



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, February 18, 2026**

Link to Rent Board Meeting Agendas and Accompanying Materials:
www.ci.richmond.ca.us/3375/Rent-Board

Board Chair
Whitney Tipton

Board Vice Chair
Sara Cantor

Board Members
Tomas Espinoza
Jim Hite
Melvin Willis

NOTICE: MASKS ARE STRONGLY ENCOURAGED!!

Accessibility for Individuals with Disabilities

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

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

NOTICE TO PUBLIC

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

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

5:00 PM

A. ROLL CALL

B. PUBLIC COMMENT BEFORE CLOSED SESSION

C. ADJOURN TO CLOSED SESSION

CLOSED SESSION

Shimada Room, City Council Chambers

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957(b)(1)):

Pursuant to Government Code Section 54957(b)(1), the Board will meet in closed session to consider the appointment of an Executive Director.

REGULAR MEETING OF THE RICHMOND RENT BOARD

AGENDA

5:30 PM

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. AGENDA REVIEW

E. REPORT FROM LEGAL COUNSEL OF FINAL DECISIONS MADE IN CLOSED SESSION

F. PUBLIC FORUM

G. CONSENT CALENDAR

- | | | |
|-------------|--|---------------------|
| G-1. | APPROVE the minutes of January 21, 2026, Regular Meeting of the Richmond Rent Board. | <i>Cynthia Shaw</i> |
| G-2. | RECEIVE letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100. | <i>Cynthia Shaw</i> |
| G-3. | RECEIVE the Fiscal Year 2025-26 Monthly Activity Report through January 2026. | <i>Cynthia Shaw</i> |
| G-4. | RECEIVE the Rent Program FY 2025-26 Monthly Revenue and Expenditure Report through January 2026. | <i>Fred Tran</i> |

H. RENT BOARD AS A WHOLE

- | | | |
|-------------|---|------------------------|
| H-1. | RECEIVE a presentation on current staffing levels and recruitment of adopted Rent Board budgeted positions. | <i>Nicolas Traylor</i> |
|-------------|---|------------------------|

- H-2.** RECEIVE a presentation on the research conducted by the Rent Program Staff on the proposed Real Estate Disclosure policy/ordinance as directed by the Rent Board and RECOMMEND next steps. *Nicolas Traylor
Fred Tran*
- H-3.** ADOPT proposed Resolution 26-01, temporarily suspending Regulation 202 and Direct staff to agendize a study session where a comprehensive overview of current administrative exemption policies and regulations can be reviewed and its impact understood. *Fred Tran*
- H-4.** RECEIVE the Executive Director's outgoing message. *Nicolas Traylor*

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.

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 18, 2026

Final Decision Date Deadline: February 18, 2026

STATEMENT OF THE ISSUE: The minutes of January 21, 2026, 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

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

RECOMMENDED ACTION: APPROVE the minutes of the January 21 2026, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

G-1.

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RICHMOND, CALIFORNIA, January 21, 2026

The Regular Meeting of the Richmond Rent Board was called to order at 5:04 P.M.

PLEDGE TO THE FLAG

The Pledge of Allegiance was recited.

ROLL CALL

Board Members Present: Espinoza, Hite, Willis, Vice Chair Cantor and Chair Tipton.

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

Absent: None.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

None.

PUBLIC FORUM

Cordell Hindler, a Richmond resident, began by correcting the November 19, 2025, Rent Board meeting record, clarifying that the Senior Winter Ball held on December 13, 2025, was hosted by the Commission on Aging rather than the Commission on Asians and Pacific Islanders. He invited Rent Board members and staff to two upcoming February events: the Contra Costa Mayor's Conference on February 5th at the Richmond Country Club and the Richmond Community Foundation Annual Gala at the Berkeley Country Club. Mr. Hindler also raised concerns about interpretation challenges during previous public hearings and requested that, in future hearings, all parties be reminded to speak slowly and clearly to ensure accurate interpretation and translation services for the public and Board members.

Felix Mendoza, Richmond Property Owner, gave comments with Spanish interpretation and addressed concerns related to rental housing, investment, housing conditions, and the need for dignified

housing. He expressed frustration regarding current rental regulations and urged consideration of policies that encourage responsible investment and housing improvements.

CONSENT CALENDAR

On motion from Board Member Willis, seconded by Vice Chair Cantor, the Item(s) marked with an (*) were approved unanimously.

***F-1.** Approve the minutes of November 19, 2025, Regular Meeting of the Richmond Rent Board.

***F-2.** Receive the Fiscal Year 2025-26 Monthly Activity Report through December 2025.

***F-3.** Receive the Rent Program FY 2025-26 Monthly Revenue and Expenditure Report through December 2025.

***F-4.** Receive the Budgeted versus Actual Revenue and Expenditures Report for the second quarter ending December 31, 2025.

RENT BOARD AS A WHOLE

G-1. Executive Director Nicolas Traylor presented on the matter to receive a presentation on a proposed Real Estate Disclosure policy/ordinance and direct staff to draft a proposed ordinance for the Board’s consideration and potential approval and recommendation to the City Council for possible adoption.

The presentation included the Issue Statement, Fiscal Impact, Background, information from the previous Board and Staff action, why an Ordinance is needed, proposed Ordinance required disclosures, information regarding an enforcement mechanism, Rent Program responsibilities, the benefits of the Ordinance, and the Recommended Action. Discussion ensued. The following individuals gave public comments on this item: Renee Bartels and John Fondnazio.

A motion was made by Vice Chair Cantor, and seconded by Board Member Willis, with the following directions to staff: to contact local title companies to explore collaboration opportunities to ensure disclosures occur prior to property transfers, and to report back to the Board within 30 days; and to work with City staff to engage in community outreach regarding the proposed policies and ultimately develop a proposed ordinance for Board consideration

and potential recommendation to the City Council, passed by the following vote: **Ayes:** Board Members Espinoza, Hite, Willis, Vice Chair Cantor and Chair Tipton. **Noes:** None. **Abstentions:** None. **Absent:** None.

REPORTS OF OFFICERS

There were no reports from Board Members and Staff.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:09 P.M.

Cynthia Shaw
Staff Clerk

(SEAL)

Approved:

Rent Board Chair

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 18, 2026

Final Decision Date Deadline: February 18, 2026

STATEMENT OF THE ISSUE: Members of the community have sent letters to the Rent Board and Rent Program staff members. Staff members recommend letters that do not pertain to a specific item on the Rent Board agenda be included as consent items for consideration by the Rent Board.

INDICATE APPROPRIATE BODY

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

ITEM

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| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) | | |
| <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 letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100 – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

G-2.

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SENT VIA EMAIL

January 20, 2026

Chair Tipton & Members of the Rent Board
Richmond Rent Program
Richmond City Hall
440 Civic Center Plaza
Richmond, CA 94804
rent@ci.richmond.ca.us

RE: Item G-1: Proposed Real Estate Disclosure policy/ordinance

Dear Ms. Tipton:

On behalf of the Contra Costa Association of REALTORS® (CCAR) and the CCAR Forms Committee, I would like to take this opportunity to address the staff report for the upcoming meeting on Wednesday, January 21, 2026, regarding the proposed Real Estate Disclosure Ordinance.

In the staff report it appears as if CCAR's Forms Committee agreed to make changes but didn't follow through. While CCAR may not have granted all the requested changes by the Richmond Rent Board staff, the forms were modified based on the recommendation of the CCAR Forms Committee and legal counsel, which was communicated to the Richmond Rent Board in April 2020, as referenced in the staff report. The agreement was to modify the paragraph as shown below and as previously stated in communication.

Item 51 (previously Item 48 of the 2019 Disclaimer & Disclosure Advisory) was amended to include the following information (**in bold**), based on the initial request:

LOCAL RENTAL ISSUES: The City of Richmond enacted an Ordinance covering Rent and Eviction Control. Other cities have or may create comparable requirements and/or require the issuance of permits or mandate inspections prior to renting out any type of property and/or any portion of the Property. Buyers should investigate the existence of applicable local ordinances **as well as applicable past or current fees or city liens and other regulations that impact on their ability to rent property. Buyers should** satisfy themselves as to whether a local ordinance will impact their intended use of the Property. Determining the existence of and/or the applicability of any laws regulating the ability of a Property Owner to rent some or all of the property, the amount of rent, the eviction of tenants, and/or mandatory city rental health and safety inspections, is beyond the expertise of the real estate professionals. Buyers should consult with a local Landlord-Tenant attorney.

Since then, the above paragraph in the Advisory has been updated to reflect other municipalities that have enacted a form of rent control within Contra Costa County, no longer singling out the City of Richmond.

On January 13, 2026, CCAR's Chief Industry Advocacy Officer (CIAO), Heather Schiffman, in an email to Fred Tran stated she will be recommending to the Forms Committee and legal counsel that the following line or form of the following line be considered for inclusion at the end of the paragraph in the Advisory to help reiterate that the buyers are also responsible to further research requirements that might affect them as a future property owner.

“For cities similar to the City of Richmond, it is recommended that Buyers contact the local rent board for additional information.”

As referenced in recent communications with Richmond staff, CCAR has agreed to update the “Sources of Information” to include the physical address and email as provided in the City of Richmond-specific Addendum. Additionally, CCAR has updated the association website, where basic information is available to the public, non-members, and members, with a link to the Richmond Rent Board with the same contact information, which will be added to the Addendum.

In the staff report, it was explained that CCAR's forms are not utilized universally, nor are they a required form to use in a transaction. These forms were created to provide our members with an option, as each Broker/Brokerage dictates which forms their agents are required to use in a transaction: either statewide forms, the Brokerage forms created by their legal counsel, or the CCAR Advisory/Addenda.

In the final paragraph of the staff report, there is a reference to “*encouraging real estate agents and realtors to comply with the new requirements...*” I must point out that not all transactions are conducted with a real estate agent or REALTOR®, as some properties might be sold by a bank, or possibly a sale by owner, who may not be a real estate professional or licensed.

REALTORS® are representatives who help facilitate the transaction; it is the seller's responsibility to disclose any information they may be aware of regarding the property, including but not limited to the history, repairs, and defects. REALTORS® are not principals in the process of a transaction. The ultimate responsibility and liability for the accuracy of disclosures remains with the seller, and the buyer is responsible for doing their due diligence to investigate further.

Thank you to the Richmond Rent Board staff for the time they took to meet with our staff and Forms Committee members regarding your requests and questions.

Regards,



John Fondnazio
2026 President
Contra Costa Association of REALTORS®

To: Richmond Housing Authority

Address: 330 24th Street, Richmond, CA 94804

Subject: Formal Complaint – Unsafe Living Conditions and Management
Non-Responsiveness

I am submitting a formal complaint regarding unsafe and unsanitary conditions at Bella Vista Apartments and the ongoing failure of management to respond to maintenance requests or provide safe living conditions.

The issues include:

- Habitability violations in my current unit (plumbing, electrical, sanitation)
- Fire-safety violations in the common areas
- A CO alarm incident and delayed heater replacement
- Repeated inability to reach Resident Services due to a perpetually full voicemail
- Misrepresentation by onsite staff when I attempted to contact FPI corporate
- Severe sanitation issues in my previous unit involving dirty water leaking from the upstairs bathroom into mine for three months

These conditions violate state habitability laws and create unsafe living conditions. I am requesting review and intervention.


Name: Mychal Macias

Address: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 18, 2026

Final Decision Date Deadline: February 18, 2026

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

INDICATE APPROPRIATE BODY

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

ITEM

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|---|--|--|
| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) | | |
| <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 2025-26 Monthly Activity Report through January 2026 - Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

G-3.

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**Rent Program
FY 2025-26 Monthly Activity Report**

ITEM G-3

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
	Jul-25	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Apr-26	May-26	Jun-26		
	MTD ACTUAL	YTD TOTAL												
3 Public Information & Enrollment Unit														
5 Rent/Eviction Counseling Appointments By Phone	84	86	121	148	78	106	64	-	-	-	-	-	-	687
6 Rent/Eviction Counseling Appointments By Walk-ins	31	48	48	44	25	26	28	-	-	-	-	-	-	250
7 Rent/Eviction Counseling Questions Addressed By Email	262	139	247	292	35	198	32	-	-	-	-	-	-	1,205
8 TOTAL RENT/EVICTION COUNSELING APPOINTMENTS	377	273	416	484	138	330	124	-	-	-	-	-	-	2,142
9 Rent/Eviction Counseling Sessions Conducted in Spanish	83	61	99	22	18	17	19	-	-	-	-	-	-	319
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	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL RENT/EVICTION COUNSELING APPOINTMENTS IN A LANGUAGE OTHER THAN ENGLISH	83	61	99	22	18	17	19	-	-	-	-	-	-	319
14 Legal Service Referrals	14	15	8	15	10	11	5	-	-	-	-	-	-	78
17 Mediations Conducted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
18 Assists from Front Office Staff	187	214	472	110	123	69	68	-	-	-	-	-	-	1,243
19 Courtesy Compliance Letters Sent	370	348	324	321	100	301	337	-	-	-	-	-	-	2,101
20 Community Workshop Attendees	-	-	-	-	-	-	-	-	-	-	-	-	-	-
21 Hard Copy Rent Increase Notices Processed	66	56	68	12	-	-	-	-	-	-	-	-	-	202
22 Hard Copy Termination of Tenancy Notices Processed	33	19	22	25	-	-	-	-	-	-	-	-	-	99
24 TOTAL HARD COPY NOTICES PROCESSED	99	75	90	37	-	-	-	-	-	-	-	-	-	301
25 Billing/Enrollment/Registration Counseling Appointments In-Person	5	-	-	-	-	-	-	-	-	-	-	-	-	5
26 Billing/Enrollment/Registration Counseling Appointments By Phone	-	-	92	35	-	6	-	-	-	-	-	-	-	133
27 Billing/Enrollment/Registration Counseling Questions Addressed By Email	-	15	40	6	-	-	-	-	-	-	-	-	-	61
28 TOTAL BILLING/ENROLLMENT/REGISTRATION COUNSELING APPOINTMENTS	5	15	132	41	-	6	-	-	-	-	-	-	-	199
29 Enrollment/Tenancy Registration Packets Mailed	-	-	-	15	-	-	-	-	-	-	-	-	-	15
30 Enrollment Forms Processed	5	1	1	22	16	6	-	-	-	-	-	-	-	51
31 Rental Housing Fee Invoices Generated	-	4	36	17	2	5	2	-	-	-	-	-	-	66
32 Checks Processed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
33 Checks Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
34 Tenancy Registrations Received	-	1	6	1	-	1	-	-	-	-	-	-	-	9
35 Rental Units Discovered Not in Database	1	1	4	10	2	4	2	-	-	-	-	-	-	24
36 Property Information Updated	-	-	-	10	-	6	-	-	-	-	-	-	-	16
37 Compliance Actions (Reviewing Records, Exemption Statuses, Addresses)	1	5	12	25	10	12	6	-	-	-	-	-	-	71
38 Applications for Administrative Determination of Exempt/Inapplicable Status Received	-	-	27	66	-	-	-	-	-	-	-	-	-	93
39 Administrative Determination of Exempt/Inapplicable Status issued	6	5	4	20	13	14	8	-	-	-	-	-	-	70
40 Declarations of Exemption Processed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
41 LEGAL UNIT														
42 Public Records Act Requests Received	5	4	5	4	4	2	4	-	-	-	-	-	-	28
43 Owner Move-In Eviction Termination of Tenancy Notices Reviewed	2	-	-	-	-	-	-	-	-	-	-	-	-	2
44 Withdrawal from the Rental Market (Ellis Act) Termination of Tenancy Notices Reviewed	-	1	-	-	1	-	-	-	-	-	-	-	-	2
45 Substantial Repairs Termination of Tenancy Notices Reviewed	-	-	3	1	-	1	-	-	-	-	-	-	-	5
46 Appeal Hearings Held	-	1	1	-	1	-	-	-	-	-	-	-	-	3
47 HEARINGS UNIT														
50 Consultations with Hearings Unit Coordinator By Phone	29	41	133	25	75	80	120	-	-	-	-	-	-	503
51 Hearings-Related Questions Addressed by Email	20	65	55	25	25	27	30	-	-	-	-	-	-	247
52 TOTAL HEARINGS-RELATED CONSULTATIONS	49	106	188	50	100	107	150	-	-	-	-	-	-	750
53 MNOI Petitions Received (Attachment A)	-	-	-	-	-	2	-	-	-	-	-	-	-	2
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)	-	-	-	1	-	-	-	-	-	-	-	-	-	1
57 Landlord Individual Rent Adjustment Petitions Received	1	-	1	1	-	-	-	-	-	-	-	-	-	3
58 Landlord Petition to Determine Exempt Status Received	-	-	-	-	-	-	-	-	-	-	-	-	-	-
59 TOTAL LANDLORD PETITIONS RECEIVED	2	-	1	2	-	2	-	-	-	-	-	-	-	7
60 Excess Rent or Failure to Return Sec Dep Petitions Received (Attachment A)	-	-	1	2	-	-	1	-	-	-	-	-	-	4
61 Decrease in Space/Services or Habitability Petitions Received (Attachment B)	2	1	-	3	2	3	4	-	-	-	-	-	-	15
62 Reduction in Number of Tenants Petitions Received (Attachment C)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
63 Tenant Petition Based on Multiple Grounds	2	2	1	2	2	3	4	-	-	-	-	-	-	16
64 Tenant Petition for Rent Withholding Petitions Received	-	-	-	-	-	-	-	-	-	-	-	-	-	-
65 Tenant Petition for Failure to Pay Relocation Payment Petitions Received	-	-	2	3	1	2	1	-	-	-	-	-	-	9
66 TOTAL TENANT PETITIONS RECEIVED	4	3	4	10	5	8	10	-	-	-	-	-	-	44
67 Petition for Determination of Occupancy Status	-	-	-	-	-	-	-	-	-	-	-	-	-	-
68 Petition for Initial Rent Determination	-	-	-	-	-	-	-	-	-	-	-	-	-	-
69 Request to Expedite Hearing Process	-	-	-	-	-	-	-	-	-	-	-	-	-	-

**Rent Program
FY 2025-26 Monthly Activity Report**

ITEM G-3

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
		Jul-25	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Apr-26	May-26	Jun-26	
		MTD ACTUAL	YTD TOTAL											
1														
2														
70	Request for a Continuance of the Hearing Process	-	-	-	-	-	-	-	-	-	-	-	-	-
71	Subpoena(s)	-	-	-	1	-	-	-	-	-	-	-	-	1
72	TOTAL OTHER PETITIONS RECEIVED	-	-	-	1	-	-	-	-	-	-	-	-	1
73	Decisions Ordered	1	-	-	3	-	1	-	-	-	-	-	-	5
74	Cases Settled	2	4	4	2	-	1	2	-	-	-	-	-	15
75	Cases Dismissed	1	-	-	-	-	2	2	-	-	-	-	-	5
76	Petitions Withdrawn	-	-	-	2	-	2	-	-	-	-	-	-	4
77	TOTAL CASES CLOSED	4	4	6	5	-	6	4	-	-	-	-	-	29
78	Appeals Received	-	-	-	-	-	-	-	-	-	-	-	-	-
79	Total Open Cases (Tenant Petitions)	10	10	7	12	17	15	22	-	-	-	-	-	93
80	Total Open Cases (Landlord Petitions)	2	1	2	1	1	2	1	-	-	-	-	-	10
81	Total Open Cases (Other Petitions)	-	-	-	-	-	-	-	-	-	-	-	-	-
82	TOTAL OPEN CASES	12	11	9	13	18	17	23	-	-	-	-	-	103
83	Form Submissions													
84	Agent Authorization	-	-	-	-	-	-	-	-	-	-	-	-	-
85	Proof of Excess Rent Refund	-	-	-	-	-	-	-	-	-	-	-	-	-
86	Proof of Permanent Relocation Payment	2	1	-	-	-	-	-	-	-	-	-	-	3
87	Proof of Temporary Relocation Payment	-	-	-	2	-	-	-	-	-	-	-	-	2
88	Change in Terms of Tenancy	-	-	-	-	-	-	-	-	-	-	-	-	-
89	Tenancy Registration Forms Processed	-	-	-	-	-	-	-	-	-	-	-	-	-
90	TOTAL RENT INCREASE NOTICES FILED	148	154	459	676	102	86	77	-	-	-	-	-	1,702
91	Termination of Tenancy - Nonpayment of Rent	143	117	312	156	298	146	337	-	-	-	-	-	1,509
92	Termination of Tenancy - Breach of Lease	12	5	4	1	1	3	12	-	-	-	-	-	38
93	Termination of Tenancy - Failure to Give Access	-	-	-	-	-	-	1	-	-	-	-	-	1
94	Termination of Tenancy - Nuisance	-	1	-	1	-	1	-	-	-	-	-	-	3
95	Termination of Tenancy - Withdrawal from the Rental Market	-	2	-	-	-	-	-	-	-	-	-	-	2
96	Termination of Tenancy - Owner Move-In	2	-	-	-	-	-	-	-	-	-	-	-	2
97	Termination of Tenancy - Substantial Repairs	2	-	3	-	-	-	-	-	-	-	-	-	5
98	Termination of Tenancy - Temporary Tenancy	-	-	-	-	-	-	-	-	-	-	-	-	-
99	TOTAL TERMINATION OF TENANCY NOTICES FILED	159	125	319	158	299	150	350	-	-	-	-	-	1,560
100														

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 18, 2026

Final Decision Date Deadline: February 18, 2026

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 2025-26 Monthly Revenue and Expenditure Report through January 2026 – Rent Program (Fred Tran 620-6537).

