed by the following air Cantor also added that any subsequent petitions should not be consolidated with the remand hearing and that this matter be finalized before hearing any subsequent petitions. Board Member Espinoza seconded the motion. The motion passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, and Chair Cantor. **Noes:** None. **Abstentions:** None. **Absent:** None.

Chair Cantor gave a brief overview of the board's decisions. She informed the parties that they should receive a decision within 30 days explaining everything and that the matter would be sent back to the hearing examiner. She added that no new evidence will be accepted, and the record will not be opened. She said that the Hearing Examiner would figure out who the property owner is according to the government to ensure that Mr. Gangapuram is authorized to represent the owner and find the correct people liable. Rent Board Clerk Cynthia Shaw concluded the hearing for Appeal RC23-T184. Parties were dismissed.

A motion by Chair Cantor, seconded by Board Member Hite, was to approve extending the meeting past the 3-hour time limit to adjourn by 9:00 PM to hear Item I-1 and I-2 under Contracts and to continue Item J-1 to the December meeting. Chair Cantor also

requested that staff be concise with the presentation and only address bullet points to finish the meeting by 9:00 PM, passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, and Chair Cantor. **Noes:** None. **Abstentions:** None. **Absent:** None.

### **CONTRACTS**

**I-1.** The matter to approve a contract, not to exceed \$75,000 with Project Sentinel to provide legal services to Richmond Landlords and Tenants was presented by Executive Director Nicolas Traylor. The presentation included the statement of the issue, the fiscal impact, the background, information about the proposed Landlord/Tenant legal services program aligns with the Richmond Rent Ordinance, the background on Project Sentinel, the scope of services which includes the following activities: Legal Advice and Consultation, written legal services, negotiation and settlement, and other resources, information about dedicated legal capacity, training and approval (of a contracted Attorney), limitation and parameters for legal services, measurement (of program success), reporting requirements, proposed program development timeline, and the recommended action. Discussion ensued. There were no public comments on this item. A motion made by Board Member Hite, seconded by Board Member Dockens, to approve a contract, not to exceed \$75,000 with Project Sentinel to provide legal services to Richmond Landlords and Tenants passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, and Chair Cantor. **Noes:** None. **Abstentions:** None. **Absent:** None.

**I-2.** The matter to approve the contract for interpretation services with Accent on Languages not to exceed \$26,200 for Fiscal Year 2024-25, prorated from the date the contract is executed, was presented by Executive Director Nicolas Traylor. The presentation included the statement of the issue, the fiscal impact, the background, the Accent on Languages background, and the scope of services that included the following activities: maintenance and evaluation of interpreters, scheduling of interpretation, interpretation for petition hearings, interpretation for Rent Board meetings and Board Appeal Hearings, interpretation for counseling sessions, and interpretations for community workshops, and the recommended action. Discussion ensued. There were no public comments on this item. A motion made by Board Member Hite, seconded by Board Member Espinoza, to approve the contract for interpretation services with Accent on

Languages not to exceed \$26,200 for Fiscal Year 2024-25 prorated from the date the contract is executed, passed by the following vote:  
**Ayes:** Board Members, Espinoza, Hite, and Chair Cantor. **Noes:** Board Member Dockens. **Abstentions:** None. **Absent:** None.

**REPORTS OF OFFICERS**

None.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:57 P.M.

Cynthia Shaw  
Staff Clerk

(SEAL)

Approved:

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Rent Board Chair

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: December 18, 2024

Final Decision Date Deadline: December 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 November 2024 - Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**F-2.**

