



# Amending Chapter 8 Rent Board Regulations

City of Richmond-Rent Program

August 27, 2025

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ITEM H-1

# Statement of the Issue

Staff have identified the need to amend portions of Chapter 8 [Petition Process & Hearing Procedures] Rent Board Regulations. The proposed amendments will ensure the Rent Program Staff and Rent Board can carry out their duties to process petitions and hearings more effectively and efficiently.

# Fiscal Impact

- There is no fiscal impact related to this item.

# Issue # 1: Regulation 801 (B)

- Currently: Petitions must include “adequate documentation” for petition to be acceptable
- Problems: Staff deciding adequacy may create appearance of bias.
- **Proposed Amendment: Clarify that petition acceptance is not contingent on adequacy of documentation.**

804 (B) *The petitioner must attach to the petition documentation that is adequate to establish eligibility for the rent adjustment that is requested.*

*The necessary documentation will vary according to the petition and is specified in the appropriate regulation and in the petition form. If the necessary documentation is unavailable, the petitioner's verification of the petition or declaration under penalty of perjury may substitute for the unavailable documentation. It is the policy of the Rent Board that each party submits all supporting evidence as early as possible prior to the hearing. The hearing examiner may refuse to accept documentary evidence at the hearing unless there is good cause for petitioner's failure to submit it prior to the hearing.*

# Issue #2: Regulation 804 (A)

- Currently: Regulation defines “unacceptable” petitions (unsigned, fields missing, petition attachments/schedules missing, etc.)
- Gap: Does not address petitions outside of Richmond, non-Rental Units, or exempt units
- **Proposed Amendment: Expand definition of “unacceptable” to include jurisdiction, applicability and exemption issues.**
- This amendment ensures petitions outside Richmond’s jurisdiction, or concerning exempt units, are clearly defined as unacceptable.

801 (A) Proper filing of the petition is the responsibility of the petitioner. Provided that the requirements of Regulations 804 (Proper Filing of the Petition) and 805 (Acceptance of Page 2 of 25 Petitions) are satisfied, a petition is deemed properly filed on the date it is received by the Board if it is acceptable. Board staff will make a preliminary review of each petition after it has been submitted. Petitions that are not signed by the petitioner, illegible, incomprehensible, erroneously completed, incomplete, lack a proof of service on the opposing party or for which the required fees have not been paid will not be considered acceptable.

# Issue #3: Regulation 805 (A) (4) and (B) (4)

- Current Regulation: No authority to dismiss incomplete petitions, creates a backlog
- Proposed Amendment:
  - **Both Tenant and Landlord Petitioners would have 10-business days to correct deficiencies, but if not corrected;**
    - **Staff would have the authority to administratively dismiss the petition without prejudice (ability to refile in the future).**
    - **Or dismiss with prejudice (cannot refile same case) if property is outside jurisdiction, not a Rental Unit or exempt**

805 (A) (4) Board staff shall review the petition and supporting documentation to determine whether they conform with Board regulations and within ten (10) business days shall either mail notice to the Landlord that the petition is not acceptable in its current form, with an explanation of its defects (pursuant to Regulation 805 Petition and Noticing Procedures) or mail a Notice to Opposing Parties to the Tenants and Landlord, as provided in Regulation 808 (Notice to Opposing Parties and Board). For petitions filed pursuant to Regulation 905 (Maintenance of Net Operating Income), the review period shall be Page 3 of 25 fifteen (15) business days. If a petition is found unacceptable, the Landlord may refile at any time. Acceptance of a petition by Board staff does not mean that the petitioner has submitted adequate documentation to support a decision in petitioner's favor. A Landlord may, at any time prior to submission of the matter for an administrative decision, request that a hearing be held.

805 (B) (4) Board staff shall review the petition and supporting documentation to determine whether they conform to Board Regulations and within five (5) business days shall either mail notice that the petition is not acceptable in its current form, with an explanation of its defects (pursuant to Regulation 805 Petition and Noticing Procedures) or mail a Notice to Opposing Parties to the Landlord and Tenants, as provided in Regulation 808 (Notice to Opposing Parties and Board). If a petition is unacceptable, the Tenant may refile at any time. Acceptance of a petition by Board staff does not mean that the petitioner has submitted adequate documentation to support a decision in petitioner's favor.

# Recommended Action

- DIRECT staff to create language to amend Chapter 8 Rent Board Regulations to increase effectiveness and efficiency of the petitions and hearings process.

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