AGENDA ITEM NO:

G-4.

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RICHMOND RENT PROGRAM
MONTHLY REVENUE AND EXPENDITURES REPORT
FISCAL YEAR 2025-26

ITEM G-4

OBJECT	ORIGINAL BUDGET	ADOPTED BUDGET	Period 1	Period 2	Period 3	Period 4	Period 5	Period 6	Period 7	ENCUMBRANCES	YTD TOTAL	AVAILABLE BUDGET	% USED
			July	August	September	October	November	December	January				
340445 Rental Housing Fees	(3,594,258)	(3,594,258)	(15,939.00)	(28,648.50)	(975,001.50)	(702,753.10)	(283,302.55)	(379,266.65)	(53,373.80)	-	(2,438,285.10)	(1,155,972.90)	67.8%
TOTAL LICENSES, PRMITS&FEES	(3,594,258)	(3,594,258)	(15,939.00)	(28,648.50)	(975,001.50)	(702,753.10)	(283,302.55)	(379,266.65)	(53,373.80)	-	(2,438,285.10)	(1,155,972.90)	67.8%
361701 Interest	(50,000)	(50,000)	-	-	(5,609.62)	-	-	(16,700.81)	-	-	(22,310.43)	(27,689.57)	44.6%
361705 Realized Gain	-	-	5,284.25	-	(1,399.37)	-	-	(366.89)	-	-	3,517.99	(3,517.99)	0.0%
TOTAL INTEREST & REALIZED INCOME	(50,000)	(50,000)	5,284.25	-	(7,008.99)	-	-	(17,067.70)	-	-	(18,792.44)	(31,207.56)	37.6%
364855 OTHER REV/Misc Other Revenue	-	-	-	-	(36.00)	(15.00)	-	-	-	-	(51.00)	51.00	0.0%
364867 Revenue from Collections Agency	(50,000)	(50,000)	-	-	-	-	-	-	-	-	-	(50,000.00)	0.0%
337373 Other Grants	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
TOTAL OTHER REVENUE	(50,000)	(50,000)	-	-	(36.00)	(15.00)	-	-	-	-	(51.00)	(49,949.00)	0.1%
TOTAL REVENUE	(3,694,258)	(3,694,258)	(10,654.75)	(28,648.50)	(982,046.49)	(702,768.10)	(283,302.55)	(396,334.35)	(53,373.80)	-	(2,457,128.54)	(1,237,129.46)	66.5%
400001 SALARIES & WAGES/Executive	975,978	975,978	70,725.98	70,725.98	70,725.98	70,725.98	71,255.96	100,008.59	75,424.12	-	529,592.59	446,385.41	54.3%
400002 SALARIES & WAGES/Mgmt.-Local 21	580,913	580,913	40,049.20	40,522.60	41,344.20	46,439.55	50,401.10	64,197.96	53,599.00	-	336,553.61	244,359.14	57.9%
400003 SALARIES & WAGES/Local 1021	403,995	403,995	27,575.86	27,575.86	27,575.86	20,356.51	14,487.96	20,220.91	15,212.36	-	153,005.32	250,989.55	37.9%
400006 SALARIES & WAGES/PT- Temp	70,000	70,000	3,911.39	10,290.41	20,362.44	9,826.93	9,769.26	11,633.66	9,177.74	-	74,971.83	(4,971.83)	107.1%
400031 OVERTIME/General	2,500	2,500	-	83.30	138.50	292.55	-	8.54	-	-	522.89	1,977.11	20.9%
400043 OTHER PAY/Acting Pay	-	-	2,776.32	2,190.69	1,568.91	2,125.62	1,836.42	2,077.90	1,258.92	-	13,834.78	(13,834.78)	100.0%
400048 OTHER PAY/Bilingual Pay	15,500	15,500	848.18	848.18	848.18	783.02	544.88	588.32	552.12	-	5,012.88	10,487.12	32.3%
400049 OTHER PAY/Auto Allowance	2,800	2,800	350.00	350.00	350.00	350.00	350.00	350.00	350.00	-	2,450.00	350.00	87.5%
400053 OTHER PAY/Pension Credi	18,356	18,356	1,393.22	1,393.22	1,393.22	1,393.22	1,403.82	1,969.38	200.00	-	9,146.08	9,209.54	49.8%
400058 OTHER PAY/Bonuses/Pension Credit	22,800	22,800	-	-	-	-	2,400.00	2,400.00	1,485.72	-	3,885.72	18,914.28	17.0%
TOTAL SALARIES AND WAGES	2,092,841	2,092,841	147,630.15	153,980.24	164,307.29	152,293.38	150,049.40	203,455.26	157,259.98	-	1,128,975.70	944,951.26	53.9%
400103 P-ROLL BEN/Medicare Tax-ER Shri	29,192	29,192	2,135.11	2,230.32	2,371.02	2,197.79	2,176.04	2,931.36	2,268.77	-	16,310.41	12,881.30	55.9%
400105 P-ROLL BEN/Health Insurance Be	360,621	360,621	24,130.97	24,130.97	24,130.97	24,130.97	23,018.07	22,330.80	22,330.80	-	164,203.55	196,417.84	45.5%
400106 P-ROLL BEN/Dental Insurance	21,425	21,425	1,387.32	1,387.32	1,387.32	1,387.32	1,271.71	1,271.71	1,271.71	-	9,364.41	12,060.72	43.7%
400109 P-ROLL BEN/Employee Assistance	278	278	18.36	18.36	18.36	18.36	16.83	16.83	16.83	-	123.93	154.12	44.6%
400110 P-ROLL BEN/Professional Dev-Mg	7,500	7,500	410.00	-	-	-	-	-	-	-	410.00	7,089.71	5.5%
400111 P-ROLL BEN/Vision	2,564	2,564	166.44	166.44	166.44	166.44	152.57	152.57	152.57	-	1,423.47	1,440.75	43.8%
400112 P-ROLL BEN/Life Insurance	4,465	4,465	438.49	442.29	443.87	472.20	471.26	471.26	471.26	-	3,210.63	1,254.69	71.9%
400114 P-ROLL BEN/Long Term Disability	14,371	14,371	722.64	725.12	727.28	709.54	320.89	340.54	340.54	-	3,886.55	10,484.77	27.0%
400116 P-ROLL BEN/Unemployment Ins	7,044	7,044	608.00	608.00	608.00	608.00	570.00	570.00	570.00	-	4,142.00	2,901.88	58.8%
400117 P-ROLL BEN/Personal/Prof Dev	3,750	3,750	-	624.39	-	-	750.00	-	-	-	1,374.39	2,375.23	36.7%
400121 P-ROLL BEN/Worker Comp-Clerical	4,691	4,691	-	-	-	-	-	-	-	-	4,691.31	0.00	0.0%
400122 P-ROLL BEN/Worker Comp-Prof	85,695	85,695	7,141.25	7,141.25	7,141.25	7,141.25	7,141.25	7,141.25	7,141.25	-	49,988.75	35,706.25	58.3%
400127 P-ROLL BEN/OPEB	-	-	-	-	-	-	-	-	-	-	-	-	100.0%
400130 P-ROLL BEN/PARS Benefits	-	-	34.09	88.30	155.86	83.15	86.21	105.93	93.83	-	647.37	(647.37)	100.0%
400149 P-ROLL BEN/PERS-Misc	265,001	265,001	17,997.19	18,094.31	18,126.66	17,929.40	17,688.19	18,252.80	18,563.50	-	126,652.05	138,348.47	47.8%
400151 P-ROLL BEN/PERS-Misc (UAL)	302,609	302,609	23,729.68	23,729.68	23,729.68	23,729.68	21,904.32	21,904.32	21,904.32	-	160,631.68	141,977.02	53.1%
TOTAL FRINGE BENEFITS	1,109,206	1,109,206	78,919.54	79,386.75	79,006.71	78,574.10	75,567.34	75,489.37	75,125.38	-	542,069.19	567,136.66	48.9%
400201 PROF SVCS/Professional Svcs	93,700	93,700	1,865.00	1,174.16	1,643.16	4,000.82	641.11	1,704.10	583.82	44,574.83	11,612.17	37,513.00	60.0%
400206 PROF SVCS/Legal Serv Cost	275,000	275,000	-	16,666.00	16,666.00	16,666.00	16,666.00	16,666.00	16,666.00	175,004.00	99,996.00	-	100.0%
400220 PROF SVCS/Info Tech Ser	2,500	2,500	-	-	-	-	-	-	-	-	-	2,500.00	0.0%
400245 TRAVEL & TRNG/Tuition R	-	-	-	-	-	-	-	-	-	-	-	-	100.0%
400261 DUES & PUB/Memberships & Dues	2,025	2,025	-	-	-	-	-	564.78	-	-	564.78	1,460.22	27.9%
400263 DUES & PUB/Subscription	7,500	7,500	1,194.55	-	(804.80)	389.75	2,137.47	-	2,916.97	-	4,583.03	38.9%	
400271 AD & PROMO/Advertising&Promo	3,000	3,000	172.66	-	(172.66)	-	699.00	-	699.00	-	2,301.00	23.3%	
400280 ADM EXP/Program Supplies	6,881	6,881	593.19	-	(172.80)	280.33	-	643.81	-	-	1,344.53	5,536.47	19.5%
TOTAL PROF & ADMIN SERVICES	390,606	390,606	3,825.40	17,840.16	17,158.90	21,336.90	17,307.11	22,415.16	17,249.82	219,578.83	117,133.45	53,893.72	86.2%
400231 OFF EXP/Postage & Mailing	30,000	30,000	-	-	-	1,157.86	-	5,861.97	-	-	7,019.83	22,980.17	0.0%
400232 OFF EXP/Printing & Binding	30,000	30,000	-	-	-	-	2,365.13	-	73.28	-	2,438.41	27,561.59	8.1%
400304 RENTAL EXP/Equipment Rental	9,000	9,000	-	559.73	-	-	-	4,116.37	2.00	4,883.63	4,678.10	(561.73)	106.2%
400338 Recognition	300	300	459.51	-	-	-	-	-	-	-	459.51	(159.51)	153.2%
400341 OFF SUPP/Office Supplies	8,000	8,000	-	-	(120.10)	520.80	-	860.41	-	-	1,261.11	6,738.89	15.8%
TOTAL OTHER OPERATING	77,300	77,300	459.51	559.73	(120.10)	1,678.66	2,365.13	4,976.78	5,937.25	4,883.63	15,856.96	56,559.41	26.8%
400401 UTILITIES/Tel & Telegraph	500	500	-	-	-	-	-	-	-	-	-	500.00	0.0%
TOTAL UTILITIES	500	500	-	-	-	-	-	-	-	-	-	500.00	0.0%
400552 PROV FR INS LOSS/Ins Gen Liab	9,500	9,500	-	8,500.00	-	-	-	-	669.00	31.00	9,169.00	300.00	96.8%
TOTAL PROVISION FOR INS LOSS	9,500	9,500	-	8,500.00	-	-	-	-	669.00	31.00	9,169.00	300.00	96.8%
400574 COST POOL/(ISF)-Gen Liability	104,979	104,979	8,748.30	8,748.00	8,748.00	8,748.00	8,748.00	8,748.00	8,748.00	-	61,236.30	43,743.00	58.3%
400586 COST POOL/(CAP)-Admin Charges	52,481	52,481	4,373.00	4,373.00	4,373.00	4,373.00	4,373.00	4,373.00	4,373.00	-	30,611.00	21,870.00	58.3%
400591 COST POOL/(IND)Civic Ctr Alloc	56,218	56,218	4,684.00	4,684.00	4,685.00	4,685.00	4,685.00	4,685.00	4,685.00	-	32,793.00	23,425.00	58.3%
TOTAL COST POOL	213,678	213,678	17,805.30	17,805.00	17,806.00	17,806.00	17,806.00	17,806.00	17,806.00	-	124,640.30	89,038.00	58.3%
391994 391994 TRANSFER IN/From Gen Fund	(299,373)	(299,373)	(24,948.30)	-	-	(74,844.00)	(24,948.00)	(24,948.00)	(24,948.00)	-	(174,636.30)	(124,737.00)	58.3%
90 OPER XFERS IN	(299,373)	(299,373)	(24,948.30)	-	-	(74,844.00)	(24,948.00)	(24,948.00)	(24,948.00)	-	(174,636.30)	(124,737.00)	58.3%
TOTAL EXPENDITURES	3,594,258	3,594,258	223,691.60	278,071.88	278,158.80	196,845.04	238,146.98	299,194.57	249,099.43	224,493.46	1,763,208.30	1,587,642.05	55.3%
NET OPERATING (SURPLUS)/DEFICIT	(100,000)	(100,000)	213,036.85	249,423.38	-703,887.69	-505,923.06	-45,155.57	-97,139.78	195,725.63	224,493.46	-693,920.24	350,512.59	
CASH BALANCE			1,262,443.54	982,765.47	1,688,600.89	2,19							

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 18, 2026

Final Decision Date Deadline: February 18, 2026

STATEMENT OF THE ISSUE: Under Richmond Municipal Code 11.100.060 (o), the Rent 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 the Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance (Rent Ordinance). Annually during the budget development process, the Rent Program will present updates and assumptions to the Rent Board for adoption of an annual budget to fund operations for the ensuing fiscal year. Rent Program staff will provide the Rent Board with an update on two impactful employment matters expected for Fiscal Year 2026-27.

INDICATE APPROPRIATE BODY

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

ITEM

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

RECOMMENDED ACTION: RECEIVE a presentation on current staffing levels and recruitment of adopted Rent Board budgeted positions – Rent Board (Nicolas Traylor 620-6564).

AGENDA ITEM NO:

H-1.

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AGENDA REPORT

DATE: February 18, 2026

TO: Chair Tipton and Members of the Rent Board

FROM: Nicolas Traylor, Executive Director

SUBJECT: Update on Staffing – Recruitment and Hiring for the Rent Program
Adopted Budget

STATEMENT OF THE ISSUE:

Under Richmond Municipal Code 11.100.060 (o), the Rent 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 the Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance (Rent Ordinance). Annually during the budget development process, the Rent Program will present updates and assumptions to the Rent Board for adoption of an annual budget to fund operations for the ensuing fiscal year. Rent Program staff will provide the Rent Board with an update on two impactful employment matters expected for Fiscal Year 2026-27.

RECOMMENDED ACTION:

RECEIVE a presentation on current staffing levels and recruitment of adopted Rent Board budgeted positions.

FISCAL IMPACT: There is no fiscal impact related to this item.

DISCUSSION:

Background

During the developmental years of the Rent Program, the City of Richmond was extremely responsive and provided crucial support to allow for timely hiring of staff necessary to administer the Rent Ordinance. Unfortunately, over the last three fiscal years, despite staff's diligent efforts to move recruitment forward, the Rent Program has suffered City delays in recruitment and hiring, including an Office Assistant for front desk/in-take support and an Administrative Trainee for hearings/petitions and Board Clerk support. These two roles were originally approved in the Fiscal Year 2023-24

ITEM H-1

adopted budget on June 26, 2023. **Attachment 1** is a timeline of Rent Program and City activity and correspondence for the recruitments for the two roles.

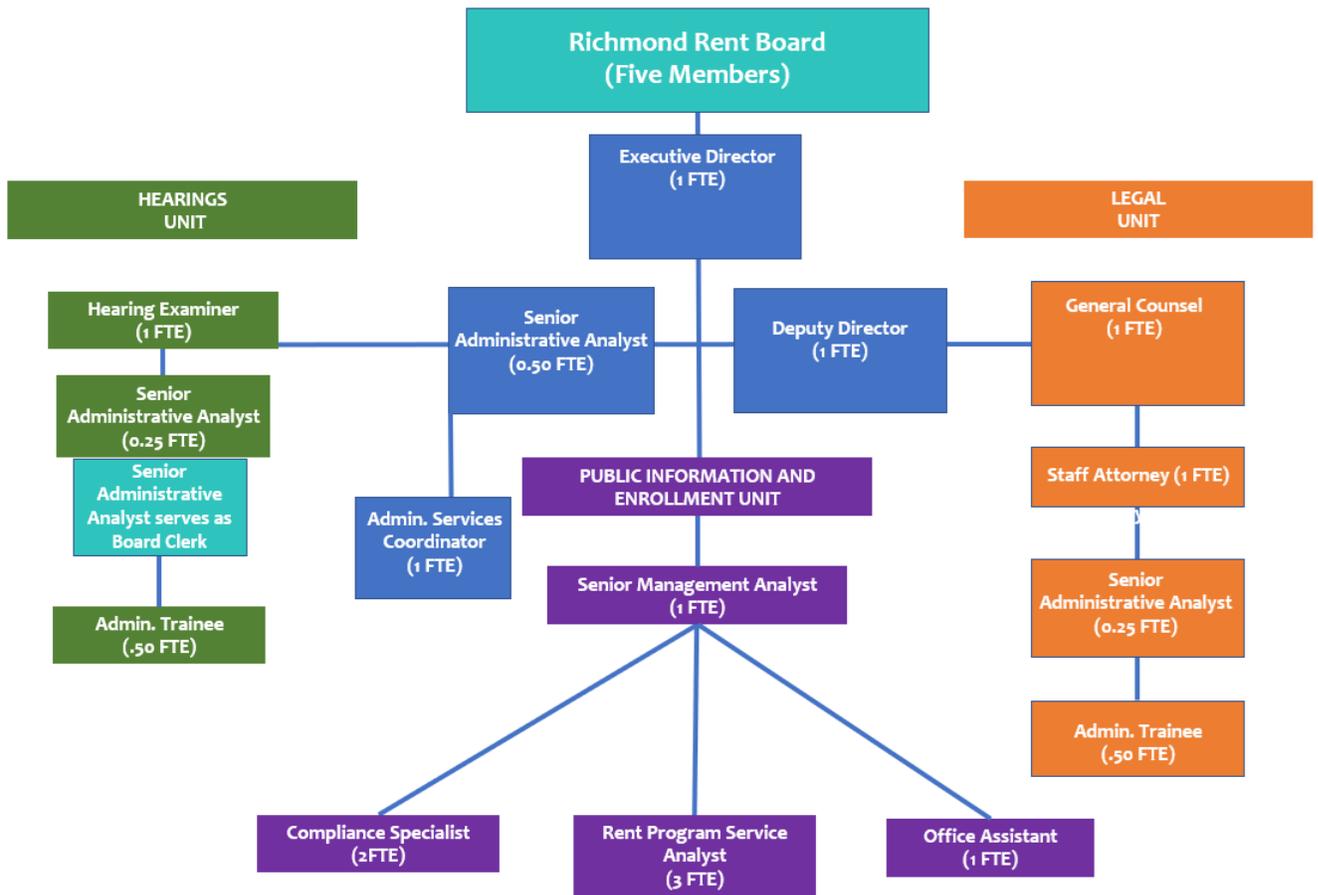
The Rent Program is entering a phase of leadership transition in the coming months. The Executive Director, Nicolas Traylor, will retire at the end of February 2026. The 2025-26 Fiscal Year budget for has salary and benefits included through that duration as well as an estimated accrued vacation pay out. The Rent Board will need to evaluate the interim Executive Director from March 2026 through the end of the fiscal year June 30th. An assessment of the hire and recruitment of a permanent Executive Director also needs to be evaluated and determined. The Fiscal Year 2026-27 budget should consider the added mandates of the City and Rent Board Cooperation Agreement; it is important for the Rent Board to understand the current state of agency's staffing needs and levels.