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**Rent Program  
FY 2024-25 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        | 151        | 138        | 105        | -          | -          | -          | -          | -          | -          | -          | 643          |
| 6 Rent/Eviction Counseling Appointments By Walk-ins                                      |   | 30         | 54         | 37         | 53         | 38         | -          | -          | -          | -          | -          | -          | -          | 212          |
| 7 Rent/Eviction Counseling Questions Addressed By Email                                  |   | 293        | 50         | 138        | 342        | 232        | -          | -          | -          | -          | -          | -          | -          | 1,055        |
| <b>8 TOTAL RENT/EVICTION COUNSELING APPOINTMENTS</b>                                     |   | <b>447</b> | <b>229</b> | <b>326</b> | <b>533</b> | <b>375</b> | -          | -          | -          | -          | -          | -          | -          | <b>1,910</b> |
| 9 Rent/Eviction Counseling Sessions Conducted in Spanish                                 |   | 60         | 30         | 66         | 50         | 33         | -          | -          | -          | -          | -          | -          | -          | 239          |
| 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>      |   | <b>60</b>  | <b>60</b>  | <b>66</b>  | <b>71</b>  | <b>55</b>  | -          | -          | -          | -          | -          | -          | -          | <b>312</b>   |
| 14 Legal Service Referrals   |   | 15         | 19         | 18         | 15         | 5          | -          | -          | -          | -          | -          | -          | -          | 72           |
| 17 Mediations Conducted  |   | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -            |
| 18 Assists from Front Office Staff   |   | 221        | 211        | 232        | 179        | 150        | -          | -          | -          | -          | -          | -          | -          | 993          |
| 19 Courtesy Compliance Letters Sent  |   | 349        | -          | 5          | 267        | 325        | -          | -          | -          | -          | -          | -          | -          | 946          |
| 20 Community Workshop Attendees  |   | 1          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | 1            |
| 21 Hard Copy Rent Increase Notices Processed   |   | 61         | -          | -          | 16         | 25         | -          | -          | -          | -          | -          | -          | -          | 102          |
| 22 Hard Copy Termination of Tenancy Notices Processed                                    |   | 19         | -          | -          | 14         | 15         | -          | -          | -          | -          | -          | -          | -          | 48           |
| 24   |   | <b>80</b>  | -          | -          | <b>30</b>  | <b>40</b>  | -          | -          | -          | -          | -          | -          | -          | <b>150</b>   |
| 25 Billing/Enrollment/Registration Counseling Appointments In-Person                     |   | -          | 24         | 12         | 12         | 4          | -          | -          | -          | -          | -          | -          | -          | 52           |
| 26 Billing/Enrollment/Registration Counseling Appointments By Phone                      |   | 7          | 44         | 52         | 33         | 11         | -          | -          | -          | -          | -          | -          | -          | 147          |
| 27 Billing/Enrollment/Registration Counseling Questions Addressed By Email               |   | 31         | 21         | 60         | 22         | 10         | -          | -          | -          | -          | -          | -          | -          | 144          |
| <b>28 TOTAL BILLING/ENROLLMENT/REGISTRATION COUNSELING APPOINTMENTS</b>                  |   | <b>38</b>  | <b>65</b>  | <b>112</b> | <b>55</b>  | <b>21</b>  | -          | -          | -          | -          | -          | -          | -          | <b>291</b>   |
| 29 Enrollment/Tenancy Registration Packets Mailed  |   | -          | 4          | -          | 51         | 3          | -          | -          | -          | -          | -          | -          | -          | 58           |
| 30 Enrollment Forms Processed  |   | 51         | 14         | 18         | 13         | 39         | -          | -          | -          | -          | -          | -          | -          | 135          |
| 31 Rental Housing Fee Invoices Generated   |   | 3          | 14,591     | 2,004      | 10         | 160        | -          | -          | -          | -          | -          | -          | -          | 16,768       |
| 32 Checks Processed  |   | -          | 24         | 20         | 8          | -          | -          | -          | -          | -          | -          | -          | -          | 52           |
