

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: May 20, 2020

Final Decision Date Deadline: May 20, 2020

STATEMENT OF THE ISSUE: The minutes of the April 15, 2020, Regular Meeting of the Richmond Rent Board require approval.

INDICATE APPROPRIATE BODY

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

ITEM

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

RECOMMENDED ACTION: APPROVE the minutes of the April 15, 2020, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-1.

RICHMOND, CALIFORNIA, April 15, 2020

The Regular Meeting of the Richmond Rent Board was called to order at 5:03 P.M. via videoconference.

On March 16, 2020, the Health Officer of Contra Costa County issued an Order through April 7, 2020, that directed that all individuals living in the County to shelter at their place of residence except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and governmental services.

On March 17, 2020, Governor Gavin Newsom issued Executive Order N-29-20, authorizing legislative bodies to hold public meetings via teleconferencing.

Executive Order N-29-20 further provides that a legislative body that held a meeting via teleconference and allowed members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with notice and accessibility requirements as set forth in the Order, shall have satisfied any requirement that the body allows members of the public to attend the meeting and offer public comment.

Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment. On March 19, 2020, Governor Newsom issued a statewide shelter-in-place order. The public was able to view the meeting using Zoom at the following link:

<https://us02web.zoom.us/j/814587641?pwd=V3dNTnhhdEhuU1V3N1VYUzNOB0pnUT09>
Password: rentboard

Or By Telephone:

US: +1 669 900 9128 or +1 346 248 7799 or +1 646 558 8656 or +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 814 587 641

International numbers available: <https://us02web.zoom.us/j/814587641?pwd=V3dNTnhhdEhuU1V3N1VYUzNOB0pnUT09>

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, April 15, 2020, to the Rent Board Clerk, Cynthia Shaw at cynthia_shaw@ci.richmond.ca.us, to be considered into the record.

PLEDGE TO THE FLAG

ROLL CALL

Boardmembers Present: Conner, Duncan, Vice Chair Gerould, and Chair Maddock.

Staff Present: Staff Attorney Charles Oshinuga, Deputy Director Paige Roosa and Executive Director Nicolas Traylor.

Absent: Boardmember Finlay.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

On motion of Boardmember Conner, seconded by Chair Maddock, a recommendation to move Item F-2 from the Consent Calendar for discussion before Item I, under Rent Board as a Whole, passed by the following vote: **Ayes:** Boardmembers Conner, Duncan, Vice Chair Gerould and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Boardmember Finlay.

PUBLIC FORUM

Vuong Phi, Richmond Landlord, addressed the Board with concerns regarding uncollected rent income for the months of April and May. She asked at what point Landlords will be able to proceed with the eviction if the Tenant continues not to pay rent. She also mentioned that her Tenant told her that her family does not benefit from the CARES Act for the one-time payment, nor do they qualify for unemployment benefits. She asked what would be her options.

Cordell Hindler commented by email, inviting the Board to attend the Contra Costa Mayors Conference on June 4th hosted by the City of Orinda. He recommended they contact the City Clerk's office to find out the venue. He also mentioned that he will speak with the President of the Richmond Neighborhood Coordinating Council to schedule an update regarding the Rent Program.

Sean S mentioned that there is a three prong system, the Landlord, Tenant and the Rent Board. He added the benefits of this Program is that it creates jobs for the city and provides protection for Tenants. He expressed concerns about what value does the

Rent Program bring to Landlords and what are the key performance indicators to measure the level of success for Landlords. He feels that Landlords pay a lot of money in taxes and hope that they can be greater appreciated during this process. He also feels that city should be responsible for collecting required documents from Tenants to determine if they are eligible to receive funds from the city to pay their rent obligation. He also feels that Landlords should be allowed to increase rents by a minimum of 15% for the upcoming fiscal year to cover expenses that Landlords are facing, such as refuse service, property taxes and other services within the city that is required to participate in to fund a business. He added that the 3% annual increase allowed is not enough to cover those costs and that Landlords are taking a substantial loss during this time. He also feels that it is a misconception that Landlords make a lot of money and noted that for the city to suggest that Tenants be allowed a six month loan, is cutting off Landlords pay to fund a city problem for housing. He also feels that we should all work together to find a solution.

RENT BOARD CONSENT CALENDAR

On motion of Boardmember Duncan, seconded by Boardmember Conner, the item(s) marked with an (*) were approved with Boardmember Finlay absent:

*F-1. Approve the minutes of the February 19, 2020, Regular Meeting of the Richmond Rent Board. *This item was continued from the March 18, 2020, meeting.*

*F-3. Receive the February 2020 Rent Program Monthly Report. *This item was continued from the March 18, 2020, meeting.*

*F-4. Receive the March 2020 Rent Program Monthly Report.