To maintain sufficient staffing levels, the Rent Program presents its recommended annual staffing needs and corresponding budget for the Board's consideration and possible adoption. After the budget is adopted, staff work with the City's Human Resources department to recruit for and hire budgeted positions. The recruitment process is usually expected to take several months. Unfortunately, despite repeated, ongoing efforts to request approval and recruit for several key positions, the Rent Program has found it challenging to move the process forward due to City delays.

The Fiscal Year 2025-26 Rent Program budget includes funding for 15 full-time positions:

- 1 Office Assistant (resigned in September 2025, requested approval for recruitment)
- 1 Admin. Trainee (reclassified from Office Assistant, requested approval for recruitment)
- 2 Compliance Specialists
- 1 Administrative Services Coordinator
- 1 Deputy Director
- 1 Executive Director (Retiring in Feb 2026)
- 1 General Counsel
- 1 Hearing Examiner
- 1 Senior Administrative Analyst
- 1 Senior Management Analyst
- 1 Staff Attorney (Budgeted Q2 hire, requested approval for recruitment)
- 3 Rent Program Services Analyst (budgeted to hire one in Q2, requested approval for recruitment)

Below is the FY 2025-26 Rent Program Organizational Chart



Conclusion

On January 8, 2026, the Rent Program’s Executive Director and senior staff met with the City Manager to request the City Manager’s approval to move forward with Rent Program recruitments. The City Manager agreed at that meeting that the positions would be approved by her. A follow-up email was sent on January 16, 2026, to the City Manager requesting her written approval to move forward with the recruitment requested. The Rent Program is still awaiting written approval or confirmation from the City Manager.

DOCUMENTS ATTACHED:

Attachment 1 – Timeline of Office Assistant and Admin. Trainee Recruitment

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Timeline of Office Assistant / Admin Trainee Recruitment and Hire

6/26/2023 FY 2023-24 Budget and Fee Study Adopted by Rent Board - hire 2 Office Assistants approved

10/4/2023 City Council approved the two positions for Office Assistant I/II

12/15/2023 Office Assistant Job Bulletin updated to post by Rent Program Staff

2/20/2024 Begin recruitment and interviews for 2 Office Assistant

3/18/2024 Conditional offers extended to RJ and NH - 2 Office Assistant

3/26/2024 Rescind - Conditional offer to NH

3/29/2024 Final written offer extended to RJ

4/4/2024 C Band Office Assistant received from HR for Staff review

4/19/2024 Complete C Band review, no viable candidate

8/30/2024 Amend Position Control to Admin Trainee- role to focus on supporting Hearings Unit and Board Clerk

10/23/2024 Office Assistant to Administrative Trainee was approved at City Council meeting

11/4/2024 Band A - received and reviewed for Admin Trainee

11/14/2024 Band B - received and reviewed for Admin Trainee

1/14/2025 Band C - received and reviewed for Admin Trainee

3/27/2025 HR - advised to revisit list for all Admin Trainee

8/27/2025 Reopen Admin Trainee Recruitment

9/2/2025 Rating submitted to HR for Admin Trainee Recruitment

9/29/2025 Resignation Office Assistant - RJ

10/9/2025 Per HR, request approval from Nickie M (CMO) to begin recruitment

1/15/2026 Per HR, written approval from Shasa (CMO) required to proceed with recruitment activity

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 18, 2026

Final Decision Date Deadline: February 18, 2026

STATEMENT OF THE ISSUE: At the January 21, 2026, Regular Rent Board Meeting, a proposed Real Estate Disclosure policy/ordinance was presented to the Rent Board on Item G-1 (Attachment 1). Discussions and questions from the Rent Board had ensued after various public speakers provided feedback and comments on the Item. The Rent Program Staff were directed to work with local title companies to explore opportunities for collaboration to assure disclosures go out (outstanding Residential Rental Housing Fees and restrictions be included in a preliminary report) and to return to the Board within 30 days with the results.

INDICATE APPROPRIATE BODY

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

ITEM

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

RECOMMENDED ACTION: RECEIVE a presentation on the research conducted by the Rent Program Staff on the proposed Real Estate Disclosure policy/ordinance as directed by the Rent Board and RECOMMEND next steps – Rent Board (Nicolas Traylor 620-6564).

AGENDA ITEM NO:

H-2.

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AGENDA REPORT

DATE: February 18, 2026

TO: Chair Tipton and Members of the Rent Board

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

SUBJECT: Proposed Real Estate Disclosure Ordinance Research Results

STATEMENT OF THE ISSUE:

At the January 21, 2026, Regular Rent Board Meeting, a proposed Real Estate Disclosure policy/ordinance was presented to the Rent Board on Item G-1 (Attachment 1). Discussions and questions from the Rent Board had ensued after various public speakers provided feedback and comments on the Item. The Rent Program Staff were directed to work with local title companies to explore opportunities for collaboration to assure disclosures go out (outstanding Residential Rental Housing Fees and restrictions be included in a preliminary report) and to return to the Board within 30 days with the results.

RECOMMENDED ACTION:

RECEIVE a presentation on the research conducted by the Rent Program Staff on the proposed Real Estate Disclosure policy/ordinance as directed by the Rent Board and **RECOMMEND** next steps.

FISCAL IMPACT:

There is no fiscal impact related to this item at this time.

DISCUSSION:

Background

The Rent Board and staff are exploring the best options to assure Residential Rental Housing Fees (fees) and restrictions are disclosed to the buyer at or before the time of sale, prior to closing.

Currently, residential rental properties in Richmond do not require sellers to disclose outstanding fees or restrictions that apply to the property. As a result, the Rent Program must pursue collection of the outstanding fees from the new property owner (successor

in interest). This process is administratively burdensome to collect a relatively small amount of revenue. New owners are also understandably frustrated when they learn after the property is purchased, that they have unanticipated fees owed or regulatory restrictions.

A Real Estate Disclosure Ordinance can address these issues by requiring the fees and restrictions be provided to the buyer at the time of sale. Such disclosures would improve transparency, reduce administrative burdens, and reduce unexpected financial obligations for new property owners.

During the Regular Rent Board Meeting on January 21, 2026, a proposed Real Estate Disclosure policy/ordinance was presented to the Rent Board. Afterwards, various public speakers provided feedback and comments on the Item. The Rent Board had inquired about other possible solutions involving title companies. The Rent Program Staff were directed to work with local title companies to explore opportunities for collaboration to ensure outstanding fees and restrictions are included in a preliminary report.

Results of Staff Research

On February 4, 2026, Rent Program staff met with Caroline Hanson, Escrow Operations Manager with Old Republic Title, who has been in the industry for 33 years. Renee Bartels, a realtor with Coldwell Banker, also attended the meeting and was a public speaker at the January 2026, Regular Rent Board Meeting.

Staff have provided Caroline with a brief update of the proposed Real Estate Disclosure Ordinance and the Rent Board direction to work with local title companies to explore opportunities for collaboration to ensure disclosures are included prior to a sale.

Caroline stated “Point of Sale Ordinances” are not the responsibility of a title company. Legally, that responsibility is a contractual requirement between a buyer, seller, and realtor. When escrow is opened for a sale, it is standard process that the title company orders a preliminary report to determine the recorded items that affect the property in subject. Title companies are not mandated to include fees and restrictions in the escrow transaction. Also, point of sale ordinances are not recorded matters; so, the fees and restrictions are not automatically included in escrow. It is up to buyers/sellers and agents to determine if something needs to be paid through escrow to get the property in compliance for title transfer. Regarding the preliminary report, it only discloses matters of record against the property in which title companies are searching and insuring. That segways to the next possible option that both Caroline and Renee mentioned, recording with the County. Caroline recommended the Board consider including outstanding fees in Property Tax assessment at the sale of the property. A lien on the property would ensure recording of fees and restrictions in the public records and title companies will see the outstanding fees in sufficient time to enforce during escrow.

Renee believes the most effective way to capture fees that are outstanding is to file a notice that is recorded by the Rent Program. This is done in a preliminary review of the property. A notice in the public records with the County to inform the buyer that a property that is for sale may be subject to the Rent Ordinance. The reason for this method is that most title companies do use systems to pull public record information from a parcel number to see if any notices have been filed with the County. Charles Oshinuga, General Counsel stated there needs to be a law to record a notice with the county and is currently unaware of any laws to authorize the Board to record the notice. Other considerations for recording a notice:

- Specific unit or staff would need to be assigned to administer these notices of record, based on the City's instructions.
- Details are necessary for each Title Company to contact for administration of these fees for the Buyer/Seller.
- Providing demands within a time period (48 hours - 2 business days). It may be flexible for more days (approximately 5 business days). This would have to be a quick turnaround before the sale of the property.
- Recording a notice is done through the County Recorder's Office. Staff will need to check with the County for the cost of fees to record.
- All of the outstanding fees will need to be updated for recording.
- Demand must be provided, which includes what and how much is to be paid.

Renee and Caroline concluded that agents may not know about any Ordinance, might be dealing with a similar situation where buyer and seller are negotiating after a sale. Sellers may not always disclose what they need to get to the root of the problem. Requirements are not always met, and it depends on how the Ordinance is written.

Staff Recommendation

Due to the amount of various title companies and the requirements with a "Point of Sale Ordinances", collaboration with each one to ensure outstanding fees and restrictions are included in a preliminary report is not viable. Also, any party in the sales transaction can select a title company. The party paying for the title insurance policy selects the title company and the Board having early involvement in the escrow or sales process is difficult to identify a title company administering the escrow and sale process.

All residential property sales will work with a title company and the County; not all will involve a realtor. Recording with the County is the only way to have a disclosure (intervene) ahead of time of the sales transaction to be completed.

As the Vice-Chair Cantor mentioned at the January Board meeting, seeking to have title disclosed, does not need to be mutually exclusive, can do both (proposed) Ordinance and seek options. Staff agree with the Vice-Chair to work on both proposed Ordinance and other options. If the language for the Proposed Real Estate Disclosure Ordinance is crafted properly in conjunction with the proposed Lien Ordinance and policy that was

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brought to the Board on October 15, 2025, it will ensure the highest level of disclosure of outstanding fees and restrictions.

Staff have contacted the County and Finance Department requesting additional information on the recording and lien processes. Staff is still awaiting for their response.

DOCUMENTS ATTACHED:

Attachment 1 – Item G-1 Proposed Real Estate Disclosure policy/ordinance – January 21, 2026, Rent Board Meeting

Attachment 2 – Item G-1 Proposed Lien ordinance and policy – October 15, 2025, Rent Board Meeting

ITEM H-2

**February 18, 2026
RENT BOARD MEETING**

ATTACHMENT 1

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AGENDA REPORT

DATE: January 21, 2026

TO: Chair Tipton and Members of the Rent Board

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

SUBJECT: Proposed Real Estate Disclosure Ordinance

STATEMENT OF THE ISSUE:

Richmond's Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (the "Rent Ordinance") regulates rents and evictions in the City of Richmond. Its purpose is to promote community and housing stability, ensure healthy and affordable housing for renters, and provide landlords with a fair return on their investment. To implement and enforce the Rent Ordinance, the Richmond Rent Program is funded by the Residential Rental Housing Fee paid by Richmond landlords. Under the Rent Ordinance, a "landlord" is broadly defined to include any owner, lessor, sublessor, or other person entitled to receive rent for a rental unit, as well as their agents, representatives, or successors.

Currently, when residential rental properties in Richmond are sold, sellers are not required to disclose to buyers any outstanding Residential Rental Housing Fees owed to the Rent Program or restrictions that apply to the property. As a result, the Rent Program must pursue collection of the outstanding fees from the new property owner (successor in interest). This process creates a significant administrative burden, often requiring a significant number of staff hours to collect a relatively small amount of revenue. New owners are also understandably frustrated when they learn after the property is purchased, that they have unanticipated fees owed or regulatory restrictions.

A Real Estate Disclosure Ordinance can address these issues by requiring critical information to be provided to the buyer at the time of sale. This would include any fees owed to the Rent Program and restrictions on the property. Such disclosures would improve transparency, reduce administrative burdens, and prevent unexpected financial obligations for new property owners.

RECOMMENDED ACTION:

RECEIVE a presentation on a proposed Real Estate Disclosure policy/ordinance and **DIRECT** staff to draft a proposed ordinance for the Board's consideration and potential approval and recommendation to the City Council for possible adoption.

FISCAL IMPACT:

There is no fiscal impact related to this item at this time.

DISCUSSION:

Background

Each year approximately 400 residential rental properties change hands in Richmond. Within those transactions the seller owes Rent Program and/or City fees and sells the property without disclosing any debts to the buyer. After the property is sold, the new owner may receive an invoice from the Rent Program and/or City of Richmond. They may also be informed that the property is subject to the Rent Ordinance (or other City requirement) either in full or in part with restrictions. For example, a new owner might discover that the previous owner had performed an Owner Move-In eviction or had withdrawn the property from the rental market pursuant the Ellis Act, or that a Hearing Examiner had awarded restitution to the tenant that had not been paid by the seller. As a result, the new owner might owe hundreds or thousands of dollars to the Rent Program and/or City. The Rent Program and/or City are burdened by having to collect the outstanding fees which the new owner may challenge by claiming the fees should not apply to them.

Previous Staff and Board Action to Address the Issue

On December 18, 2019, former Rent Board Chair Lauren Maddock and former Board member Virginia Finlay, together with Executive Director Nicolas Traylor and former Deputy Director Paige Roosa, sent a letter (Attachment 1) to the Contra Costa County Association of Realtors (CCAR). The letter sought amendments to CCAR's standard *Disclosures and Disclaimers Advisory* and additions to the *Purchase Agreement Addendum* to ensure that buyers and sellers of residential real estate in Richmond were adequately informed about the City's Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance.

As the primary realtor association in Contra Costa County, CCAR provides standardized disclosure and disclaimer materials to buyers and sellers. These forms and documents address general topics related to real estate transactions and offer consistent guidance. They do not include property-specific disclosures.

The Rent Board's requested amendments included the following:

1. Disclosures and Disclaimers Advisory (Item 48):

Amend the language to clarify the existence and applicability of the City of Richmond's Rent and Eviction Control Ordinance, note the dismissal of prior litigation in May 2017, and explain that determining the applicability of rent control, eviction regulations, rent limits, or mandatory inspections is beyond the expertise of real estate professionals. The amendment would also direct buyers

and sellers to contact the Richmond Rent Program for additional information, including its address, phone number, and email.

2. Purchase Agreement Addendum – Sources of Information:

Add the Richmond Rent Program’s contact information, including its website, address, phone number, and email.

3. Verification of Compliance:

Verify compliance with the Rent Ordinance in the Purchase Agreement.

In response to the letter dated April 6, 2020 (Attachment 2), CCAR had originally agreed to make changes to the form and declined to verify compliance with the Rent Ordinance in the Purchase Agreement. The issue was tabled by staff and the Rent Board as the COVID-19 pandemic emerged in early 2020 and more urgent pandemic-related matters took priority. The issue remained unresolved and in June 2025, the Rent Board and the City of Richmond entered into a Cooperation Agreement (Attachment 3). As part of the agreement, among other ordinances and provisions, the Rent Program is to develop, administer, and enforce a real estate disclosure ordinance.

Before advancing a proposed disclosure policy, staff again contacted CCAR to ask whether the organization would implement the 3 requested amendments above in its standard disclosure materials. CCAR agreed to only update the “Source of Information” to include the physical address and email of the Rent Program (Attachment 4). The Rent Program staff were also subsequently advised that CCAR’s disclosure forms are not universally used in real estate transactions within the City and are available only to CCAR members.

To ensure that all residential real estate sales transactions in Richmond include consistent and comprehensive disclosures, staff therefore recommend adoption of a formal real estate disclosure policy for consideration and possible approval by the Rent Board and City Council.

PROPOSED Solution: A Real Estate Disclosure Ordinance

The proposed solution to the above-mentioned issue is a real estate disclosure ordinance that would require sellers to disclose the following:

- whether the property is under rent control, just cause, or both
- whether fees associated with the property are owed to the Rent Program and or City of Richmond
- whether the property has any rent/eviction restrictions attached to the property, or
- whether any restitution resulting from a Rent Program Hearing Examiner decision is owed to the tenants of the property

Enforcement Mechanism

Failure to disclose the rent control status of the property, fees, rent/eviction restrictions, or restitution owed to tenants would result in civil remedies, including:

- A private right of action for the new owner against the old owner for compensatory damages
- Statutory damages in the amount of \$1,000 per item that was not disclosed
- Unilateral attorney fees

The Rent Board/Rent Program will be required to do the following:

- Create and maintain a checkbox form containing all the disclosable items. This form will be completed by Rent Program staff, to be produced within 48hrs upon request.
 - The form will not contain any personal identifying information, allowing for a quick turnaround upon request.
 - The form will only contain the seller's name, property address to be sold, business email address and/or business phone number if applicable.
 - If a seller's failure to disclose is caused by their reliance on the Rent Program's form, such error will not be actionable in court. Meaning a buyer cannot sue a landlord based on an error on the form.
 - Work with the City to update ownership information.

Benefits of the Proposed Real Estate Disclosure Ordinance

The proposed ordinance would protect future landlords and/or property owners by ensuring disclosure of fees and restrictions on the property. The ordinance would also assist the City with more accurate tracking of the rental housing stock and increase revenue collected by the Rent Program and City of Richmond. The Rent Program will work with the City to assess the viability of the proposed ordinance and necessary resources to administer.