| 33 Checks Returned   |   | -          | -          | 4          | -          | -          | -          | -          | -          | -          | -          | -          | -          | 4            |
| 34 Tenancy Registrations Received  |   | 24         | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | 24           |
| 35 Rental Units Discovered Not in Database   |   | 3          | 6          | 7          | 6          | 3          | -          | -          | -          | -          | -          | -          | -          | 25           |
| 36 Property Information Updated  |   | 146        | 78         | 11         | 142        | 118        | -          | -          | -          | -          | -          | -          | -          | 495          |
| 37 Compliance Actions (Reviewing Records, Exemption Statuses, Addresses)                 |   | 119        | 6          | 23         | 22         | 8          | -          | -          | -          | -          | -          | -          | -          | 178          |
| 38 Applications for Administrative Determination of Exempt/Inapplicable Status Received  |   | 15         | 18         | 25         | 27         | 5          | -          | -          | -          | -          | -          | -          | -          | 90           |
| 39 Administrative Determination of Exempt/Inapplicable Status Issued                     |   | 6          | 8          | 13         | 17         | 16         | -          | -          | -          | -          | -          | -          | -          | 60           |
| 40 Declarations of Exemption Processed   |   | 41         | 2          | -          | -          | 1          | -          | -          | -          | -          | -          | -          | -          | 44           |
| <b>41 LEGAL UNIT</b>   |   |            |            |            |            |            |            |            |            |            |            |            |            |              |
| 42 Public Records Act Requests Received  |   | 7          | 7          | 5          | 6          | 5          | -          | -          | -          | -          | -          | -          | -          | 30           |
| 43 Owner Move-In Eviction Termination of Tenancy Notices Reviewed                        |   | 2          | 1          | -          | 1          | 1          | -          | -          | -          | -          | -          | -          | -          | 5            |
| 44 Withdrawal from the Rental Market (Ellis Act) Termination of Tenancy Notices Reviewed |   | 1          | 3          | 4          | 1          | -          | -          | -          | -          | -          | -          | -          | -          | 9            |
| 45 Substantial Repairs Termination of Tenancy Notices Reviewed                           |   | -          | -          | -          | -          | 1          | -          | -          | -          | -          | -          | -          | -          | 1            |
| 46 Appeal Hearings Held  |   | -          | -          | -          | -          | 2          | -          | -          | -          | -          | -          | -          | -          | 2            |
| <b>47 HEARINGS UNIT</b>  |   |            |            |            |            |            |            |            |            |            |            |            |            |              |
| 50 Consultations with Hearings Unit Coordinator By Phone                                 |   | 10         | 8          | 4          | 10         | 12         | -          | -          | -          | -          | -          | -          | -          | 44           |
| 51 Hearings-Related Questions Addressed by Email   |   | 35         | 22         | -          | 19         | 25         | -          | -          | -          | -          | -          | -          | -          | 101          |
| <b>52 TOTAL HEARINGS-RELATED CONSULTATIONS</b>   |   | <b>45</b>  | <b>30</b>  | <b>4</b>   | <b>29</b>  | <b>37</b>  | -          | -          | -          | -          | -          | -          | -          | <b>145</b>   |
| 53 MNOI Petitions Received (Attachment A)  |   | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -            |
| 54 Increased 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          | 2          | 2          | 3          | -          | -          | -          | -          | -          | -          | -          | 12           |
| 61 Decrease in Space/Services or Habitability Petitions Received (Attachment B)          |   | 4          | 4          | 4          | 2          | 4          | -          | -          | -          | -          | -          | -          | -          | 18           |
| 62 Reduction in Number of Tenants Petitions Received (Attachment C)                      |   | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -            |