*F-5. Receive the Rent Program FY 2019-20 Monthly Revenue and Expenditure Report through February 2020. *This item was continued from the March 18, 2020, meeting.*

STUDY AND ACTION SESSION

G-1. The matter to receive a draft Fiscal Year 2020-21 Rent Program budget and corresponding Rental Housing Fee study, including 10-year financial projections and financial recommendations prepared by Kevin W. Harper and Associates,

and provide direction to staff was presented by Deputy Director Paige Roosa. The presentation included the background, Rent Program's Mission Statement which included the impact and the importance of community stability, healthy housing and affordability for Richmond Tenants, organization and goals which included the proposed Rent Program organizational chart, goals for program development, outreach, program sustainability and compliance, proposed fiscal year 2020-21 budget that included a breakdown of the salaries and wages, benefits, professional and administrative services, travel and training, dues and publications, advertising and promotion, administrative expenses, office expenses, including postage and mailing, printing and binding, equipment rental, miscellaneous contributions and expenses, office supplies, utilities and supplemental insurance, cost pool and noncapital assets, financial projections and recommendations that included an expense and revenue summary, 10-year financial projection background, high-level and financial recommendations summary, and the draft fiscal year 2020-21 Rental Housing Fee Study which included an introduction and background, proposed fee structure and example services, applicable unit counts, proposed budget and rental housing fees, a comparison of proposed FY 2020-21 Rental Housing Fee to prior years, a comparison to peer jurisdictions, consideration of a 50% pass-through of the Rental Housing Fee, Pass-through policies in peer Rent Control jurisdictions, staff recommendations, and the recommended action. Discussion ensued. There were no public comments on this item. A motion by Boardmember Conner, seconded by Boardmember Duncan, to receive a draft Fiscal Year 2020-21 Rent Program budget and corresponding Rental Housing Fee study, including 10-year financial projections and financial recommendations prepared by Kevin W. Harper and Associates and direct staff to provide the Board a copy of the audit reports conducted by the city at the next Board meeting as an Item under the Consent Calendar, provide the Board a copy of the collections report to show amounts collected, to develop a policy for the accounting of reserves in the budget, and forego a discussion of drafting Regulations to pass through a portion of the Rental Housing fee to Tenants at this time, passed by the following vote: **Ayes:** Boardmembers Conner, Duncan, Vice Chair Gerould and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Boardmember Finlay.

RENT BOARD AS A WHOLE

H-1. The matter to receive, discuss, and determine the method and format for future Rent Board meetings as it relates to the Coronavirus pandemic was presented by Executive Director

Nicolas Traylor. The presentation included the statement of the issue, background, Executive Order N-23-20, what the Order means, how the Board could handle Appeals and the recommended action. Discussion ensued. There were no public comments on this item. No formal action was taken on this item; however, the Board directed staff to develop a process to conduct hearings by Zoom or by teleconference and to accommodate participants who require translation. The Board also agreed to continue to conduct Rent Board meetings by Zoom until it is safe to meet in person.

F-2. The matter to receive letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100, was presented by Boardmember Conner. Boardmember Conner requested to remove this item from the Consent Calendar because she wanted to understand the process for responding to letters received from community members. Staff Attorney Charles Oshinuga responded to explain that any correspondence that is addressed to the Board may be responded to by the Board or they may direct staff to respond or pull the item from the Consent Calendar for further discussion by the Board. He also added that this process is addressed in the draft Rent Board Governance Regulations that was presented in a previous meeting. Executive Director Nicolas Traylor added that when correspondence is received from community members, he may respond or he will direct staff to respond. Deputy Director Paige Roosa also added that if correspondence is received addressed to the Rent Board, the Board Clerk sends a confirmation of receipt, informing the sender that their letter will included in the next Rent Board Agenda Packet.

REPORTS OF OFFICERS

Deputy Director Paige Roosa gave a brief report to inform the public and note for the record that there is currently a prohibition on any Evictions for nonpayment of rent due to the financial impacts of COVID-19. She also added that Landlords are prohibited from evicting Tenants for any no fault eviction, such as Owner Move-In, Temporary Tenancy and Withdrawal from the Rental Market, unless it is necessary for the health and safety of the Tenants, neighbors or the Landlord. She also mentioned that the Rent Program is available to answer any questions from members of the public by calling us at 510-234-RENT (7368) or by email at rent@ci.richmond.ca.us. Executive Director Nicolas Traylor added that the Eviction Moratorium is not a reason for Tenants to forgo paying rent, Tenants are still required to pay rent when the Moratorium lifted. He also mentioned that the Rent

Program will be available to assist Landlords and Tenants when the Moratorium is lifted to mediate repayment plans between Tenants and Landlords to avoid any conflicts or potential lawsuits. Staff Attorney Charles Oshinuga also added that he has been working with the City Attorney's Office on this Order and the Rent Program staff has been educating members of the public on the Moratorium that was passed. He also added that it is important to note that it is not the Rent Program's Order, and it is not the Rent Program's Moratorium, they were passed by the city and if there are any requests to make changes, the public should address their concerns to the City Council.

Boardmember Duncan asked Executive Director Nicolas Traylor to comment on a letter template that was mailed to Tenants about the impacts of COVID-19. Executive Director Nicolas Traylor responded that the Rent Program has done outreach to Landlords and Tenants about the Moratorium and staff has developed a letter template that the Tenant can assert that they cannot pay rent due to COVID-19-related reasons. He also added that the template is available on our website. He also mentioned that staff sent the template letter out to select Tenants who received eviction notices. He also mentioned that staff have done more targeted outreach to properties where ownership is still issuing eviction notices. He also added that we will be doing additional outreach, including working with KCRT TV to get a televised public service announcement issued, as well as working with Emergency Services to send out public announcements by telephone to make sure that everyone in Richmond is aware that the Moratorium exists.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:59 P.M.

Cynthia Shaw and Mónica Bejarano
Staff Clerks

(SEAL)

Approved:

Lauren Maddock, Chair