To encourage real estate agents and realtors to comply with the new requirements, only the seller would be liable for lack of disclosure initially. However, staff recommend that after a year, if the problem continues to persist, the Rent Board and City Council may amend the adopted ordinance to include real estate professionals.

DOCUMENTS ATTACHED:

Attachment 1 – Letter to Contra Costa Association of Realtors December 18, 2019

Attachment 2 – Letter from Contra Costa Association of Realtors April 6, 2020

Attachment 3 – Cooperation Agreement – City of Richmond and Rent Board

Attachment 4 – Letter from Contra Costa Association of Realtors November 10, 2025



SENT VIA EMAIL

December 18, 2019

Heather Schiffman
Director of Governmental Affairs
Contra Costa Association of Realtors
1870 Olympic Boulevard, Suite 200
Walnut Creek, CA 94596
heather@ccartoday.com

Dear Ms. Schiffman:

On November 30, 2016, City of Richmond voters approved Ballot Measure L, establishing the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (hereafter "Rent Ordinance" in the City of Richmond. Codified in Section 11.100 of the Richmond Municipal Code, the Rent Ordinance places limitations on the amount of rent that may be charged for rent-controlled units, requires that Landlords have one of eight "just causes" to terminate a tenancy, and establishes a five member Richmond Rent Board to govern the Richmond Rent Program agency.

Given the significant scope and impact of the Rent Ordinance on residential real estate in the City of Richmond, the Rent Board finds it prudent that the Disclosures and Disclaimers Advisory as well as the Purchase Agreement Addendum be amended to include specific information about the Rent Ordinance. The incorporation of relevant information in these documents will help to ensure that realtors, prospective buyers, and sellers are adequately informed of their rights and obligations as it pertains to the new law.

The specific amendments requested by the Rent Board are as follows:

1. Item 48 of the Disclosures and Disclaimers Advisory be amended to include the following (amendments are in bold):

The City of Richmond enacted an Ordinance covering Rent and Eviction Control that was the subject of litigation **but the lawsuit was later dismissed without prejudice in May 2017**. Other cities have or may create comparable requirements and/or require the existence of applicable laws regulating their ability to rent property and satisfy themselves as to whether that type of ordinance will impact their intended use of the Property. Determining the existence of and/or the applicability of any laws regulating the ability of a Property Owner to rent some or all of the property, the amount of rent, the eviction of tenants, and/or mandatory city rental health and safety inspections, is beyond the expertise of the real estate professionals. **For more information about the City of Richmond Rent Ordinance, sellers and buyers should contact the Richmond**

**ITEM G-1
ATTACHMENT 1**

Rent Program, located at 440 Civic Center Plaza, Suite 200, Richmond, CA 94804 | (510) 234-RENT [7368] | rent@ci.richmond.ca.us.

2. The "Sources of Information" section on page 5 of the Purchase Agreement Addendum be amended to include following:

Richmond Rent Program: www.richmondrent.org, 440 Civic Center Plaza, Suite 200, Richmond, CA 94804, Tel: (510) 234-RENT [7368], Email: rent@ci.richmond.ca.us

3. The following attachment be incorporated into the Purchase Agreement Addendum to verify compliance with the Rent Ordinance.

The Rent Board is committed to educating community members about the Rent Ordinance and values its partnership with the Contra Costa County Association of Realtors. To that end, the Board appreciates your consideration of the amendments requested above.

Please feel free to contact me should you have any questions or require additional information.

Sincerely,



Lauren Maddock
City of Richmond Rent Board Chair
lmaddock@richmondrent.org

Cc: Nicolas Traylor, Executive Director, City of Richmond Rent Program

Enclosures:

Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance
Compliance form



SENT VIA EMAIL

April 6, 2020

Lauren Maddock
City of Richmond Rent Board, Chair
Richmond City Hall
440 Civic Center Plaza
Richmond, CA 94804
lmaddock@richmondrent.org

Dear Chair Maddock:

On April 20, 2020, the Contra Costa Association of REALTORS® Forms Committee held their scheduled quarterly meeting and reviewed your correspondence dated, December 18, 2019.

Based on the amendments requested, the Forms Committee, with approval of the Board of Directors, made the following changes to the forms we create for our Membership:

1. Item 51 (previously Item 48 of the Disclaimer & Disclosure Advisory) has been amended to include the following information:

LOCAL RENTAL ISSUES: The City of Richmond enacted an Ordinance covering Rent and Eviction Control. Other cities have or may create comparable requirements and/or require the issuance of permits or mandate inspections prior to renting out any type of property and/or any portion of the Property. Buyers should investigate the existence of applicable local ordinances **as well as applicable past or current fees or city liens and other regulations that impact on their ability to rent property.** Buyers should satisfy themselves as to whether a local ordinance will impact their intended use of the Property. Determining the existence of and/or the applicability of any laws regulating the ability of a Property Owner to rent some or all of the property, the amount of rent, the eviction of tenants, and/or mandatory city rental health and safety inspections, is beyond the expertise of the real estate professionals. Buyers should consult with a local Landlord-Tenant attorney.

2. The "Sources of Information" section on page 5 of the Richmond Purchase Addendum now includes the contact information for the Richmond Rent Program in the following manner:

Richmond Rent Program: www.richmondrent.org Tel: 510/234-RENT(7368)

**ITEM G-1
ATTACHMENT 2**

I want to thank the Rent Board for the thoughtful feedback provided so that the real estate industry could improve the information we provide to consumers.

Regards,

A handwritten signature in blue ink, appearing to read 'H Schiffman', with a long horizontal flourish extending to the right.

Heather Schiffman
Government Affairs Director
Contra Costa Association of REALTORS
heather@ccartoday.com

Cc: Nicolas Traylor, Executive Director, City of Richmond Rent Program
Paige Roosa, Deputy Director, City of Richmond Rent Program

**COOPERATIVE AGREEMENT BETWEEN THE CITY OF
RICHMOND RENT BOARD AND THE CITY OF
RICHMOND**

This Cooperative Agreement (“Agreement”) is entered into on this June 17, 2025 (“Effective Date”) between the City of Richmond Rent Board (the “Board”) and the City of Richmond, a municipal corporation (the “City”).

I. RECITALS

WHEREAS, on November 8, 2016, Richmond Residents passed ballot initiative Measure L, which established the “Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance” (hereinafter, the “Rent Ordinance”); and

WHEREAS, Measure L, among other things, created the Rent Board, an independent agency, and vested within the Board broad powers to administer and execute the provisions of the Rent Ordinance; and

WHEREAS, pursuant to Richmond Municipal Code Section 11.100.060(m), to ensure the integrity and autonomy of the Board, Measure L mandates that the Board “be an integral part of the government of the City”, and establishes that the Board “shall exercise its powers and duties under [Chapter 11.100] independent from the City Council, City Manager, and City Attorney, except by request of the Board”; and

WHEREAS, in furtherance of its independence, Measure L vests the Board with the sole power to oversee and adopt its own budget, while establishing that “the City Council and the City Manager shall have no authority to oversee, supervise, or approve this budget”; and

WHEREAS, to finance the Board’s budget, which must be comprised of only reasonable and necessary expenses, Measure L provides that the Board shall charge Landlords annual registration fees in an amount deemed reasonable by the Board; and

WHEREAS, at the Board’s inception and prior to the appointment of Board Members, Measure L required that the City perform duties of the Board and to provide infrastructural support to the Board as it would to any other City Department; and

WHEREAS, on November 8, 2016, the City began providing the following services to the Board: consultants, employees and staff, start-up costs and fees, overhead, IT services, administrative services, and legal assistance; and

WHEREAS, on or about November 8, 2016, the City, through its General Fund, advanced funds to the Board to fund the Board's operations; and

WHEREAS, the City charges all of the City departments incidental costs associated with infrastructural, administrative, and risk support (hereinafter, "cost pool charges"); and

WHEREAS, it is the City's position that they are entitled to recoup the cost of City staff time and expenses incurred in providing infrastructural and other support to the Board; and

WHEREAS, it is the Board's position that cost pool charges discourage collaboration and communication with the City, disproportionately impacts special revenue funds as opposed to General Funded Departments, and further burdens Landlords since they are the sole payee that absorb cost pool charges; and

WHEREAS, the Board can administer those City adopted ordinances that fall within its regulatory scope, are necessary to administer the Rent Ordinance as described in Municipal Code Section 11.100.060(e)(15), and do not otherwise violate the provisions of Government Code Section 50076; and

WHEREAS, to resolve the dispute of cost pool charges and encourage greater communication and collaboration between the City and Board, the Board's Executive Director and City Manager held several meetings to explore creative solutions involving the Board administering various City Ordinances and the City waiving cost pool charges in lieu of the administration of those various City Ordinances; and

WHEREAS, as a result of good faith discussions between the Board's Executive Director and City Manager, the Board and the City now desire to enter into an agreement to resolve the issue of Rent Board cost pool charges.

II. AGREEMENTS

1. RECITALS.

The parties hereby acknowledge and affirms the Recitals in this Agreement.

2. ADMINISTRATION OF CITY ORDINANCES.

The City requests that the Board continue to administer its Relocation Ordinance and begin drafting and/or administering the ordinances as described in Section (3)(A) of this Agreement. Additionally, the City requests that the Board aid in the drafting of regulations that are necessary to administer the ordinances as described in Section (3)(A) of this Agreement. The Board agrees to the City requests in accordance with this

Cooperative Agreement. The Board and City acknowledge that the Board Executive Director and City Manager, or their designees, shall periodically meet no less than once every six months during the term of this Agreement to discuss implementation of the Agreement and identify other City ordinances that the Board may administer in accordance with the terms of this Agreement.

3. SCOPE OF DRAFTING AND ADMINISTERING ORDINANCES.

A. Determination. The City and Board agree that the following ordinances, as may be amended, and any accompanying regulations are within the Board’s regulatory scope and that the administration of these ordinances are necessary to administer and enforce the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance (hereinafter, “Rent Ordinance”):

1. Relocation Ordinance
2. Tenant Buyout Ordinance
3. Real Estate Disclosure Ordinance
4. If adopted by the City Council, a Rent Board-specific Lien Ordinance
5. Parts of Richmond Rental Inspection Program Ordinance, as agreed upon by counsel to the Board and City.

B. Drafting. The Board shall provide drafts of any proposed ordinances in subsection (3)(A) and any accompanying regulations for the City’s and City Attorney’s Office’s review and input.

C. Regulations. Notwithstanding Section (3)(B), regulations of any ordinance listed in Section(3)(A) that are relevant to the Board’s administration of the ordinances, shall be presented only to the Board. The Board shall have the final say in whether a relevant regulation is adopted by the Board.

D. Administration. The Board shall administer, in part or in whole, the ordinances listed in Section (3)(A) of this Agreement, beginning one hundred and eighty (180) days following approval of this Agreement by the City and Board. Administration requires that the Board act in a manner that is consistent with the provisions of the administered ordinance. Additionally, the administration requires that the Board develop and implement an outreach strategy to educate landlords and tenants of their rights under the ordinances listed in Section (3)(A) of this Agreement. Moreover, as part of this administration requirement, the Board, where applicable, shall offer counseling services, via phone or in-person, to landlords and tenants to address questions that landlords and tenants may have concerning the ordinances listed in Section(3)(A) of this Agreement. The Board shall not be responsible for the administration of any regulation that it did not adopt itself.

4. **REPORTS.**

Consistent with the edicts of Richmond Municipal Code Section 11.100.060(e)(6), the Board shall annually report to the City on the status of rental housing that is covered by the Rent Ordinance. In addition to the requirements set forth in Richmond Municipal Code Section 11.100.060(e)(6), the Board's annual report shall include the following metrics related to any city ordinance that the Board administers, if applicable:

- A. Number of residents served.
- B. Type of residents served (i.e Landlord or tenants)
- C. Medium of service (i.e phone call, email, in person)
- D. Time spent on service.
- E. Anecdotes from those served.
- F. Viewer access to the rental unit database to the City as it relates to the Rent Program.

5. **CREDIT OF COST POOL CHARGES.**

Prior to the Board drafting and/or administering City's regulations and/or ordinances, the City shall credit any prior unpaid cost pool charges levied against the Board. Additionally, the City shall deem satisfied any prospective cost pool charges that would otherwise be charged to the Board during the duration of this agreement.

For the purposes of this section, credit of cost pool charges, whether unpaid or prospective, shall mean a credit offset of indirect cost related to the following: General Liability, Workers Compensation, and Administrative charges (i.e. Finance, Information Technology, Human Resources, City Clerk, etc. **This is a non-exhaustive list.**)

6. **LIENS AND COLLECTIONS.**

Where a property owner is delinquent in payment of their fees, the City shall assist the Board in preparing and placing a lien on the delinquent property to cause the delinquent amount to be owed on the property owner's tax roll, in a manner consistent with the City's Lien Ordinance. Any debt collected under this section shall be credited to both the Board and the City. The Board shall be entitled to 90% of the lien debt collected for that calendar year, and the City shall be entitled to 10% of the lien debt collected for that same calendar year.

7. **TERM.**

The term of this Agreement shall be three years, beginning on the Effective Date and ending on June 20, 2028. The parties shall have the option to mutually agree to extend this Agreement for an additional two years upon Board and Council approval.

Either party may terminate this Agreement earlier by 1) having their respective legislative bodies approve, by vote, the termination of this Agreement in public, consistent with the edicts of Brown Act, and 2) if the vote to terminate is approved, then delivering a written notice of election to terminate at least ninety (90) days in advance of the termination date to the other party.

Upon termination of this Agreement, unless otherwise agreed upon by both parties, the legal responsibility of administering any City-passed ordinance shall revert back to the City. Additionally, the legal responsibility of administering accompanying regulations of any City passed ordinance shall revert to the City. The City shall be responsible for amending its ordinances and/or regulations, if necessary, to clarify its responsibility for administering its ordinances.

Upon termination of this Agreement, the City may continue to charge the Board cost pool charges. However, the Board reserves the right to challenge the propriety of the cost pool charges, including but not limited to challenging the employed methodology, whether cost pool charges relate to actual services rendered on behalf of the Board, and any other basis the Board deems relevant.

8. NOTICE.

Any notice required under this Agreement shall be in writing and shall be given by personal delivery or deposit in the United States mail. Service by email or any other means is not acceptable. If service is given by United States mail, then the mail shall be addressed as follows:

If to the City of Richmond :

Attn: City Manager
City of Richmond
450 Civic Center Plaza
Richmond, CA 94804

If to the City of Richmond Rent Board:

Attn: Executive Director
City of Richmond
440 Civic Center Plaza, Suite 200
Richmond, CA 94804

9. AGREEMENT NOT A LIMITATION.

Nothing in this Agreement is intended to limit or otherwise infringe on the Board's autonomy and/or independence from the City as described in Richmond Municipal Code 11:100 et seq.

10. ACTIVITIES ARE DISCRETIONARY.

The activities contemplated in Section 3, "Scope of Drafting and Administering Ordinances," that are to be taken by the City and Board are discretionary in that they involve the exercise of judgment and discretion, rather than merely ministerial. Nothing in Section 3, "Scope of Drafting and Administering Ordinances," is to be construed as to constrain the Board's or City's ability to engage in debate in a public setting and meaningfully determine the propriety of any proposed ordinance and/or regulation.

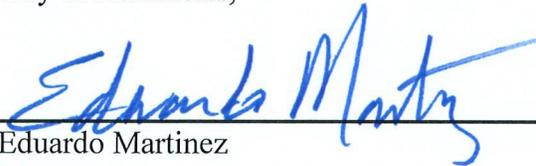
11. AMENDMENTS.

This Agreement may be amended upon approval by City Council and the Board, in writing, signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Cooperative Agreement as of the day and year first above written by their duly authorized officers.

CITY
City of Richmond,

BOARD
Rent Board of the City of Richmond



Eduardo Martinez
Mayor



Whitney Tipton
Board Chair

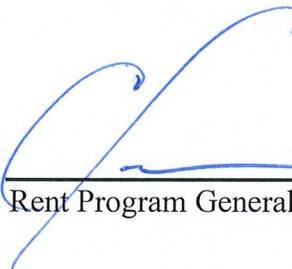
Date: 6/25/25

Date: 6/25/25

Approved as to form:



For City Attorney



Rent Program General Counsel



SENT VIA EMAIL

November 10, 2025

Nicolas Traylor
Executive Director, Richmond Rent Program
Richmond City Hall
440 Civic Center Plaza
Richmond, CA 94804
nicolas_traylor@ci.richmond.ca.us

Dear Mr. Traylor:

On November 6, 2025, the Contra Costa Association of REALTORS® Forms Committee reviewed your email regarding a communication and request that was received in December 2019 and initially responded to on April 6, 2020. At that time, the Forms Committee reviewed the request presented on behalf of the Richmond Rent Board and responded with the following changes.

Based on the amendments requested, the Forms Committee, with approval of the CCAR Board of Directors, updated the forms we create for our Membership:

Item 51 (previously Item 48 of the 2019 Disclaimer & Disclosure Advisory) was amended to include the following information, based on the initial request:

LOCAL RENTAL ISSUES: The City of Richmond enacted an Ordinance covering Rent and Eviction Control. Other cities have or may create comparable requirements and/or require the issuance of permits or mandate inspections prior to renting out any type of property and/or any portion of the Property. Buyers should investigate the existence of applicable local ordinances **as well as applicable past or current fees or city liens and other regulations that impact on their ability to rent property.** Buyers should satisfy themselves as to whether a local ordinance will impact their intended use of the Property. Determining the existence of and/or the applicability of any laws regulating the ability of a Property Owner to rent some or all of the property, the amount of rent, the eviction of tenants, and/or mandatory city rental health and safety inspections, is beyond the expertise of the real estate professionals. Buyers should consult with a local Landlord-Tenant attorney.

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In 2020, the “Sources of Information” section on page 5 of the Richmond Purchase Addendum was updated to include the contact information for the Richmond Rent Program in the following manner:

Richmond Rent Program: www.richmondrent.org Tel: 510/234-RENT(7368)

The 2025 Forms Committee has agreed to update the “Sources of Information” to include the physical address and email as provided.

In lieu of your third request, the committee has agreed to add a link in the Addendum for the Richmond Rent Program Property Status form and will include a line that states parties involved in a transaction related to current or future rental properties in the City of Richmond will be responsible to investigate and contact the City and Richmond Rent Board. Additionally, we will update the association website to provide a link to the Richmond Rent Board website.

It is important to note, that the Contra Costa Association of REALTORS® provides these forms to REALTOR® members only. However, each brokerage dictates which forms their agents use in a transaction—these may come from the brokerage itself, a local association, or the California Association of REALTORS®.

I want to thank the Rent Board and staff for the thoughtful feedback provided so that the real estate industry could improve the information we provide to consumers.