**Rent Program  
FY 2024-25 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          | 5          | 3          | 4          | -          | -          | -          | -          | -          | -          | -          | 23         |
| 64  | Tenant Petition for Rent Withholding Petitions Received                  | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          |
| 65  | Tenant Petition for Failure to Pay Relocation Payment Petitions Received | 4          | 3          | 2          | 1          | 1          | -          | -          | -          | -          | -          | -          | -          | 11         |
| 66  | <b>TOTAL TENANT PETITIONS RECEIVED</b>                                   | <b>15</b>  | <b>16</b>  | <b>13</b>  | <b>8</b>   | <b>12</b>  | -          | -          | -          | -          | -          | -          | -          | <b>64</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          | -          | -          | -          | -          | -          | -          | -          | -          | 2          |
| 74  | Cases Settled  | -          | 4          | -          | 7          | 2          | -          | -          | -          | -          | -          | -          | -          | 13         |
| 75  | Cases Dismissed  | -          | 1          | -          | 1          | -          | -          | -          | -          | -          | -          | -          | -          | 2          |
| 76  | Petitions Withdrawn  | -          | -          | -          | -          | 1          | -          | -          | -          | -          | -          | -          | -          | 1          |
| 77  | <b>TOTAL CASES CLOSED</b>  | -          | <b>6</b>   | -          | <b>9</b>   | <b>3</b>   | -          | -          | -          | -          | -          | -          | -          | <b>18</b>  |
| 78  | Appeals Received   | -          | 1          | -          | 1          | -          | -          | -          | -          | -          | -          | -          | -          | 2          |
| 79  | Total Open Cases (Tenant Petitions)                                      | 22         | 22         | 27         | 21         | 18         | -          | -          | -          | -          | -          | -          | -          | 110        |
| 80  | Total Open Cases (Landlord Petitions)                                    | 2          | 2          | 1          | 1          | -          | -          | -          | -          | -          | -          | -          | -          | 6          |
| 81  | Total Open Cases (Other Petitions)                                       | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          |
| 82  | <b>TOTAL OPEN CASES</b>  | <b>24</b>  | <b>24</b>  | <b>28</b>  | <b>22</b>  | <b>18</b>  | -          | -          | -          | -          | -          | -          | -          | <b>116</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>168</b> | <b>110</b> | <b>47</b>  | <b>56</b>  | -          | -          | -          | -          | -          | -          | -          | <b>593</b> |
| 91  | Termination of Tenancy - Nonpayment of Rent                              | 93         | 15         | 154        | 180        | 142        | -          | -          | -          | -          | -          | -          | -          | 584        |
| 92  | Termination of Tenancy - Breach of Lease                                 | 6          | 4          | 7          | 7          | 7          | -          | -          | -          | -          | -          | -          | -          | 31         |
| 93  | Termination of Tenancy - Failure to Give Access                          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          |
| 94  | Termination of Tenancy - Nuisance  | 2          | -          | -          | 3          | -          | -          | -          | -          | -          | -          | -          | -          | 5          |
| 95  | Termination of Tenancy - Withdrawal from the Rental Market               | 1          | 4          | 4          | 1          | -          | -          | -          | -          | -          | -          | -          | -          | 10         |
| 96  | Termination of Tenancy - Owner Move-In                                   | 6          | 1          | -          | 2          | 2          | -          | -          | -          | -          | -          | -          | -          | 11         |
| 97  | Termination of Tenancy - Substantial Repairs                             | -          | -          | -          | 1          | 2          | -          | -          | -          | -          | -          | -          | -          | 3          |
| 98  | Termination of Tenancy - Temporary Tenancy                               | -          | -          | -          | 1          | -          | -          | -          | -          | -          | -          | -          | -          | 1          |
| 99  | <b>TOTAL TERMINATION OF TENANCY NOTICES FILED</b>                        | <b>108</b> | <b>24</b>  | <b>165</b> | <b>195</b> | <b>153</b> | -          | -          | -          | -          | -          | -          | -          | <b>645</b> |
| 100 |  |            |            |            |            |            |            |            |            |            |            |            |            |            |

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: December 18, 2024

Final Decision Date Deadline: December 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 November 2024 – Rent Program (Fred Tran 620-6537).

AGENDA ITEM NO:

**F-3.**

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

**ITEM F-3**

| OBJECT                                      | ORIGINAL BUDGET    | ADOPTED BUDGET     | Period 1            | Period 2            | Period 3            | Period 4            | Period 5            | ENCUMBRANCES      | YTD TOTAL             | AVAILABLE BUDGET      | % USED        |
|---|--------------------|--------------------|---------------------|---------------------|---------------------|---------------------|---------------------|-------------------|-----------------------|-----------------------|---------------|
|   |                    |                    | July                | August              | September           | October             | November            |                   |                       |                       |               |
| 340045 Rental Housing Fees                  | (3,299,011)        | (3,289,011)        | (28,917.00)         | (783,730.20)        | (880,506.80)        | (559,214.23)        | (45,216.75)         | -                 | (2,297,584.98)        | (991,426.02)          | 69.9%         |
| <b>TOTAL LICENSES, PRMITS&amp;FEES</b>      | <b>(3,299,011)</b> | <b>(3,289,011)</b> | <b>(28,917.00)</b>  | <b>(783,730.20)</b> | <b>(880,506.80)</b> | <b>(559,214.23)</b> | <b>(45,216.75)</b>  | -                 | <b>(2,297,584.98)</b> | <b>(991,426.02)</b>   | <b>69.9%</b>  |
| 361701 Interest                             | (50,000)           | (50,000)           | -                   | -                   | (14,458.22)         | -                   | -                   | -                 | (14,458.22)           | (35,541.78)           | 28.9%         |
| 361705 Realized Gain                        | -                  | -                  | 914.66              | -                   | (668.51)            | (3,200.38)          | -                   | -                 | (2,954.23)            | 2,954.23              | 0.0%          |
| <b>TOTAL INTEREST &amp; REALIZED INCOME</b> | <b>(50,000)</b>    | <b>(50,000)</b>    | <b>914.66</b>       | <b>-</b>            | <b>(15,126.73)</b>  | <b>(3,200.38)</b>   | <b>-</b>            | <b>-</b>          | <b>(17,412.45)</b>    | <b>(32,587.55)</b>    | <b>34.8%</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>-</b>            | <b>-</b>            | <b>-</b>            | <b>-</b>            | <b>-</b>            | <b>-</b>          | <b>-</b>              | <b>(50,000.00)</b>    | <b>0.0%</b>   |
| <b>TOTAL REVENUE</b>                        | <b>(3,399,011)</b> | <b>(3,389,011)</b> | <b>(28,002.34)</b>  | <b>(783,730.20)</b> | <b>(895,633.53)</b> | <b>(562,414.61)</b> | <b>(45,216.75)</b>  | <b>-</b>          | <b>(2,314,997.43)</b> | <b>(1,074,013.57)</b> | <b>68.3%</b>  |
| 400001 SALARIES & WAGES/Executive           | 984,703            | 984,703            | 80,343.73           | 78,067.84           | 78,067.84           | 78,067.84           | 85,569.41           | -                 | 400,116.66            | 584,586.71            | 40.6%         |
| 400002 SALARIES & WAGES/Mgmt-Local 21       | 467,164            | 467,164            | 36,198.82           | 36,632.32           | 37,384.68           | 37,008.50           | 37,008.50           | -                 | 184,232.82            | 282,931.05            | 39.4%         |
| 400003 SALARIES & WAGES/Local 1021          | 360,875            | 360,875            | 23,492.68           | 21,992.87           | 20,614.68           | 23,492.68           | 23,492.68           | -                 | 113,085.59            | 247,789.41            | 31.3%         |
| 400006 SALARIES & WAGES/PT-Temp             | 47,000             | 47,000             | 2,561.11            | 7,247.97            | 5,181.09            | 5,370.85            | 6,302.43            | -                 | 26,663.45             | 20,336.55             | 56.7%         |
| 400031 OVERTIME/General                     | 2,500              | 2,500              | 288.63              | 1,038.11            | 90.64               | -                   | 89.28               | -                 | 1,506.66              | 993.34                | 60.3%         |
| 400043 400043 OTHER PAY/Acting Pay -        | -                  | -                  | -                   | -                   | 935.03              | 1,820.90            | 2,029.40            | -                 | 4,785.33              | (4,785.33)            | 100.0%        |
| 400048 OTHER PAY/Bilingual Pay              | 14,289             | 14,289             | 939.30              | 939.30              | 1,081.20            | 1,033.90            | 1,033.90            | -                 | 5,027.60              | 9,261.16              | 35.2%         |
| 400049 OTHER PAY/Auto Allowance             | 4,200              | 4,200              | 350.00              | 350.00              | 350.00              | 350.00              | 350.00              | -                 | 1,750.00              | 2,450.00              | 41.7%         |
| 400053 OTHER PAY/Pension Credit             | 19,694             | 19,694             | 1,586.19            | 1,541.58            | 1,541.58            | 1,541.58            | 1,689.24            | -                 | 7,900.17              | 11,793.83             | 40.1%         |
| <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>145,246.74</b>   | <b>148,686.25</b>   | <b>157,564.84</b>   | <b>-</b>          | <b>745,068.28</b>     | <b>1,155,356.72</b>   | <b>39.2%</b>  |
| 400103 P-ROLL BEN/Medicare Tax-ER Shr       | 26,457             | 26,457             | 2,106.52            | 2,128.07            | 2,087.48            | 2,140.10            | 2,270.23            | -                 | 10,732.40             | 15,724.60             | 40.6%         |