Regards,



Heather Schiffman
Chief Advocacy Officer
Contra Costa Association of REALTORS®
heather@ccartoday.com

Cc: Shasa Curl, Richmond City Manager
Lina Velasco, Richmond Director of Community Development
Emily Combs, Richmond Finance Director

ITEM H-2

**February 18, 2026
RENT BOARD MEETING**

ATTACHMENT 2

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AGENDA REPORT

DATE: October 15, 2025
TO: Chair Tipton and Members of the Richmond Rent Board
FROM: Nicolas Traylor, Executive Director
Fred Tran, Deputy Director

STATEMENT OF THE ISSUE

In accordance with the Rent Ordinance, the Richmond Rent Program’s budget is funded by the Residential Rental Housing Fee paid by Richmond Landlords. The Residential Rental Housing Fee is designed to allow the Rent Program to recover program costs of all budgeted operations. Adopting a lien policy as an additional tool would strengthen collection efforts by establishing a legal claim on the property with unpaid fees. Staff recommend the Richmond Rent Board consider adopting similar Rent Program procedures that align with the City of Richmond’s current policy administered through the Finance Department. In accordance with the Cooperation Agreement reached in 2025 between the Rent Board and City of Richmond, an adoption of a Rent Board-specific Lien Ordinance would increase the Rent Program’s financial stability and mandate to remain independent from, yet integral to the City of Richmond.

RECOMMENDED ACTION

1. **DIRECT** staff to collaborate with the City Attorney’s Office and City of Richmond Staff to draft ordinance language consistent with existing City lien policy and procedures.
2. **DIRECT** staff to return to the Rent Board with a draft proposed ordinance for possible approval and recommendation to the City Council.

FISCAL IMPACT: There is no fiscal impact currently.

DISCUSSION

Goals of a Rent Board-Specific Lien Ordinance

The central goal of a Rent Board-specific Lien Ordinance is to introduce an additional enforcement tool that will be more impactful with collections. A Rent Board-specific lien policy would:

1. **Streamline Enforcement**

Rent Program will embed lien authority within the City's existing lien process, reducing administrative lag and dependency on broader City processes.

2. **Boost Compliance**

Liens deliver a strong incentive for property owners to pay fees and a mechanism for collection if outstanding fees exist. The outstanding fees would attach to property taxes.

3. **Protect Revenue Stream**

Ensures more timely collection of fees needed to fund Rent Board operations, providing more fiscal stability annually.

4. **Leverage Cooperative Agreement Benefits**

Enables implementation of the division of recovered lien revenue (90% Board, 10% City) already negotiated in Cooperation Agreement with the City of Richmond.

5. **Clarify Roles and Authority**

Defines the Rent Board's direct powers and responsibilities around enforcement, giving the Rent Board authority to assess liens on properties, issue decisions/determinations and adjudicate claims therein through an appeals process.

6. **Provide for Due Process**

An appeals process provides for fair treatment of parties and ability to object to unwarranted or incorrect charges.

Recommended Features of a Rent Board Lien Policy

To be legally sound, equitable, and administratively feasible, the lien policy should include the following elements:

1. **Rent Board Statutory Authority & Council Coordination**

- Upon adopting its preferred Lien Ordinance, the Rent Board would recommend the City Council to consider adoption of the necessary

ordinance amendments to include liens for validated and unpaid Residential Rental Housing Fees.

2. Penalties, Interest, and Administrative costs

- Continue to permit assessment of a reasonable late penalty. The lien amount should expressly include outstanding Residential Rental Housing Fees, and statutory late penalties.

3. Notice & Cure Procedures (providing due process)

- Send initial delinquency notice (30-45 days after final 90-day penalty due date) including statement of amounts owed, penalty schedule, and how to pay.
- Send a final notice at least **30 days** before lien recordation that explains impending lien, and rights to administrative appeal/hearing.
- Provide an **administrative appeal** process, leading to a hearing that temporarily stays lien recording while appeal is pending if an appeal is filed timely.

4. Coordination with County Recorder & Lien Release Procedures

- Specify the process for preparing and recording a lien (legal description, parcel ID, amount owed), including staff authority to record after notices and appeal windows expire.
- Provide for prompt lien release upon full payment and for a partial release if partial payment resolves secured portion.

5. Cost Recovery & Collection Prioritization

- Ensure policies allow recovery of Rent Program and City of Richmond staff time and recording costs as part of the lien amount to avoid subsidizing collection costs for compliant payers.

6. Reporting & Oversight

- Require staff to provide periodic reports to the Rent Board summarizing liens recorded, amounts recovered, pending appeals, and estimated uncollected unpaid fee balances.

7. Confidentiality & Tenant protections

- Liens attach to the property/owner's interest, not to tenants. Ensure communications do not imply tenant liability and do not interfere with tenant protections under local/state law.

How the Current City of Richmond's Lien Ordinance Works

To examine how the Rent Program would administer a Rent Program specific lien ordinance (amending Richmond Municipal Code), it's important to understand the framework the City of Richmond currently uses for placing and collecting liens on properties in Richmond.

- 1) **Assessment & Debt Creation:** Under RMC RMC §§7.04.410–7.04.680, after internal collection efforts are exhausted, the City may assess a debt to delinquent business owner in the form of a lien against the property/business.
- 2) **Notice of Hearing on Lien:** Pursuant and consistent with “due process of law” and RMC §7.04.415 the City of Richmond Municipal Code requires providing the debtor with notice of their right to appeal a lien and seek an administrative hearing on the matter.
- 3) **Public Hearing and Council Approval:** The City Manager prepares list of lien candidates and sets a hearing date and place for the City Council to adjudicate those liens. Under RMC §7.04.415, a notice is mailed out to the debtor/property owner at least 10 days prior to a hearing (with Proof of Service at mailing). At the scheduled public hearing, the City Council considers the staff report/Agenda Report and any objections associated with the appeal.
- 4) **Collection Through County Tax Assessment:** If the City Council confirms/approves the proposed liens, the unpaid charges become a special assessment. When a lien becomes a special assessment, the debt must be paid through the owner's property tax bill. To collect the lien through a County tax assessment, RMC §7.04.420 requires that the City Manager transmit unpaid amounts (may include tax, penalties, 1% per month interest, administrative charges, lien release fee) to County Assessor.
- 5) **Recording of Lien:** After the County receives the approved lien list, RMC §7.04.425 requires the lien to be recorded with the Contra Costa County Recorder. Until the debt is fully collected a special assessment on the property tax bill remains as a lien.
- 6) **Audit, Determination and Deficiency Notices:** To ensure compliance and accurate reporting/lien decisions, RMC §§7.04.430–7.04.450 authorizes the City to examine books, records, returns or declarations to verify that the declared amount(s) are true and to limit underpayments or miscalculations of fees or taxes due.

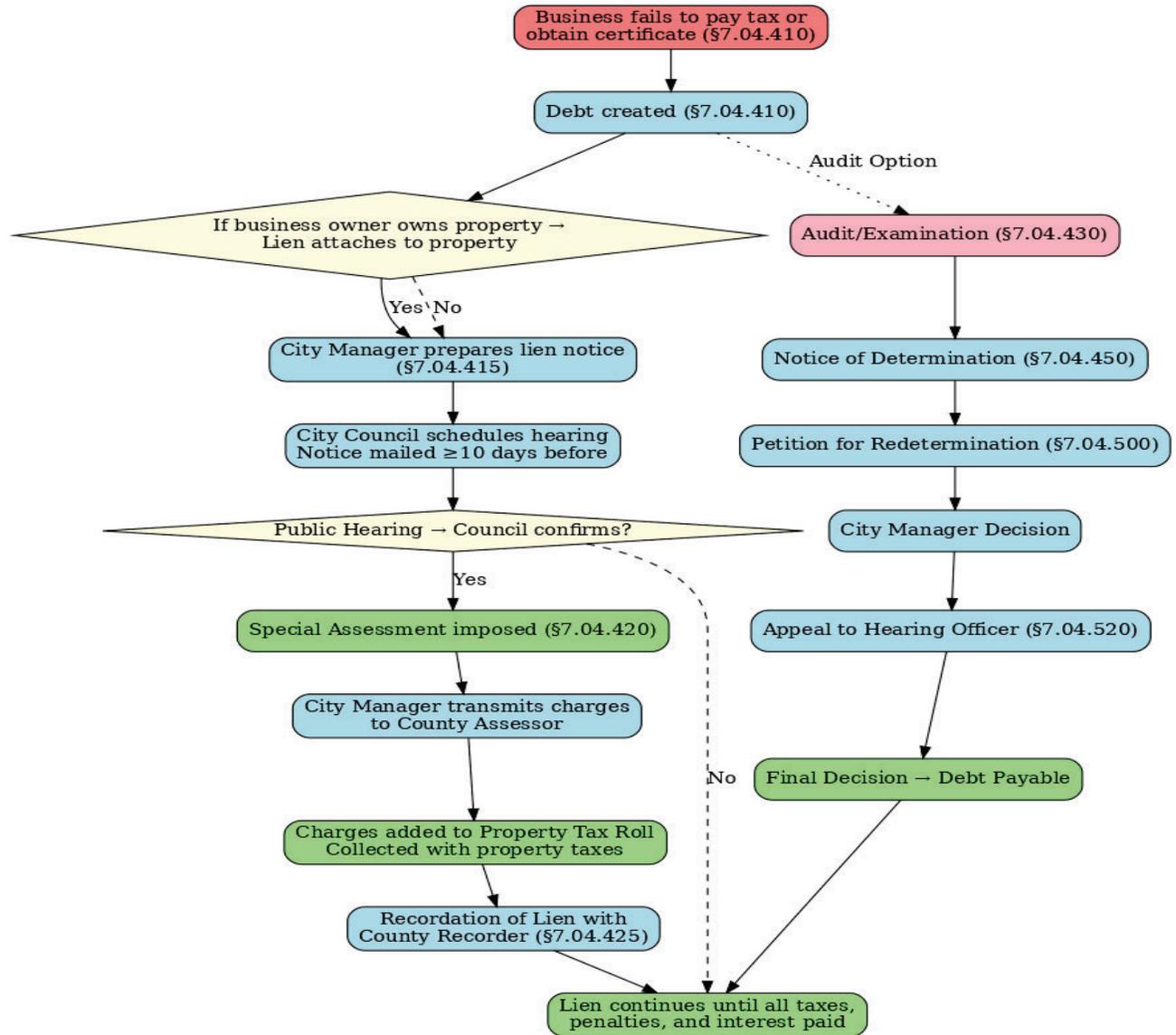
- 7) **Redetermination Process:** The City is authorized through an audit process to reclassify/redetermine (and in some cases retroactively reclassify) the status of what is owed to the City and Rent Board (e.g. the debtor has under reported income or improperly registered a property resulting in lower or higher fees/taxes).

- 8) **Appeal to a Hearing Officer after Audit, Determination, Deficiency Notice or Redetermination:** Pursuant due process, any reclassification or reassessment provides for proper notification by the City of Richmond of any determination issues, with Proof of Service by mail becoming final in 20 days unless the taxpayer files a petition for redetermination under RMC §7.04.500. Redeterminations of assessments are reviewed by the City Manager, with an oral hearing available upon request. After the matter is reviewed and approved by the City Manager or designated staff, a final decision is issued 20 days after service, unless appealed.

- 9) **Collection and Enforcement:** Upon final determination of the debt owed to the City, if unpaid, the property/business is subject to lien recorded with the County and placed on the property tax bill as a special assessment. Collection of the lien cannot be stopped with an injunction, or court order, since due process was provided to both parties through the administrative lien process.

Flow-Chart of Current City of Richmond Lien Process

Below is a process flow-chart that further clarifies the current lien process in Richmond:



Proposed Outline of a Rent Board/Rent Program Lien Process

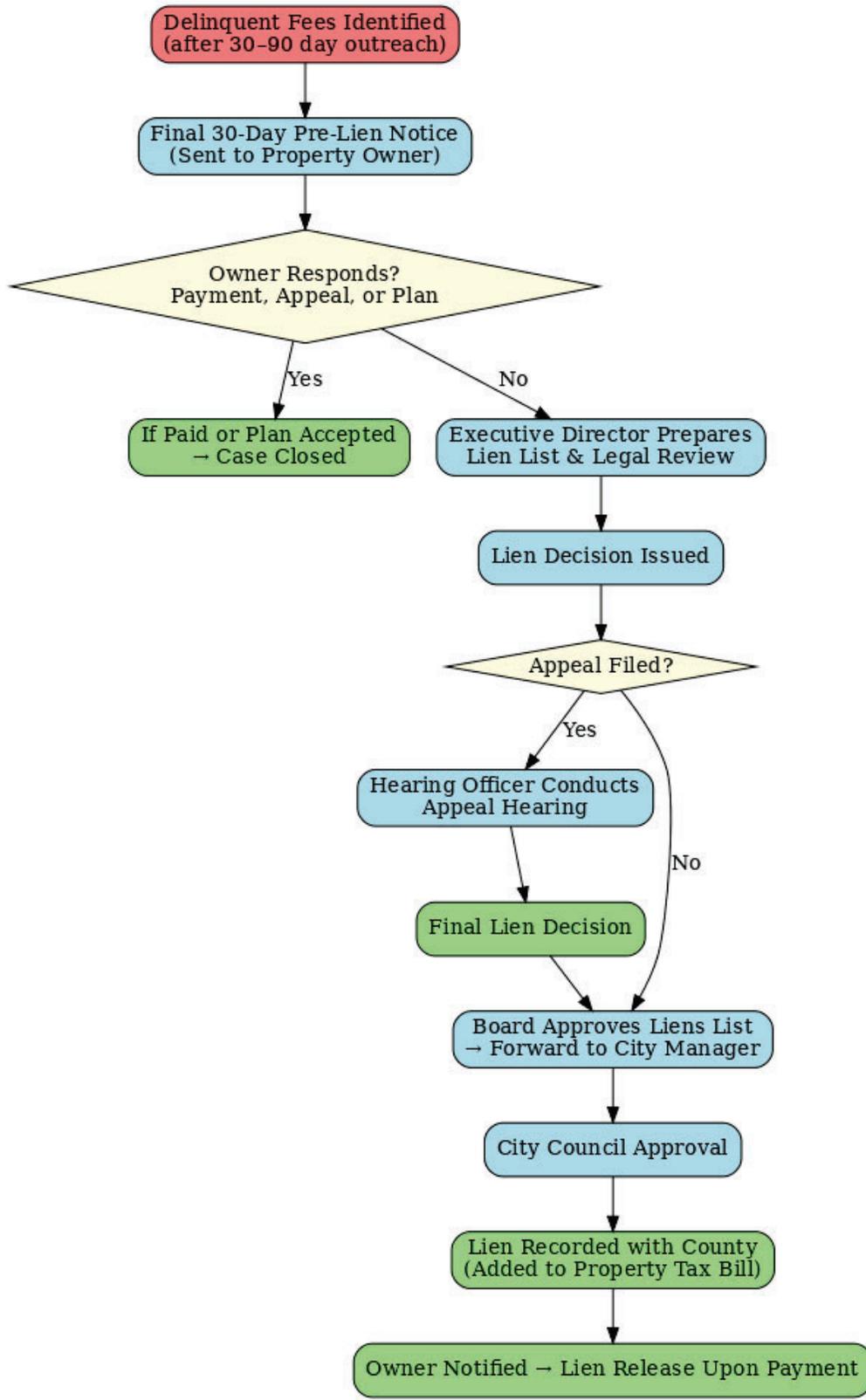
1. Staff would attempt standard collection outreach (30, 60, 90-day) prior to listing the account as lien list worthy delinquent
2. For accounts meeting lien threshold, Staff would send a final 30-day pre-lien notice including payment and appeal instructions.

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3. An account would be deemed delinquent once it is considered “unpaid” and therefore a debt to the City/Rent Program. Depending on the designated policy, accounts would be considered unpaid/delinquent after a specified period (usually 30 to 45 days after standard collection period of 30-90 days) has expired. The Rent Program would issue and serve the required notice of a right to a hearing and the right to object to a determined lien.
4. The Executive Director of the Rent Program (instead of the City Manager) would generate a delinquency list to coincide with the City of Richmond’s annual list of proposed liens.
5. If no payment, appeal, or accepted payment plan, staff prepares lien documentation and forwards to the Rent Program’s General Counsel for legal review.
6. After receiving the legal recommendation, the Rent Program’s Executive Director will issue a lien decision. If the decision is appealed, the appeals process begins (decision is appealed to a Hearing Officer/Examiner) with reasonable legally defensible due process deadlines to submit arguments, evidence and objections.
7. After appeals process is exhausted, staff provide the Board with a list of recommended liens for potential approval and seek direction from the Board to include proposed liens in the City of Richmond’s annual list of proposed liens seeking City Council approval.
8. Board approved liens list would go to the City Manager and Finance Director for review and inclusion in the overall lien list.
9. If approved by the City Council, liens would be recorded with County Recorder; the City/County may charge administrative recording fees according to established amount and add that to lien amount.
10. Notify owner and provide instructions for lien release upon payment. If owner requests a reasonable payment plan within 30 days of recording, staff may negotiate a plan with conditions (e.g., partial payment up front).

Note: Rent Board may promulgate regulations that clarify the timing of lien collection periods, appeal and objection deadlines and other pertinent deadlines.

Flowchart of Proposed Rent Board/Program Lien Process



Implementation Roadmap (Next Steps)

Step 1 - Rent Board and Staff Action: Board approves the overall lien policy framework and directs staff to work with City staff to finalize recommendations. After consulting with City Staff, Rent Program Staff would bring the final proposed lien policy back to the Rent Board for final approval and recommendation to City Council.

Step 2 - Legal Review: Request City Attorney to review draft policy and work with Rent Program General Counsel to prepare any necessary ordinance language or City Council resolution.

Step 3 - Council Consideration: Present recommended ordinance to City Council.

Step 4 - Operational Preparation: If Lien Ordinance and policy approved by City Council, Rent Program staff to draft standardized notices, appeal forms, payment plan templates, internal workflows, staff training, and reporting templates.

Step 5 - Implementation & Monitoring: Begin implementing lien policy after Council authorization; report annually to the Board with enforcement outcomes and fiscal effects.

Conclusion

Adopting a well-designed Lien Ordinance and policy is a prudent next step to protect Rent Program funding to ensure equitable treatment of compliant property owners, and provide a clear, defensible administrative pathway for collecting severely delinquent Residential Rental Housing Fee balances. Staff recommends the Board direct staff to work with the City of Richmond to develop a proposed Lien Ordinance and policy for Board and City Council approval.

ATTACHMENTS:

Attachment 1: City of Richmond Business Tax Debt Lien Ordinance

Attachment 2: Copy of Cooperative Cost Pool Agreement

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7.04.410 - Business tax a debt—Liens.

The amount of any business tax and penalty imposed by this chapter shall be deemed a debt to the city; and any person carrying on any business without first having procured a business tax certificate from the city, or without having paid all appropriate and due taxes, penalties, interest, and fees city shall be liable to an action in the name of the city in any court of competent jurisdiction, for the amount of taxes, penalties, interest, and fees imposed on such person.

The city must commence an action to collect any tax, penalty, or interest within the time required by California law and subject to any applicable tolling periods. To the extent allowed by California law "applicable tolling periods" includes, but is not limited to, any period during which the city is unaware of the existence of a business or the ongoing activities of a business due to the taxpayer's failure to obtain a business license or failure to comply with annual reporting requirements, the time during which a taxpayer pursues any administrative review or appeals, and the time during which the city pursues any lawful audit. (See *City of Los Angeles v. Centex Telemanagement, Inc.* (1994) 29 Cal.App.4th 1384.)

The amount of taxes, penalties, interest, and fees imposed under the provisions of this chapter is assessed against the business property on which the tax is imposed in those instances where the owner of the business and the business property are one and the same. If the taxes are not paid when due, such tax, penalty and interest shall constitute an assessment against such business property and shall be a lien on the property for the amount thereof, which lien shall continue until the amount thereof including all penalties and interest are paid, or until it is discharged of record.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.415 - Notice of hearing on lien.