| 400105 P-ROLL BEN/Health Insurance Be       | 326,838            | 326,838            | 24,162.60           | 24,143.27           | 24,143.27           | 24,143.27           | 24,143.27           | -                 | 120,735.68            | 206,102.32            | 36.9%         |
| 400106 P-ROLL BEN/Dental Insurance          | 19,418             | 19,418             | 1,502.93            | 1,502.93            | 1,502.93            | 1,502.93            | 1,502.93            | -                 | 7,514.65              | 11,903.35             | 38.7%         |
| 400109 P-ROLL BEN/Employee Assistance       | 252                | 252                | 19.89               | 19.89               | 19.89               | 19.89               | 19.89               | -                 | 99.45                 | 152.55                | 39.5%         |
| 400110 P-ROLL BEN/Professional Dev-Mg       | 6,750              | 6,750              | 750.00              | 140.57              | -                   | -                   | 340.00              | -                 | 1,230.57              | 5,519.43              | 18.2%         |
| 400111 P-ROLL BEN/Vision                    | 2,324              | 2,324              | 180.31              | 180.31              | 180.31              | 180.31              | 180.31              | -                 | 901.55                | 1,422.45              | 38.8%         |
| 400112 P-ROLL BEN/Life Insurance            | 4,047              | 4,047              | 332.33              | 332.33              | 332.33              | 332.33              | 332.33              | -                 | 1,661.65              | 2,385.35              | 41.1%         |
| 400114 P-ROLL BEN/Long Term Disabillt       | 13,025             | 13,025             | 711.25              | 709.23              | 737.46              | 715.49              | 745.27              | -                 | 3,618.70              | 9,406.30              | 27.8%         |
| 400116 P-ROLL BEN/Unemployment Ins          | 6,384              | 6,384              | 608.00              | 608.00              | 608.00              | 608.00              | 608.00              | -                 | 3,040.00              | 3,344.00              | 47.6%         |
| 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)            | 6,801.19            | 6,801.19            | -                 | 13,602.38             | (13,602.38)           | 100.0%        |
| 400122 P-ROLL BEN/Worker Comp-Prof          | 81,614             | 81,614             | 5,097.37            | -                   | 15,306.20           | -                   | -                   | -                 | 20,403.57             | 61,210.73             | 25.0%         |
| 400127 P-ROLL BEN/OPEB                      | -                  | -                  | 2,182.33            | 2,147.69            | 2,159.50            | -                   | -                   | -                 | 6,489.52              | (6,489.52)            | 100.0%        |
| 400130 P-ROLL BEN/PARS Benefits             | -                  | -                  | 34.06               | 94.23               | 80.68               | 93.49               | 109.47              | -                 | 411.93                | (411.93)              | 100.0%        |
| 400149 P-ROLL BEN/PERS-Misc                 | 240,175            | 240,175            | 18,721.45           | 18,263.81           | 18,199.60           | 18,525.32           | 19,520.79           | -                 | 93,230.97             | 146,944.03            | 38.8%         |
| 400151 P-ROLL BEN/PERS-Misc (UAL)           | 274,260            | 274,260            | 24,753.82           | 21,222.24           | 21,222.24           | 21,222.24           | 21,222.24           | -                 | 109,642.78            | 164,617.22            | 40.0%         |
| <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>85,945.84</b>    | <b>76,284.56</b>    | <b>77,795.92</b>    | <b>-</b>          | <b>393,315.80</b>     | <b>611,978.50</b>     | <b>39.1%</b>  |
| 400201 PROF SVCS/Professional Svcs          | 90,700             | 80,700             | -                   | 425.15              | 825.00              | 2,054.10            | 966.16              | 33,829.59         | 4,270.41              | 42,600.00             | 47.2%         |
| 400206 PROF SVCS/Legal Serv Cost            | 275,000            | 275,000            | -                   | 16,666.00           | -                   | 33,332.00           | 16,666.00           | 66,664.00         | 66,664.00             | 141,672.00            | 48.5%         |
| 400220 PROF SVCS/Info Tech Ser              | 2,500              | 2,500              | -                   | -                   | -                   | -                   | 2,500.00            | -                 | 2,500.00              | -                     | 100.0%        |
| 400245 TRAVEL & TRNG/Tuition R              | -                  | -                  | -                   | -                   | 610.50              | -                   | -                   | -                 | 610.50                | (610.50)              | 100.0%        |
| 400261 DUES & PUB/Memberships & Dues        | 2,025              | 2,025              | -                   | -                   | -                   | -                   | -                   | -                 | -                     | 2,025.00              | 0.0%          |
| 400263 DUES & PUB/Subscription              | 7,500              | 7,500              | -                   | -                   | -                   | 1,255.11            | -                   | -                 | 1,255.11              | 6,244.89              | 16.7%         |
| 400271 AD & PROMO/Advertising&Promo         | 3,000              | 3,000              | -                   | -                   | -                   | 649.00              | -                   | -                 | 649.00                | 2,351.00              | 21.6%         |
| 400280 ADM EXP/Program Supplies             | 6,881              | 6,881              | -                   | 172.80              | -                   | 1,014.23            | -                   | -                 | 1,187.03              | 5,693.97              | 17.3%         |
| <b>TOTAL PROF &amp; ADMIN SERVICES</b>      | <b>387,606</b>     | <b>377,606</b>     | <b>-</b>            | <b>17,263.95</b>    | <b>1,435.50</b>     | <b>38,304.44</b>    | <b>20,132.16</b>    | <b>100,493.59</b> | <b>77,136.05</b>      | <b>199,976.36</b>     | <b>47.0%</b>  |
| 400231 OFF EXP/Postage & Mailing            | 30,000             | 30,000             | 3,280.95            | -                   | -                   | 8,550.42            | 500.58              | -                 | 12,331.95             | 17,668.05             | 0.0%          |
| 400232 OFF EXP/Printing & Binding           | 30,000             | 30,000             | -                   | -                   | -                   | 2,091.90            | 382.32              | -                 | 2,474.22              | 27,525.78             | 8.2%          |
| 400304 RENTAL EXP/Equipment Rental          | 9,000              | 9,000              | -                   | -                   | -                   | 1,679.19            | -                   | 7,320.81          | 1,679.19              | -                     | 100.0%        |
| 400338 Recognition                          | 300                | 300                | -                   | -                   | -                   | -                   | -                   | -                 | -                     | 300.00                | 0.0%          |
| 400341 OFF SUPP/Office Supplies             | 8,000              | 8,000              | -                   | 731.76              | -                   | 12.97               | -                   | -                 | 744.73                | 7,255.27              | 9.3%          |
| <b>TOTAL OTHER OPERATING</b>                | <b>77,300</b>      | <b>77,300</b>      | <b>3,280.95</b>     | <b>731.76</b>       | <b>-</b>            | <b>12,334.48</b>    | <b>882.90</b>       | <b>7,320.81</b>   | <b>17,230.09</b>      | <b>52,749.10</b>      | <b>31.8%</b>  |
| 400401 UTILITIES/Tel & Telegraph            | 500                | 500                | -                   | -                   | -                   | -                   | -                   | -                 | -                     | 500.00                | 0.0%          |
| <b>TOTAL UTILITIES</b>                      | <b>500</b>         | <b>500</b>         | <b>-</b>            | <b>-</b>            | <b>-</b>            | <b>-</b>            | <b>-</b>            | <b>-</b>          | <b>-</b>              | <b>500.00</b>         | <b>0.0%</b>   |
| 400552 PROV FR INS LOSS/Ins Gen Liab        | 9,500              | 9,500              | -                   | -                   | 8,500.00            | -                   | -                   | -                 | 8,500.00              | 1,000.00              | 89.5%         |
| <b>TOTAL PROVISION FOR INS LOSS</b>         | <b>9,500</b>       | <b>9,500</b>       | <b>-</b>            | <b>-</b>            | <b>8,500.00</b>     | <b>-</b>            | <b>-</b>            | <b>-</b>          | <b>8,500.00</b>       | <b>1,000.00</b>       | <b>89.5%</b>  |
| 400574 COST POOL/(ISF)-Gen Liability        | 99,980             | 99,980             | 8,328.29            | 8,332.00            | 8,332.00            | 8,332.00            | 8,332.00            | -                 | 41,656.29             | 58,324.00             | 41.7%         |
| 400586 COST POOL/(CAP)-Admin Charges        | 52,481             | 52,481             | 4,378.00            | 4,373.00            | 4,373.00            | 4,373.00            | 4,373.00            | -                 | 21,870.00             | 30,611.00             | 41.7%         |
| 400591 COST POOL/(IND)Civic Ctr Alloc       | 56,315             | 56,315             | 4,692.00            | 4,693.00            | 4,693.00            | 4,693.00            | 4,693.00            | -                 | 23,464.00             | 32,851.00             | 41.7%         |
| <b>TOTAL COST POOL</b>                      | <b>208,776</b>     | <b>208,776</b>     | <b>17,398.29</b>    | <b>17,398.00</b>    | <b>17,398.00</b>    | <b>17,398.00</b>    | <b>17,398.00</b>    | <b>-</b>          | <b>86,990.29</b>      | <b>121,786.00</b>     | <b>41.7%</b>  |
| 391994 391994 TRANSFER IN/From Gen Fund     | (290,391)          | (290,391)          | (24,190.59)         | (24,200.00)         | (24,200.00)         | (24,200.00)         | (24,200.00)         | -                 | (120,990.59)          | (169,400.00)          | 41.7%         |
| <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>(24,200.00)</b>  | <b>(24,200.00)</b>  | <b>(24,200.00)</b>  | <b>-</b>          | <b>(120,990.59)</b>   | <b>(169,400.00)</b>   | <b>41.7%</b>  |
| <b>TOTAL EXPENDITURES</b>                   | <b>3,299,011</b>   | <b>3,289,011</b>   | <b>224,046.02</b>   | <b>230,496.27</b>   | <b>234,326.08</b>   | <b>268,807.73</b>   | <b>249,573.82</b>   | <b>107,814.40</b> | <b>1,207,249.92</b>   | <b>1,973,946.68</b>   | <b>40.0%</b>  |
| <b>NET OPERATING (SURPLUS)/DEFICIT</b>      | <b>(100,000)</b>   | <b>(100,000)</b>   | <b>196,043.68</b>   | <b>-53,233.93</b>   | <b>-661,307.45</b>  | <b>-293,606.88</b>  | <b>204,357.07</b>   | <b>107,814.40</b> | <b>-1,107,747.51</b>  | <b>899,933.11</b>     | <b>999.9%</b> |
| <b>CASH BALANCE</b>                         |                    |                    | <b>1,385,693.52</b> | <b>1,709,724.80</b> | <b>2,634,174.70</b> | <b>2,928,898.31</b> | <b>2,723,542.49</b> |                   |                       |                       |               |