The City Manager shall prepare a written notice of those persons against whose property the city will file liens and submit that notice to the city council. The city council shall forthwith fix a time and place for a public hearing on such notice.

The City Manager shall cause a copy of such notice to be served upon the owner of the business/business property not less than ten days prior to the time fixed for such hearing. Mailing a copy of such notice to the owner of the business/business property at the address listed in the most recent property ownership records provided to the city by the County Assessor as of the date that the City Manager causes notice to be mailed shall comprise proper service. Service shall be deemed complete at the time of deposit in the United States mail.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.420 - Collection of delinquent taxes by special tax roll assessment.

With the confirmation of the report by the City Council, the listed delinquent business tax charges that remain unpaid by the owner of the business/business property shall constitute a special assessment against said business property and shall be collected at such time as is established by the County Assessor for inclusion in the next property tax assessment.

The City Manager shall turn over to the County Assessor for inclusion in the next property tax assessment the total sum of unpaid delinquent business tax charges consisting of the delinquent business taxes, penalties, interest at the rate of one percent per month or fraction thereof from the date of recordation to the date of lien, an administrative charge in the amount set forth in the City of Richmond master fee schedule (as amended from time-to-time) and a release of lien filing fee in an amount equal to the amount charged by the Contra Costa County Recorder's Office.

Thereafter, said assessment may be collected at the same time and in the same manner as ordinary property taxes are collected, and shall be subject to the same penalties and the same procedure of sale

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as provided for delinquent ordinary property taxes. The assessment liens shall be subordinate to health and safety liens except for those of state, county, and municipal taxes with which it shall be upon parity. The lien shall continue until the assessment and all interest and charges due and payable thereon are paid. All laws applicable to the levy, collection, and enforcement of municipal taxes shall be applicable to said special assessments.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.425 - Recordation of lien for delinquent charges.

Upon confirmation of the report of delinquent business tax charges by the City Council, a lien on the real property for delinquent business tax charges which were assessed will be recorded with the Recorder of the County of Contra Costa.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.430 - Audit—Examination of books, records, witnesses.

The city may conduct audits and examinations pursuant to the terms of this section. The City Manager or any authorized employee is authorized to examine the books, papers, tax returns, and records of any person subject to this chapter for the purpose of verifying the accuracy of any declaration made, or if no declaration was made, to ascertain the business tax due.

Every person subject to the provisions of this chapter is directed and required to furnish to the City Manager, the means, facilities, and opportunity for making such examination and investigations. The City Manager is authorized to examine a person under oath, for the purpose of verifying the accuracy of any declaration made, or if no declaration was made, to ascertain the business tax or registration fees due under this chapter. In order to ascertain the business tax or registration fees due under this chapter, the City Manager may compel, by administrative subpoena, the production of relevant books, papers and records and the attendance of all persons as parties or witnesses.

The refusal to submit to such examination or production by any employer or person subject to the provisions of this chapter shall be deemed a violation of this chapter, and administrative subpoenas shall be enforced pursuant to applicable state law.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.435 - Results of audit—Reclassification determination.

- (a) Notice of Determination. If, pursuant to an audit or examination conducted pursuant to Section 7.04.430, the city determines that a person's business activity should be reclassified, the city may issue a notice of determination ordering such reclassification.
- (b) Reclassification—Prospective Only. If an audit or examination results in reclassification, not made necessary by earlier misclassification based upon incorrect and/or incomplete information supplied by a taxpayer to the city, the reclassification shall be effective in the current year only and shall not be retroactive.
- (c) Reclassification—Retroactive. If an audit or examination results in reclassification made necessary by earlier misclassification based upon incorrect or incomplete information supplied by a taxpayer to the city, penalties and interest pursuant to Sections 7.04.400 and 7.04.405 shall be retroactively assessed upon amounts underpaid from the date the correct taxes would have been due.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

ITEM G-1 ATTACHMENT 1

7.04.440 - Results of audit—Deficiency determination.

- (a) Notice of Determination. If, pursuant to an audit or examination conducted pursuant to Section 7.04.430, the city determines that a person's has not properly completed any declaration, has failed to make a declaration, has improperly calculated the amount of business tax owed, or made some similar error or omission, the city may issue a notice of determination ordering an appropriate correction.
- (b) Recomputation of Tax—Authority to Make—Basis of Recomputation. If the City Manager, in the exercise of reasonable discretion, is not satisfied with the declaration or declarations of the tax or the amount of tax computed, the City Manager may compute and determine the amount required to be paid upon the basis of the facts contained in the declaration or declarations or upon the basis of any factual information within the City Manager's possession or that may come into the City Manager's possession. One or more deficiency determination may be made of the amount due for one or for more than one period.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.445 - Determination if no declaration filed—Penalty.

- (a) Notice of Determination. If any person fails to file a declaration as required by this chapter, the City Manager may issue a notice of determination imposing a penalty pursuant to the terms of this section.
- (b) Estimate, Computation, Penalty. If any person fails to file a declaration as required by this chapter, the City Manager may, in the exercise of reasonable discretion, make an estimate of the amount of the gross receipts or other measure of tax applicable to the person or persons subject to the tax. The estimate shall be made for the period or periods for which the person failed to file a declaration and shall be based upon any factual information in the city's possession or which may come into the city's possession. Upon the basis of this estimate, the City Manager may impose a penalty of up to ten percent of the tax estimated to be owed, in addition to any penalties and interest that may be due pursuant to Section 7.04.400 and Section 7.04.405.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.450 - Notice of determination—Service of—Finalization—Payment.

Any notice of determination issued by the city pursuant to this chapter shall be served personally or mailed to the taxpayer at the taxpayer's last address shown on the city's records. If served personally, such service is deemed complete at the time of personal service. If mailed, such service is deemed complete at the time of deposit in the United States mail. All notices of determination shall state any related penalties or interest.

Notices of determination shall become final 20 days after service is deemed complete, unless an extension is granted by the city or the taxpayer files a timely petition for redetermination pursuant to Section 7.04.500.

The taxpayer shall have 20 days after a notice of determination becomes final to pay any additional tax liability described in the notice of determination. If full payment is not timely received, the unpaid amount is deemed to be delinquent. Interest pursuant to Section 7.04.405 shall begin accruing upon delinquent amounts and penalties shall be assessed upon delinquent amounts pursuant to Section 7.04.400.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.500 - Redetermination.

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- (a) **Right of Petition For—Time to File Petition.** Any person issued a notice of determination under this chapter, or any person directly interested, may file a petition for a redetermination within 20 days after service of the notice of determination. The City Manager in individual cases may, in the exercise of reasonable discretion in administering the provisions of this chapter, extend the 20-day period. If a petition for redetermination is not filed within the 20-day period, or within the extension period granted by the City Manager, the determination becomes final at the expiration of the 20-day period. The City Manager's decisions on applications for extension of time in which to file petitions for redetermination must be served in the manner provided in Section 7.04.450.
- (b) **Grant of Oral Hearing—Notice—Continuances.** If a petition for redetermination is timely filed, the City Manager shall reconsider the determination and, if the petition includes a request for hearing, shall grant the person an oral hearing, giving the person ten days' notice of the time and place thereof. The City Manager may continue the hearing from time to time as may be necessary. The City Manager shall exercise reasonable discretion in the decision on redetermination.
- (c) **Alteration of Determination—Limitation on Right to Increase Amount.** Once a petition for reconsideration has been filed, the City Manager may amend the notice of determination until the notice of determination becomes final; however, the City Manager must assert any claim for increasing any liability owed by the taxpayer at or before the hearing, if a hearing has been requested. If no hearing has been requested, or if the City Manager asserts a claim before the hearing without reasserting it at the hearing, notice of the increase must be served on the person in the manner provided in Section 7.04.450.
- (d) **Finality of Order on Petition.** The order or decision of the City Manager upon a petition for redetermination becomes final 20 days after service upon the petitioner of notice thereof in the manner provided in Section 7.04.450, unless appeal of such order or decision is timely filed with the City Manager pursuant to Section 7.04.520.
- (e) **Time for Payment of Amounts Found Due—Penalty for Delinquency.** All determinations made by the City Manager or Hearing Officer are due and payable at the time they become final.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.510 - Refund of tax, penalty or interest.

- (a) **Illegally or Erroneously Collected Tax.** Any person who alleges that any tax, penalty, or interest has been illegally or erroneously paid to, collected by, or received by the city may file a claim with the city, executed under penalty of perjury and stating the specific grounds upon which the claim is founded. If the City Manager finds, in their reasonable discretion, that claim is valid or partially valid and that the claim was filed within one year of the payment, collection, or receipt of the tax, the city shall compensate the taxpayer to the extent of the illegally or erroneously collected tax.
- (b) **Submission of Claim.** A claim made pursuant to this section shall be on a form furnished by the City Manager. A claim for refund may only be signed by the taxpayer, the taxpayer's authorized agent, or other person determined to be liable for the tax or said person's guardian or conservator. Class claims for refunds shall not be permitted. If the claim is approved by the City Manager, the excess amount collected may be refunded or may be credited on any amount due and payable from the person from whom it was collected, or by whom paid, and the balance may be refunded to such person, his or her administrators or executors.
- (c) **Termination of Business.** No refund of any tax or registration fee paid under this chapter shall be made by virtue of the discontinuance, dissolution, or other termination of a business.
- (d) **Offsetting of Overpayments.** In making a determination, the City Manager may offset overpayments for a period or periods against underpayments for any period or periods, and against any city debt.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

ITEM G-1 ATTACHMENT 1

7.04.520 - Appeal to Hearing Officer.

- (a) Hearing Officer. Appeals to redetermination decisions made by the City Manager shall be heard by a hearing officer appointed by the City Manager or his or her designee to hear administrative appeals. City staff shall implement regulations governing the appointment of the hearing officer and any additional appeal hearing procedures.
- (b) Right to Appeal. Any person whose petition for redetermination pursuant to Section 7.04.500 is denied in whole or in part, and any person granted a waiver by the City Manager, may file an appeal with the City Manager to request an appeal to the City's business tax hearing officer.
- (c) Appeals. Any person entitled to file an appeal pursuant to this Section may file an appeal in writing to the City Manager within 20 days from the date of service of the denial of a petition for redetermination or the waiver giving rise to the person's right to appeal. The city may waive or extend the deadline to file an appeal. The hearing officer shall make findings of fact in support of its decision(s) on appeal. The hearing officer shall exercise his or her reasonable discretion in administering the provisions of this chapter in rendering a decision on appealed rulings and findings. The hearing officer's decision on appeal becomes final upon giving notice of the decision to the appellant in the manner provided in Section 7.04.450. Any tax, penalty, or interest found to be owing is due and payable at the time the hearing officer's decision becomes final.
- (d) Exhaustion of Remedies. Any person whose case may be resolved by employing the administrative remedies provided by this section, or in Section 7.04.500, must exhaust those remedies before filing suit for refund, rebate, exemption, cancellation, amendment, adjustment, or modification of tax, interest, or penalty.

The statements filed pursuant to the provisions of this chapter are presumed to be confidential in character and will not be subject to public inspection to the fullest extent allowed by law, and shall be kept so that the contents of such statements will not become known except to the persons charged with the administration of this chapter.

Any officer or employee who willfully violates any provision of this section shall be deemed guilty of an infraction, and such violation may be cause for discharge from the city's service.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.605 - Disclosure of business taxpayers, etc. limitation on rule.

Notwithstanding any other provision of any city ordinance, the City Manager is authorized to enter into agreements with the California Franchise Tax Board, the State Board of Equalization, or the Internal Revenue Service providing for the exchange of information for official purposes of said agencies, and to implement any such agreement through the exchange of information.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.610 - Return check penalty.

Whenever a person submits a check for payment of a business tax and said check is subsequently returned unpaid by the bank upon which said check is drawn, and the check is not redeemed prior to the expiration of the renewal or registration due date, the person's non-payment will be declared delinquent and the person will be liable for the tax amount due plus penalties and interest.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.615 - Prior year registration assessments.

ITEM G-1 ATTACHMENT 1

If any person fails to apply for and secure a business tax certificate, the business tax due shall be that amount due and payable from the first date on which the person was engaged in business in the city, together with applicable penalties and interest.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.620 - Notice not required.

The city is not required to send any renewal, delinquency, or other notices or bills to any person subject to the provisions of this chapter, except as explicitly provided. Failure to send such notices or bills will not affect the validity of any tax, penalty, or interest due under the provisions of this chapter.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.625 - Conviction for violation not waiver of business tax.

The conviction and punishment of any person for transacting any business without a business tax certificate shall not excuse or exempt such person from the payment of any business tax due or unpaid at the time of such conviction, and nothing herein shall prevent a criminal prosecution of any violation of the provisions of this chapter.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.630 - Duties of the City Manager—Notice of decisions.

It shall be the duty of the City Manager to collect and receive and keep an accurate record of all taxes imposed by this chapter. The City Manager is charged with the enforcement of this chapter, except as otherwise provided, and may prescribe, adopt, and enforce those rules and regulations necessary or advisable to effectuate the purposes of this chapter, including provisions for the re-examination and correction of declarations and payments; the exclusive discretionary authority to waive penalties; and the authority to defer the payment due dates as prescribed by Section 7.04.300 by up to 45 days. In individual cases, the City Manager may make findings of fact in support of decisions, determinations, and rulings enforcing this chapter.

The City Manager may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.640 - Savings clause.

- (a) The provisions of this chapter shall not apply to any person, association, or corporation or to any property, as to whom or which it is beyond the power of the city to impose the business tax. If any sentence, clause, section, or part of this chapter, or any business tax against any individual or any of the several groups specified herein is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such clause, sentence, section, or part of this chapter and shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or other parts of this chapter. It is declared to be the intention of the city and voters that this chapter would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

ITEM G-1 ATTACHMENT 1

- (b) Any person claiming an exemption from the business tax imposed by this chapter by virtue of this section, shall submit to the city a statement signed under penalty of perjury setting forth the facts necessary to establish such claim of exemption.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.645 - Late penalty—Declaration and renewal filing.

Every person who, without an extension authorized by the City Manager, fails to timely file any business tax declaration or statement of renewal shall pay a late filing fee of \$50.00 or in the amount set forth in the City of Richmond master fee schedule (as amended from time-to-time), in addition to any other taxes, penalties, fees, or interest that may be due under this chapter.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.650 - Violations, infraction, misdemeanor.

In the exercise of the duties imposed upon the City Manager, and acting through deputies or duly authorized representatives, the City Manager shall examine or cause to be examined all places of business in the city to ascertain whether the provisions of this chapter have been complied with. For the purposes of this paragraph, in the case of a person coming into the city to do business from a location outside the city, the "place of business" shall be deemed to be the place where such person is engaging in business or offering to engage in business in the city.

Any person violating any provision of this chapter shall be guilty of an infraction. Any person knowingly or intentionally misrepresenting to any officer or employee of this city any material fact in procuring the business tax certificate herein provided for shall be guilty of a misdemeanor, and conviction thereof shall be punishable by a fine of not more than \$500.00 or imprisonment in the county jail for a period of not more than six months or by both fine and imprisonment.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.655 - Records required from taxpayers.

Every person required to obtain a business tax certificate shall keep and preserve for a period of three years such records as may be necessary to determine the amount of tax for which the person is liable.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.660 - No enjoinder of collection.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against the city or any officer thereof, to prevent or enjoin the collection of business taxes sought to be collected.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.665 - Revenue measure does not permit business otherwise prohibited.

The taxes prescribed by the provisions of this chapter constitute a tax for revenue purposes and are not regulatory permit fees.

ITEM G-1 ATTACHMENT 1

Persons holding business tax certificates pursuant to this chapter shall comply with all requirements of the City of Richmond Municipal Code and all other applicable laws and shall not carry on any business activity that violates of any law.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.670 - Implementation and delegation.

The City Manager may adopt rules and regulations consistent with this chapter as needed to implement this chapter, subject to the review and approval of the city attorney, and to develop all related forms or other materials, and to take other steps needed to implement this chapter.

The City Manager may delegate any duties, rights, powers, or privileges granted by this chapter to any appropriate subordinate officer, including the director of finance.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.675 - Amendment by City Council.

The city council may amend the terms of this chapter in any manner that does not increase the business tax or otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California constitution. The City Council may reduce any of the tax rates set forth herein, and may terminate any such reductions, without voter approval.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

7.04.680 - Effective date and transition.

- (a) Rates Effective as of July 1, 2021. The rates provided in this chapter shall be effective with respect to any business tax certificates issued beginning July 1, 2021 and for each following year. Any business tax certificates issued to a newly established business for operation prior to July 1, 2021 shall pay business tax pursuant to the rates that were effective at the time the person seeking the certificate submitted their initial application.
- (b) Delay. Notwithstanding section 7.04.680(a), if the city council elects to exercise its authority to delay enactment of this chapter to sometime after July 1, 2021, then the rates provided in this chapter shall be effective with respect to any 2022 business tax certificate and for each following year, and any business tax certificates issued to a newly established business for operation in 2022 shall pay business tax pursuant to the rates that were effective at the time the person seeking the certificate submitted their initial application.
- (c) Previous Liabilities. Any taxes, penalties, fees, interest, liens, or debts imposed pursuant to any previous versions of this chapter remain equally collectible and enforceable, notwithstanding any amendments. The city may pursue such taxes, penalties, fees, interest, liens, or debts in any manner allowed by law and the most current version of this chapter.

(Ord. No. [33-20 N.S.](#), § 11, 11-3-2020)

**COOPERATIVE AGREEMENT BETWEEN THE CITY OF
RICHMOND RENT BOARD AND THE CITY OF
RICHMOND**

This Cooperative Agreement (“Agreement”) is entered into on this June 17, 2025 (“Effective Date”) between the City of Richmond Rent Board (the “Board”) and the City of Richmond, a municipal corporation (the “City”).

I. RECITALS

WHEREAS, on November 8, 2016, Richmond Residents passed ballot initiative Measure L, which established the “Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance” (hereinafter, the “Rent Ordinance”); and

WHEREAS, Measure L, among other things, created the Rent Board, an independent agency, and vested within the Board broad powers to administer and execute the provisions of the Rent Ordinance; and

WHEREAS, pursuant to Richmond Municipal Code Section 11.100.060(m), to ensure the integrity and autonomy of the Board, Measure L mandates that the Board “be an integral part of the government of the City”, and establishes that the Board “shall exercise its powers and duties under [Chapter 11.100] independent from the City Council, City Manager, and City Attorney, except by request of the Board”; and

WHEREAS, in furtherance of its independence, Measure L vests the Board with the sole power to oversee and adopt its own budget, while establishing that “the City Council and the City Manager shall have no authority to oversee, supervise, or approve this budget”; and

WHEREAS, to finance the Board’s budget, which must be comprised of only reasonable and necessary expenses, Measure L provides that the Board shall charge Landlords annual registration fees in an amount deemed reasonable by the Board; and

WHEREAS, at the Board’s inception and prior to the appointment of Board Members, Measure L required that the City perform duties of the Board and to provide infrastructural support to the Board as it would to any other City Department; and

WHEREAS, on November 8, 2016, the City began providing the following services to the Board: consultants, employees and staff, start-up costs and fees, overhead, IT services, administrative services, and legal assistance; and

WHEREAS, on or about November 8, 2016, the City, through its General Fund, advanced funds to the Board to fund the Board’s operations; and

WHEREAS, the City charges all of the City departments incidental costs associated with infrastructural, administrative, and risk support (hereinafter, “cost pool charges); and

WHEREAS, it is the City’s position that they are entitled to recoup the cost of City staff time and expenses incurred in providing infrastructural and other support to the Board; and

WHEREAS, it is the Board’s position that cost pool charges discourage collaboration and communication with the City, disproportionately impacts special revenue funds as opposed to General Funded Departments, and further burdens Landlords since they are the sole payee that absorb cost pool charges; and

WHEREAS, the Board can administer those City adopted ordinances that fall within its regulatory scope, are necessary to administer the Rent Ordinance as described in Municipal Code Section 11.100.060(e)(15), and do not otherwise violate the provisions of Government Code Section 50076; and

WHEREAS, to resolve the dispute of cost pool charges and encourage greater communication and collaboration between the City and Board, the Board’s Executive Director and City Manager held several meetings to explore creative solutions involving the Board administering various City Ordinances and the City waiving cost pool charges in lieu of the administration of those various City Ordinances; and

WHEREAS, as a result of good faith discussions between the Board’s Executive Director and City Manager, the Board and the City now desire to enter into an agreement to resolve the issue of Rent Board cost pool charges.

II. AGREEMENTS

1. RECITALS.

The parties hereby acknowledge and affirms the Recitals in this Agreement.

2. ADMINISTRATION OF CITY ORDINANCES.

The City requests that the Board continue to administer its Relocation Ordinance and begin drafting and/or administering the ordinances as described in Section (3)(A) of this Agreement. Additionally, the City requests that the Board aid in the drafting of regulations that are necessary to administer the ordinances as described in Section (3)(A) of this Agreement. The Board agrees to the City requests in accordance with this

Cooperative Agreement. The Board and City acknowledge that the Board Executive Director and City Manager, or their designees, shall periodically meet no less than once every six months during the term of this Agreement to discuss implementation of the Agreement and identify other City ordinances that the Board may administer in accordance with the terms of this Agreement.

3. SCOPE OF DRAFTING AND ADMINISTERING ORDINANCES.

A. Determination. The City and Board agree that the following ordinances, as may be amended, and any accompanying regulations are within the Board’s regulatory scope and that the administration of these ordinances are necessary to administer and enforce the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance (hereinafter, “Rent Ordinance”):

1. Relocation Ordinance
2. Tenant Buyout Ordinance
3. Real Estate Disclosure Ordinance
4. If adopted by the City Council, a Rent Board-specific Lien Ordinance
5. Parts of Richmond Rental Inspection Program Ordinance, as agreed upon by counsel to the Board and City.

B. Drafting. The Board shall provide drafts of any proposed ordinances in subsection (3)(A) and any accompanying regulations for the City’s and City Attorney’s Office’s review and input.

C. Regulations. Notwithstanding Section (3)(B), regulations of any ordinance listed in Section(3)(A) that are relevant to the Board’s administration of the ordinances, shall be presented only to the Board. The Board shall have the final say in whether a relevant regulation is adopted by the Board.

D. Administration. The Board shall administer, in part or in whole, the ordinances listed in Section (3)(A) of this Agreement, beginning one hundred and eighty (180) days following approval of this Agreement by the City and Board. Administration requires that the Board act in a manner that is consistent with the provisions of the administered ordinance. Additionally, the administration requires that the Board develop and implement an outreach strategy to educate landlords and tenants of their rights under the ordinances listed in Section (3)(A) of this Agreement. Moreover, as part of this administration requirement, the Board, where applicable, shall offer counseling services, via phone or in-person, to landlords and tenants to address questions that landlords and tenants may have concerning the ordinances listed in Section(3)(A) of this Agreement. The Board shall not be responsible for the administration of any regulation that it did not adopt itself.

4. **REPORTS.**

Consistent with the edicts of Richmond Municipal Code Section 11.100.060(e)(6), the Board shall annually report to the City on the status of rental housing that is covered by the Rent Ordinance. In addition to the requirements set forth in Richmond Municipal Code Section 11.100.060(e)(6), the Board's annual report shall include the following metrics related to any city ordinance that the Board administers, if applicable:

- A. Number of residents served.
- B. Type of residents served (i.e Landlord or tenants)
- C. Medium of service (i.e phone call, email, in person)
- D. Time spent on service.
- E. Anecdotes from those served.
- F. Viewer access to the rental unit database to the City as it relates to the Rent Program.

5. **CREDIT OF COST POOL CHARGES.**

Prior to the Board drafting and/or administering City's regulations and/or ordinances, the City shall credit any prior unpaid cost pool charges levied against the Board. Additionally, the City shall deem satisfied any prospective cost pool charges that would otherwise be charged to the Board during the duration of this agreement.

For the purposes of this section, credit of cost pool charges, whether unpaid or prospective, shall mean a credit offset of indirect cost related to the following: General Liability, Workers Compensation, and Administrative charges (i.e. Finance, Information Technology, Human Resources, City Clerk, etc. **This is a non-exhaustive list.**)

6. **LIENS AND COLLECTIONS.**

Where a property owner is delinquent in payment of their fees, the City shall assist the Board in preparing and placing a lien on the delinquent property to cause the delinquent amount to be owed on the property owner's tax roll, in a manner consistent with the City's Lien Ordinance. Any debt collected under this section shall be credited to both the Board and the City. The Board shall be entitled to 90% of the lien debt collected for that calendar year, and the City shall be entitled to 10% of the lien debt collected for that same calendar year.

7. **TERM.**

The term of this Agreement shall be three years, beginning on the Effective Date and ending on June 20, 2028. The parties shall have the option to mutually agree to extend this Agreement for an additional two years upon Board and Council approval.

Either party may terminate this Agreement earlier by 1) having their respective legislative bodies approve, by vote, the termination of this Agreement in public, consistent with the edicts of Brown Act, and 2) if the vote to terminate is approved, then delivering a written notice of election to terminate at least ninety (90) days in advance of the termination date to the other party.

Upon termination of this Agreement, unless otherwise agreed upon by both parties, the legal responsibility of administering any City-passed ordinance shall revert back to the City. Additionally, the legal responsibility of administering accompanying regulations of any City passed ordinance shall revert to the City. The City shall be responsible for amending its ordinances and/or regulations, if necessary, to clarify its responsibility for administering its ordinances.

Upon termination of this Agreement, the City may continue to charge the Board cost pool charges. However, the Board reserves the right to challenge the propriety of the cost pool charges, including but not limited to challenging the employed methodology, whether cost pool charges relate to actual services rendered on behalf of the Board, and any other basis the Board deems relevant.

8. NOTICE.

Any notice required under this Agreement shall be in writing and shall be given by personal delivery or deposit in the United States mail. Service by email or any other means is not acceptable. If service is given by United States mail, then the mail shall be addressed as follows:

If to the City of Richmond :

Attn: City Manager
City of Richmond
450 Civic Center Plaza
Richmond, CA 94804

If to the City of Richmond Rent Board:

Attn: Executive Director
City of Richmond
440 Civic Center Plaza, Suite 200
Richmond, CA 94804

9. AGREEMENT NOT A LIMITATION.

Nothing in this Agreement is intended to limit or otherwise infringe on the Board's autonomy and/or independence from the City as described in Richmond Municipal Code 11:100 et seq.

10. ACTIVITIES ARE DISCRETIONARY.

The activities contemplated in Section 3, "Scope of Drafting and Administering Ordinances," that are to be taken by the City and Board are discretionary in that they involve the exercise of judgment and discretion, rather than merely ministerial. Nothing in Section 3, "Scope of Drafting and Administering Ordinances," is to be construed as to constrain the Board's or City's ability to engage in debate in a public setting and meaningfully determine the propriety of any proposed ordinance and/or regulation.

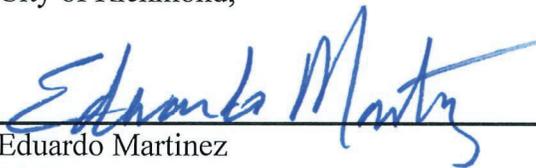
11. AMENDMENTS.

This Agreement may be amended upon approval by City Council and the Board, in writing, signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Cooperative Agreement as of the day and year first above written by their duly authorized officers.

CITY
City of Richmond,

BOARD
Rent Board of the City of Richmond



Eduardo Martinez
Mayor



Whitney Tipton
Board Chair

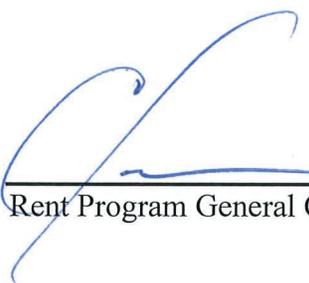
Date: 6/25/25

Date: 6/25/25

Approved as to form:



For City Attorney



Rent Program General Counsel

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 18, 2026

Final Decision Date Deadline: February 18, 2026

STATEMENT OF THE ISSUE: Currently, the Rent Board's regulations allow for the administrative exemption of rental units that are "rent restricted". These exemptions typically involve units that have a Housing Choice Voucher or that are partially subsidized through tax credit. Where a unit is administratively exempt, tenants no longer have access to the Rent Board's petition process and may experience higher rent increases than they otherwise would under rent control. In recent months, the Rent Program has received administrative exemption applications that have resulted in hundreds of fully controlled units being exempt from the rent control provisions. Given these trends of exemptions, the impact it has on tenants' ability to file petitions, and potential higher rent increases, staff finds it prudent to bring these issues before the Rent Board for consideration.

INDICATE APPROPRIATE BODY

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

ITEM

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

RECOMMENDED ACTION: ADOPT proposed Resolution 26-01, temporarily suspending Regulation 202 and Direct staff to agendize a study session where a comprehensive overview of current administrative exemption policies and regulations can be reviewed and its impact understood – Rent Board (Fred Tran 620-6537).

AGENDA ITEM NO:

H-3.

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AGENDA REPORT

DATE: February 18, 2026
TO: Chair Tipton and Members of the Rent Board
FROM: Fred Tran, Deputy Director
SUBJECT: Temporary Suspension of Regulation 202

STATEMENT OF THE ISSUE:

Currently, the Rent Board's regulations allow for the administrative exemption of rental units that are "rent restricted". These exemptions typically involve units that have a Housing Choice Voucher or that are partially subsidized through tax credit. Where a unit is administratively exempt, tenants no longer have access to the Rent Board's petition process and may experience higher rent increases than they otherwise would under rent control. In recent months, the Rent Program has received administrative exemption applications that have resulted in hundreds of fully controlled units being exempt from the rent control provisions. Given these trends of exemptions, the impact it has on tenants' ability to file petitions, and potential higher rent increases, staff finds it prudent to bring these issues before the Rent Board for consideration.

RECOMMENDED ACTION:

ADOPT proposed Resolution 26-01, temporarily suspending Regulation 202 and **Direct** staff to agendize a study session where a comprehensive overview of current administrative exemption policies and regulations can be reviewed and its impact understood.

FISCAL IMPACT:

There is no fiscal impact related to this item at this time.

DISCUSSION:

Receive a PowerPoint presentation from staff discussing the purpose of the Rent Ordinance, Regulation 202, the administrative exemption process, and proposed Resolution 26-01

DOCUMENTS ATTACHED:

Attachment 1 –Proposed Regulation 26-01

ITEM H-3

Attachment 2 – Resolution 19-01

Attachment 3 – Rent Board Regulation Chapter 2

Attachment 4 – Regulation 323

RESOLUTION NO. 26-01

**TEMPORARY SUSPENSION OF THE REVIEW AND GRANTING OF EXEMPTIONS
UNDER REGULATION 202, “GOVERNMENTALLY SUBSIDIZED RENTAL UNITS
EXEMPT FROM THE RENT CONTROL PROVISIONS OF THE ORDINANCE”.**

WHEREAS, the Richmond Rent Board is a local governmental body that was established as an independent agency and vested with broad powers of administering and executing the provisions of the Fair Rent, Just Cause, and Homeowner Protection Ordinance (hereinafter, Rent Ordinance); and

WHEREAS, pursuant to Richmond Municipal Code Section 11.100.060(m), to ensure the integrity and autonomy of the Rent Board, Measure L mandates the Rent Board “be an integral part of the government of the City [of Richmond]”, and establishes that the Rent Board “shall exercise its powers and duties under [Chapter 11.100] independent from the City Council, City Manager, and City Attorney, except by request of the [Rent] Board”; and

WHEREAS, as an independent agency, the Richmond Rent Board operates independent from and is not subject the City of Richmond City Council’s Resolutions governing boards, commissions, and other local policy bodies; and

WHEREAS, the Rent Ordinance’s stated purpose, in part, is to control rents to the greatest allowable extent under California law; and

WHEREAS, pursuant to Richmond Municipal Code 11.100.030(d)(3), the Rent Ordinance permits the Rent Board to administratively exempt, from its rent-control provisions, governmentally subsidized units that are not otherwise exempt from rent control under Federal and/or State law; and

WHEREAS, on November 15, 2017, the Richmond Rent Board adopted Regulation 202 and Regulation 204(formerly Regulation 17-01) exempting “governmentally subsidized Rental Units” from the rent control provisions of the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance; and

WHEREAS, there are approximately 4,283 Rental Units in Richmond that receive Low-Income Housing Tax Credits (LIHTC) and/or direct subsidies from the Department of Housing and Urban Development (HUD), including the Housing Choice Voucher and Project-Based Section 8 programs. These units represent approximately 20 percent of Richmond’s rental housing stock and represent a critical aspect of housing affordability in the city; and

WHEREAS, of the 4,283 governmentally subsidized Rental Units in Richmond, 2,702 Rental Units receive LIHTC funding; and

WHEREAS, in March 2018, multiple administratively exempted LIHTC households received rent increases in excess of ten percent; and

WHEREAS, during the periods of March 2018 through August 2018, Rent Program Executive Director and staff engaged in multiple discussions with affordable housing providers, which ultimately led to

**ITEM H-3
ATTACHMENT 1**

those providers agreeing to rescind their prior increases and instead set their increases at five percent; and

WHEREAS, in November 7, 2018, the Rent Board created an ad-hoc committee to work alongside Rent Program staff, with the purpose of developing policy options as it related to the continual exemption of affordable housing providers; and

WHEREAS, in February 2019, the Rent Board passed Resolution 19-01, which created additional rules affordable housing providers must follow in order to maintain their administrative exemption from the Ordinance's rent control provisions; and

WHEREAS, in recent months, the Rent Program has received numerous applications requesting an exemption from rent control provisions, on the basis that their rental units are now "rent restricted"; and

WHEREAS, these exemptions request have generally been granted and have resulted in hundreds of fully controlled rental units becoming partially control; and

WHEREAS, where a rental unit has lost its fully controlled status, those tenants no longer have the ability to submit petitions to the Rent Board challenging the rental unit's habitability status, lack of housing services, or other issues impacting the tenant's ability to use and/or occupy the rental unit; and

WHEREAS, where a rental unit has lost its fully controlled status, those tenants may be subject to larger annual rent increase than would otherwise would be under rent control, given that Measure P now limits rent increases to either sixty percent of the Consumer Price Index or three percent, whichever is lower; and

WHEREAS, given the fact that hundreds of rental units have now been administratively exempt from the rent control provisions of the Rent Ordinance, staff finds it prudent to present these issues to the Rent Board and request the Board study the issue with the purpose of creating policy and/or regulations to address both the observed and anticipated consequences of administrative exemptions.

NOW, THEREFORE, BE IT RESOLVED, That the City of Richmond Rent Board finds as follows:

1. As described above, the Rent Board has the power to administratively exempt those rental units that are not otherwise exempt under Federal and/or State law; and
2. As described above, the Rent Board's current rules and regulations concerning exemptions have resulted in hundreds of rental units exempt from the Rent Ordinance's rental control provisions; and
3. As described above, those rental units that are administratively exempt from the rent control provisions of the Rent Ordinance cannot seek administrative relief at the Rent Board due to deteriorating conditions in the rental unit, habitability issues, lack of housing services, and/or other issues that may impact the use of the rental unit; and
4. Those rental units that are administratively exempt from the rent control provisions of the Rent Ordinance may be receiving higher rent increases than they otherwise would under rent control,

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as Measure P now limits the rent to either sixty percent of the Consumer Price Index or three percent, whichever is lower; and

5. The Rent Board has the power to remove exemptions entirely or partially, either by amending its existing regulations concerning exemptions or repealing those regulations all together; and
6. Part of the purpose of the Rent Ordinance is to control rents to the greatest extent allowable by law; and
7. Given its purpose and the aforementioned findings, it is both reasonable and necessary for the Rent Board to study this issue and develop policies and/or regulations that will address these issues; and

BE IT FURTHER RESOLVED the City of Richmond Rent Board suspends Regulation 202 for one hundred and eighty (180) days so that it can study the impact that administrative exemptions have had and will have, on tenants, landlords, and the Rent Board; and

BE IT FURTHER RESOLVED, the City of Richmond Rent Board Orders and Directs Rent Program Staff to suspend any processing of exemption applications that relate to an exemption brought under Regulation 202. For those applications that have been received and a decision has not yet been issued, staff shall suspend their decision-making for one hundred and eighty (180) days. For those applications that are received after the passage of this Resolution and Order, staff is to accept the application but not process the application. Staff is to notify all applicants of this Resolution and Order, and that the Rent Board has temporarily suspended staff's ability to process applications brought under Regulation 202. Moreover, staff shall notify all applicants that have brought an application under Regulation 202, that the Rent Board will be studying the impact of the exemptions permitted under Regulation 202, and that the applicant is welcomed to attend all Rent Board meetings to voice their concerns and;

BE IT FURTHER RESOLVED, notwithstanding Regulation 323, this Resolution and Order, shall be effective on the day that a majority of Rent Board members vote to approve it.

The City of Richmond Rent Board at a regular meeting, votes as follows:

AYES:

NOES:

ABSTAINED:

ABSENT:

RENT BOARD CHAIR

APPROVED AS TO FORM:

ATTEST:

STAFF ATTORNEY

RENT BOARD CLERK

Resolution No. 19-01

ESTABLISHING ADDITIONAL TERMS OF EXEMPTION FOR LOW-INCOME HOUSING TAX CREDIT PROVIDERS FROM THE RENT CONTROL PROVISIONS OF RICHMOND FAIR RENT, JUST CAUSE FOR EVICTION, AND HOMEOWNER PROTECTION ORDINANCE PURSUANT TO REGULATION 202.