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# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: December 18, 2024

Final Decision Date Deadline: December 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 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:** 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). ***This item was continued from the November 20, 2024, Regular Rent Board Meeting.***

AGENDA ITEM NO:

**F-4.**

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# AGENDA REPORT

**DATE:** December 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 F-4

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.

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<sup>1</sup>

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# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: December 18, 2024

Final Decision Date Deadline: December 18, 2024

**STATEMENT OF THE ISSUE:** Rent Program staff members have expressed concern over property owners or Landlords applying for Administrative Determinations for numerous fiscal years in the past, requiring staff to request and/or search through voluminous amounts of records for multiple fiscal years in order to make a Determination for each of those years. Currently, there is no statute of limitation which limits how far back applicants may request a Determination. This allows applicants to theoretically ask for Determinations which cover every fiscal year since the inception of the Richmond Rent Ordinance. As time goes on, this issue will only grow and become more problematic. Consequently, staff now requests Rent Board approval to amend Regulation 205 to create a statute of limitations for applying for an Administrative Determination.

## 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:** APPROVE staff to create language to amend Regulation 205 that clarifies that applications for Administrative Determinations have a statute of limitations and therefore applicants may not apply for an Administrative Determination beyond a specified number of fiscal or calendar years in the past. The amended language will be presented at the January or February regular Board meeting. (Nicolas Traylor/Fred Tran – 620-6564).

AGENDA ITEM NO:

**G-1.**

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# AGENDA REPORT

**DATE:** December 18, 2024

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

**FROM:** Palomar Sanchez, Staff Attorney

**SUBJECT:** AMEND REGULATION 205 TO ADD A STATUTE OF LIMITATIONS FOR APPLICATIONS FOR ADMINISTRATIVE DETERMINATIONS

## **STATEMENT OF THE ISSUE:**

Rent Program staff members have expressed concern over property owners or Landlords applying for Administrative Determinations for numerous fiscal years in the past, requiring staff to request and/or search through voluminous amounts of records for multiple fiscal years to make a Determination for each of those years. Currently, there is no statute of limitation to limit how far back applicants may apply for a Determination. This allows applicants to theoretically apply for Determinations which cover every fiscal year since the inception of the Richmond Rent Ordinance. As time goes on, this issue will only grow and become more problematic. Consequently, staff now requests Rent Board approval to amend Regulation 205 to create a statute of limitations when applying for an Administrative Determination.

## **RECOMMENDED ACTION:**

**APPROVE** staff to create language to amend Regulation 205 to clarify that applications for Administrative Determinations have a statute of limitations to prevent applications beyond a specified number of fiscal or calendar years in the past (amount to be determined). The amended language will be presented at the January or February regular Rent Board meeting. (Nicolas Traylor/Fred Tran – 620-6564).

## **FISCAL IMPACT:**

There is no fiscal impact for this item.

## **DISCUSSION:**

Currently, Landlords, Tenants, or property owners may apply for an Administrative Determination regarding a claimed exemption or applicability of the Richmond Rent Ordinance to a specific Rental Unit or property. In almost every case, it is a Landlord or property owner claiming the property is and/or was exempt or inapplicable under the

## ITEM G-1

Rent Ordinance because it was and/or currently is Owner Occupied, Not Available for Rent, or Rent Free. Many of these applications are for more than one fiscal year in the past and therefore, when included in the application, require staff to review voluminous amounts of evidence to make the Determination. Additionally, when the applicant fails to provide sufficient evidence or documentation, staff must then request that the applicant provide additional documents and evidence for multiple years in the past. Finally, some applicants are new Landlords applying for multiple years in the past where they were not the owner of the property to remove fees which the previous Landlord owed but failed to pay.

Most, if not all, other Rent Program processes, such as petitions, appeals, and other filings have statutes of limitations to which applicants must adhere. However, applications for Administrative Determinations do not. Providing a statute of limitations ensures applications remain up to date and applicants do not wait substantial amounts of time before applying, reduces staff workloads, and allows the Rent Program to remain better informed as to the total amount of Rental Units which fall within the Rent Ordinance's jurisdiction.

For these reasons, staff requests the Board approve staff to create language to amend Rent Board Regulation 205 to state a statute of limitations that applicants must adhere to when applying for an Administrative Determination.

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: December 18, 2024

Final Decision Date Deadline: December 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)
- Public Hearing                       Regulation                       Other:
- Contract/Agreement                       Rent Board As Whole
- Grant Application/Acceptance                       Claims Filed Against City of Richmond
- Resolution                       Video/PowerPoint Presentation (contact KCRT @ 620.6759)

**RECOMMENDED ACTION:** 1. DIRECT 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. DIRECT 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 Haas Business Institute of the University of California, Berkeley, this source should be identified in full. (Nicolas Traylor/Fred Tran – 620-6564). ***This item was continued from the November 20, 2024, Regular Rent Board Meeting.***

AGENDA ITEM NO:

**H-1.**

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# AGENDA REPORT

**DATE:** December 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 Haas 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.DIRECT 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.DIRECT 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 Haas 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.

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(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

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