WHEREAS, on November 8, 2016, the voters in the City of Richmond passed, by initiative, the “Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance”; and

WHEREAS, on November 15, 2017, the Richmond Rent Board adopted Regulation 202 and Regulation 204(formerly Regulation 17-01) exempting “governmentally subsidized Rental Units” from the rent control provisions of the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance; and

WHEREAS, there are approximately 4,283 Rental Units in Richmond that receive Low-Income Housing Tax Credits (LIHTC) and/or direct subsidies from the Department of Housing and Urban Development (HUD), including the Housing Choice Voucher and Project-Based Section 8 programs. These units represent approximately 20 percent of Richmond’s rental housing stock and represent a critical aspect of housing affordability in the city; and

WHEREAS, of the 4,283 governmentally subsidized Rental Units in Richmond, 2,702 Rental Units receive LIHTC funding; and

WHEREAS, maximum rents in LIHTC Rental Units are determined annually by the California Tax Credit Allocation Committee (TCAC) based on Area Median Income for Oakland-Fremont, CA HUD Metro FMR Area, which contains Alameda and Contra Costa Counties; and

WHEREAS, the methodology employed by HUD to calculate Contra Costa County’s Area Median Income may not accurately reflect Area Median Income for Richmond Tenants. For purposes of this Resolution, Tenant shall have the same meaning as provided in Richmond Municipal Code Section 11.100.030(r); and

WHEREAS, in March 2018, Tenants at multiple LIHTC developments received rent increases in excess of ten (10) percent, the maximum rent permitted by TCAC for the year; and

WHEREAS, throughout the course of their work, Rent Program staff have also heard grievances from Tenants in LIHTC Rental Units regarding habitability, security, and other issues; and

WHEREAS, due to LIHTC’s exemption pursuant to Regulation 202, Tenants living in these units cannot use the Rent Program’s petition system to request rent adjustments and resolve grievances in this manner; and

WHEREAS, Rent Program staff convened 13 of the city's affordable housing providers for a conference call on May 18, 2018, to discuss these concerns and potential solutions; and

WHEREAS, in early June 2018, six affordable housing providers, representing approximately 63 percent of the deed-restricted units in the City of Richmond, submitted letters to the Rent Program indicating their willingness to limit annual rent increases in LIHTC Rental Units; and

WHEREAS, on June 20, 2018, the Rent Board appointed two of its members to an ad hoc committee to develop an agreement with LIHTC providers in conjunction with Rent Program staff to limit rent increases in these units and address other concerns raised by Tenants; and

WHEREAS, in communication with Rent Program staff, affordable housing providers have indicated their preference to voluntarily cap annual rent increases at 6 percent (6%) and noted that TCAC maximum rents have historically increased by around 2 or 3 percent per year; and

WHEREAS, at an August 24, 2018 meeting with Tenants of affordable housing and Tenant representatives, many expressed concerns about large rent increases leading to displacement and homelessness, particularly for low-income seniors and others on fixed incomes; and

WHEREAS, at this same meeting, Tenants of affordable housing and Tenant representatives expressed a strong willingness to participate in a Rent Board-initiated mediation process to resolve habitability and other concerns with management; and

WHEREAS, while the Tenants and Tenant representatives in attendance expressed concerns that any rent increase would pose a financial hardship, they indicated they preferred a flat percentage cap of 2 percent (2%) on annual rent increases; and

WHEREAS, to date, affordable housing providers and Tenants of affordable housing and their representatives have not agreed on the appropriate percentage of annual rent increases; and

WHEREAS, on November 7, 2018, the Ad Hoc committee convened and determined it prudent to present the Rent Board with various policy options related to the continual exemption of LIHTC Rental Units pursuant to Regulation 202;

NOW, THEREFORE, BE IT RESOLVED, that the owner of a LIHTC Rental Unit may increase the rent up to the maximum allowed by TCAC at any time, so long as the increase does not exceed five (5) percent during any 12-month period;

BE IT FURTHER RESOLVED, while LIHTC properties' rents are not regulated by the Rent Board, Rent Program staff shall meet annually with LIHTC providers to gather information pertaining to compliance with Regulation 204, housing quality, and rents; the rent information shall be provided in an editable spreadsheet and include the current and proposed rent. This meeting shall occur no later than 60 calendar days from the day TCAC releases its permitted Maximum Rent Schedule; and

BE IT FURTHER RESOLVED, the Rent Program shall issue an annual report to the Rent Board on the state of governmentally subsidized Rental Units in the City of Richmond, based on program data. This report shall include recommendations to the Board regarding compliance and housing quality, and may be compiled as a section of the Rent Program's Annual Report presented to the City Council; and

BE IT FURTHER RESOLVED, at the same meeting the Rent Board receives the Annual Report, the Rent Board shall consider the LIHTC complied Rent data and make findings of the overall compliance of LIHTC properties and whether continual exemption of these properties is achieving the purpose of the Rent Ordinance; and

BE IT FURTHER RESOLVED, in the event a majority of Rent Board members find substantial noncompliance among LIHTC Rental Unit(s) and/or continued exemption of these LIHTC Rental Unit(s) does not achieve the purpose of the Rent Ordinance, the Rent Board shall consider at its next regularly scheduled meeting whether to maintain the LIHTC Rental Unit exemption as described in Regulation 204; and

BE IT FURTHER RESOLVED, in the event that a majority of Rent Board members vote to remove the exemption of a LIHTC Rental Unit(s), Rent Board staff shall within 10 business days charge the non-exempt LIHTC Rental Unit(s) a Rental Housing Fee equivalent to the amount charged for fully covered units, or partially covered units where applicable, for the same fiscal year in which the exemption was removed, less any fees already paid, and apply the full provisions of the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance, as permitted by State law.

BE IT FURTHER RESOLVED, that LIHTC providers who comply with the policies stated herein and Regulation 204, shall pay a Residential Rental Housing Fee as determined by an annual Rental Housing Fee Study approved by the Rent Board and adopted by the City Council, and maintain their exemption under Regulation 202; and

BE IT FURTHER RESOLVED, that the Tenants of governmentally subsidized Rental Units have the same rights as other Richmond Tenants to request counseling and mediation services from the Rent Program to resolve potential breaches of California Civil Code 1941.1 or other issues that implicate termination of a tenancy; and

BE IT FURTHER RESOLVED, that in no case shall a LIHTC provider be permitted to avail itself to the benefit of the provisions of this Resolution 19-01 and Regulation 202, unless that LIHTC provider has fully resolved any past and/or currently due Residential Rental Housing Fees and is otherwise in compliance with the Enrollment requirements pursuant to Regulation 405 and the requirements set forth in Regulation 204; and

BE IT FURTHER RESOLVED, that the Rent Program staff is authorized to develop rules and procedures to implement the counseling, enrollment, and mediation services associated with the purpose of this Resolution; and

Chapter 2: APPLICABILITY

200. Purpose

The purpose of this Chapter 2 is to describe those categories of properties which are exempt from the Ordinance and to provide a process and procedure for those Controlled Rental Units seeking to establish an exemption from this Ordinance.

[Formerly Regulation 17-01; Adopted November 15, 2017]

201. Rental Units Exempt from both the Rent Control (R.M.C § 11.100.070) and Just Cause for Eviction (R.M.C § 11.100.050) Provisions of the Ordinance

- A. Rental Units in hotels, motels, inns, tourist homes and rooming and boarding houses that are rented primarily to transient guests for a period of fewer than 14 days;
- B. Rental Units in any hospital, convent, monastery, extended medical care facility, asylum, or non-profit home for the aged, or dormitory owned and operated by an accredited institution of higher education;
 - 1. For purposes of this Regulation 201(B), “non-profit homes for the aged”, shall mean any residential care facility for the elderly, or skilled nursing facility for the elderly, which is currently licensed as a health care facility under California Administrative Code, Title 22, Division 5, Chapter 3, as amended. A skilled nursing facility for the elderly means a health facility or a distinct part of a hospital which provides the following basic services, skilled nursing care, and supportive care to patients whose primary need is for availability of skilled nursing care on an extended basis. It provides 24-hour in-patient care and, as a minimum, includes medical, nursing, dietary, pharmaceutical services and activity program. Extended medical care facilities and Residential care facilities for the elderly shall not include community care facilities or alcoholic or drug rehabilitation or detoxification centers. A community care facility means a facility which is maintained and operated to provide non-medical residential care. Alcohol and drug rehabilitation or detoxification centers mean recovery houses or other similar facilities providing living arrangements for persons recovering from alcoholism or drug addiction.
- C. Rental Units that are lawful and in full compliance with Richmond Municipal Code Chapter 15.04.610.020, as amended, (formerly known as the “Small, Second Unit Ordinance of the City” (R.M.C § 11.15.04)), if the owner is the Primary Resident of the first, larger single family home; and
- D. Rental Units where the Rental Unit is the Primary Residence of the property owner and the property owner shares with a Tenant(s) a bathroom or kitchen.

[Formerly Regulation 17-03; Adopted July 19, 2017; Amended December 15, 2021; Amended October 25, 2023]

201.5 Rooming and Boarding Houses

- A. For purposes of Regulation 201, Rooming and Boarding house(s) shall mean any building or portion thereof other than a hotel containing at least five (5) rooms individually offered for rent or rented to at least five tenants under separate Rental Housing Agreements.
- B. Where any building, structure, or part thereof is considered a Rooming and Boarding house, each room shall be treated as an individual Rental Unit and must be individually registered with the Rent Program, in a manner consistent with Chapter 4 of these Regulations.
- C. Use of a single Rental Housing Agreement shall not be dispositive in determining whether a building, structure, or part thereof is a Rooming and Boarding house. Rather, the following factors shall be considered by the Rent Program when determining whether a building, structure, or part thereof is a Rooming and Boarding house:
 - a. Whether the Landlord or Tenant maintains control over Tenant Replacement;
 - b. Whether there is a single or multiple Rental Housing Agreement(s);
 - c. The relationship between the Tenants of the Rooming and Boarding house;
 - d. How Rent is distributed, collected, and/or paid to the Landlord;
 - e. Access to common areas and/or housing services; and
 - f. The period of occupancy set forth in each single or multiple Rental Housing Agreement.

This is not an exhaustive list and the Rent Program may consider other evidence that has a tendency to prove or disprove that a particular building, structure, or part thereof is a Rooming and Boarding house.

[Adopted July 18, 2018]

202. Governmentally Subsidized Rental Units Exempt from the Rent Control Provisions of the Ordinance

The following rental units are exempt from the rent control (RMC 11.100.070), but not the just cause for eviction (RMC 11.100.050) provisions of the Ordinance.

- A. Rental units in which a tenant household holds a Section 8 Housing Choice Voucher and where the rent not does exceed the Payment Standard as published by the U.S. Department of Housing and Urban Development.
- B. Rental units for which the rent is subsidized by the Project-Based Section 8 Program

- C. Rental units that are “rent restricted” in a Low Income Housing Tax Credit Program Project. “Rent Restricted” means the rent charged for the unit is affordable for a qualifying Tenant pursuant to the Regulatory Agreement.
- D. Rental units for which the rent is subsidized by the Section 202 Supportive Housing for the Elderly Program
- E. Rental units that are “rent restricted” under a regulatory agreement between a governmental agency and a property owner. “Rent Restricted” means the rent charged for the unit is affordable for a qualifying Tenant pursuant to the Regulatory Agreement.

[Formerly Regulation 17-01; Adopted November 15, 2017]

203. Other Rental Units Exempt from the Rent Control Provisions of the Ordinance

In addition to rental units that are exempt from rent control under R.M.C § 11.100.100.030 (d)(1)(2)(4) (5) and (6), rental units which a governmental unit, agency or authority owns, operates or manages are exempt from the rent control provisions of the Ordinance. Section 11.100.030 (d)(3), Richmond Municipal Code.

[Formerly Regulation 17-01; Adopted November 15, 2017]

204. Maintaining an Exemption Pursuant to Regulation 202: Compliance with Applicable Laws and Regulations

- A. Notwithstanding Regulation 202, Rental Units described in Regulation 202 shall not be exempt from Section 11.100.070 of the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance where the property owner has failed to substantially comply with all of the applicable provisions of the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance, Rent Board Orders, Regulations, and/or Resolutions, as well as the Implied Warranty of Habitability as described in Civil Code 1941.1, and Richmond Municipal Code Section 6.40.040. This includes, but is not limited to, a property owners obligation to comply with the following:

- (1) Timely payment of all owing Residential Rental Housing Fee. For purposes of this provision, a payment shall be considered timely where a property owner remits payment of the Residential Rental Housing Fee within 30 calendar days from the date the Rent Program sends the invoice. Where there is a dispute in the amount owed, payment shall be considered timely where the owner remits payment of the Residential Rental Housing Fee within 30 calendar days from the date the Rent Program sends the amended invoice. However, where the dispute is wholly concerned with assessed late fees, payment shall be considered timely where the owner remits payment of the Residential Rental Housing Fee within 5 calendar days from the date the Rent Program sends the amended invoice or 30 calendar days from the date the Rent Program sent the initial invoice, whichever is later. If a dispute does not result in an amended invoice, payment shall be due within 30

calendar days from the date the Rent Program sent the initial invoice;

- (2) Payment of the Business License Tax pursuant to Richmond Municipal Code Section 11.100.060(1)(1);
 - (3) Enrollment of all applicable Rental Units pursuant to Regulation 405(B);
 - (4) All of the applicable provisions set forth in Resolution 19-01; and
 - (5) Any and all requirements set forth in any regulatory agreement executed between a developer and/or property owner and a Federal, State, or government entity.
- B. Where Rent Program Staff members have determined a property owner has failed to comply with any of the obligations set forth in Regulation 204(A), Rent Program Staff members shall immediately notify the property owner in writing of the obligation(s) the property owner has failed to satisfy. The written notification must identify the specific obligation(s) the property owner has failed to satisfy and provide the property owner up to 60 calendar days from the date of mailing of the notification to bring itself into compliance with the identified obligation(s). If a property owner fails to timely comply with the obligation(s) identified in the Rent Program Staff member's written notification, Rent Program Staff members may agendaize an item of noncompliance for the next regularly scheduled Rent Board meeting. The agenda item shall include an identification of the specific property that has failed to comply, specific findings of noncompliance, a recommendation of the removal of the exemption contained in Regulation 202 as it relates to the noncompliant property, and any other information Rent Program staff member(s) deems relevant.
- C. In addition to Regulation 204(A), Rental Units described in Regulation 202 shall not be exempt from Section 11.100.070 of the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance where there is no longer in effect (a) a tenant with a Section 8 Housing Choice Voucher in the Rental Unit, (b) the Rental Unit is no longer in a Project-Based Section 8 Program, and/or (c) the Rental Unit is no longer rent restricted under a regulatory agreement and/or declaration of restrictive covenants.
- D. Nothing in Regulation 204(A) and/or Regulation 204(B) shall preclude tenants residing in Rental Units described in Regulation 202 from seeking advice or assistance from the Rent Program concerning applicable provisions of the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance and utilizing the remedies provided in the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance to the extent permitted by Federal, State, and local law.

*Formerly Regulation 17-01; Adopted November 15, 2017]
[Amended February 20, 2019]*

205. Application for Applicability or Exemption Determination

Notwithstanding Regulation 403, both a Landlord and a Tenant may request that an Administrative Decision be rendered regarding the applicability of Richmond Municipal Code Chapter 11.100 on a Rental Unit or a claimed exemption pursuant to Richmond Municipal Code Section 11.100.030(d). All requests for an Administrative Decision regarding applicability and/or exemption must be made on an Official Rent Program form. The applicant must complete the Official Rent form and attach sufficient information and documentation as requested therein. The applicant shall have the burden of proof of demonstrating a claimed exemption or inapplicability of Richmond Municipal Code Chapter 11.00.

[Adopted June 20, 2018]

206. Issuing an Administrative Decision on Applicability or Exemption Status

1. In rendering an Administrative Determination, the Executive Director or assigned staff member may conduct an independent investigation into the underlying facts and rely on information and documentation obtained thereof.
2. All Administrative Determinations rendered under this Regulation must be made in writing, provide an explanation of the basis for the decision with citations to Richmond Municipal Code Chapter 11.100, and adequately describe the evidence relied on in reaching the decision.
3. All Administrative Determinations rendered under this Regulation shall consider the purpose of the Rent Ordinance, any relevant evidence tending to prove or disprove material facts, previous compliance with Richmond Municipal Code Chapter 11.100, paid Business License Tax, if any, and the rental history of the subject Rental Unit.
4. For those Administrative Determinations evaluating claims of the application of Richmond Municipal Code Chapter 11.100, the Executive Director or assigned staff member must make the following evidentiary findings prior to reaching an ultimate conclusion of applicability:
 1. Whether the applicant owns at least a fifty percent (50%) interest in the Property for which the determination is being sought and has owned fifty percent (50) interest since the date of filing the application;
 2. Whether the unit is a Rental Unit pursuant to Richmond Municipal Code Section 11.100.030(m)

3. Whether there exist a Rental Housing Agreement as defined by Richmond Municipal Code Section 11.100.030(k)
 4. Whether there is a person referenced in the application who either receives or who would otherwise be entitled to receive Rent as defined by Richmond Municipal Code Section 11.100.030(j). For purposes of this section, a person who is “entitled to receive” need not actually receive Rent. Rather, they need only to be the one who would receive Rent if Rent was actually paid.
 5. If the applicant claims the unit is owner-occupied, whether the owner has resided at the property as their Primary Residence beginning at least one hundred twenty (120) days prior to filing of the application for exemption.
5. Where the challenged Rental Unit has been rented or offered for rent in the same fiscal year in which the applicant has filed an application for determination of Richmond Municipal Code Chapter 11.100 applicability or exemption, the Executive Director or assigned staff member shall find that the provisions of Richmond Municipal Code Chapter 11.100 apply and shall only consider whether the Just Cause provisions apply or both the Rent Control and Just Cause provisions apply.
 6. All administrative decisions under this Regulation must be rendered within 90 calendar days from the date of application. The Rent Program shall notify the applicant and impacted part of its Administrative Determination. If the applicant or impacted party disagrees with the Executive Director or assigned staff member’s Administrative Determination, the applicant or impacted party may, within 15 calendar days from the date of the Administrative Determination plus any additional time permitted under California Code of Civil Procedure Section 1013(a), as amended, file a request for hearing on the issues raised in the application. The hearing and any potential appeal shall be conducted in accordance with the rules and procedures set forth in Chapter 8 of these Regulations. For purpose of this section, impacted party shall include those persons who are either the Landlord or occupant of the subject Rental Unit.

[Adopted June 20, 2018; Amended October 21, 2020]

207. Challenging a Rental Unit’s Exempt Status

- A. Where a Rental Unit has been determined to be or treated as an exempt Rental Unit, a Tenant occupying said Rental Unit or his or her designee, may challenge the Rental Unit’s exemption status by filing a Tenant petition for rent withholding, pursuant to Chapter 4 of these Regulations. Such a petition shall not be granted if the challenged Rental Unit has been determined exempt pursuant to Regulation 206, unless the Tenant can demonstrate that there

has been a material change in facts, or that the information supplied by the Landlord in support of the exemption was misleading and/or false.

[Adopted June 20, 2018]

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Chapter 3: RENT BOARD

323. Effective Date of Adopted Regulations and Resolutions

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

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: February 18, 2026

Final Decision Date Deadline: February 18, 2026

STATEMENT OF THE ISSUE: The Executive Director is set to retire on February 27, 2026. Prior to retiring, he would like to give a few remarks to both the Rent Board and the public, regarding his tenure at the Rent Program.

INDICATE APPROPRIATE BODY

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

ITEM

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

RECOMMENDED ACTION: RECEIVE the Executive Director's outgoing message – Rent Board (Nicolas Traylor 620-6564).

AGENDA ITEM NO:

H-4.

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AGENDA REPORT

DATE: February 18, 2026
TO: Chair Tipton and Members of the Rent Board
FROM: Nicolas Traylor, Executive Director
SUBJECT: Executive Director's Outgoing Message

STATEMENT OF THE ISSUE:

The Executive Director is set to retire on February 27, 2026. Prior to retiring, he would like to give a few remarks to both the Rent Board and the public, regarding his tenure at the Rent Program.

RECOMMENDED ACTION:

RECEIVE the Executive Director's outgoing message.

FISCAL IMPACT:

There is no fiscal impact related to this item at this time.

DISCUSSION:

Receive an outgoing message from the Executive Director

DOCUMENTS ATTACHED:

None

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