STATEMENT OF THE ISSUE: Section 11.100.030(d) of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance exempts Rental Units which a government unit, agency or authority owns, operates, manages, or in which governmentally subsidized Tenants reside only if applicable federal or state law or administrative regulation specifically exempt such units from municipal rent control from the definition of Controlled Rental Units. The Rent Board shall consider the adoption of an administrative regulation in conjunction with the fee study exempting approximately 1,851 Housing Choice Vouchers (Project-Based and Tenant-Based Section 8) and units owned and/or managed by the Richmond Housing Authority (Nystrom Village and Nevin Plaza) from the definition of Controlled Rental Units as described in RMC 11.100.030(d)(3).

RECOMMENDED ACTION: ADOPT Administrative Regulation 17-01 exempting approximately 1,851 Housing Choice Vouchers (Project-Based and Tenant-Based Section 8) and units owned and/or managed by the Richmond Housing Authority (Nystrom Village and Nevin Plaza) from the definition of Controlled Rental Units as described in RMC 11.100.030(d)(3).
DATE: May 24, 2017

TO: Chair Gray and Members of the Rent Board

FROM: Bill Lindsay, City Manager

SUBJECT: ADMINISTRATIVE REGULATION EXEMPTING HOUSING CHOICE VOUCHERS AND RICHMOND HOUSING AUTHORITY HOUSING UNITS FROM THE DEFINITION OF CONTROLLED RENTAL UNITS (RMC 11.100.030(d))

STATEMENT OF THE ISSUE:

Section 11.100.030(d) of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance exempts Rental Units which a government unit, agency or authority owns, operates, manages, or in which governmentally subsidized Tenants reside only if applicable federal or state law or administrative regulation specifically exempt such units from municipal rent control from the definition of Controlled Rental Units. The Rent Board shall consider the adoption of an administrative regulation in conjunction with the fee study exempting approximately 1,851 Housing Choice Vouchers (Project-Based and Tenant-Base Section 8) and units owned by the Richmond Housing Authority (Nystrom Village and Nevin Plaza) from the definition of Controlled Rental Units as described in RMC 11.100.030(d)(3).

RECOMMENDED ACTION:

ADOPT Administrative Regulation 17-01 exempting approximately 1,851 Housing Choice Vouchers (Project-Based and Tenant-Based Section 8) and units owned by the Richmond Housing Authority (Nystrom Village and Nevin Plaza) from the definition of Controlled Rental Units as described in RMC 11.100.030(d)(3)

FISCAL IMPACT:

There is no fiscal impact to the City related to this item.
DISCUSSION:

Receive an oral report and presentation from the City Manager and Michael Roush, Interim Legal Counsel.

DOCUMENTS ATTACHED:

Attachment 1 – Administrative Regulation 17-01, exempting approximately 1,800 Housing Choice Vouchers (Project-Based and Tenant-Based Section 8) and units owned and/or managed by the Richmond Housing Authority (Nystrom Village and Nevin Plaza) from the definition of Controlled Rental Units as described in RMC 11.100.030(d)

Attachment 2 – Housing Choice Voucher Delinquency Report as of January 31, 2017

Attachment 3 – Draft Housing Element Progress Report (11/15/2016)
A Rental Unit in which a Tenant holds a Housing Choice Voucher (Section 8), or a Rental Unit in a Section 8 Housing Choice Voucher Project, or a Rental Unit in a development owned and/or managed by the Richmond Housing Authority (including Nystrom Village and Nevin Plaza) is not a Controlled Rental Unit as defined in paragraph (3), subsection (d) of Section 11.100.030, Richmond Municipal Code.

Approved as to form on May 24, 2017:

_______________________________
Michael Roush
Interim Board Counsel
Richmond Rent Board
## Delinquency Report

**Field Office Code:** 9APH  
**Field Office Name:** CALIFORNIA STATE OFFICE  
**Effective Dates Included:** October 01, 2015 through January 31, 2017

### Public Housing

Click on the for Ascending sort and on for Descending sort.

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<th>HA Name</th>
<th>ACC Units</th>
<th>VMS Units Lensed (a)</th>
<th>As of (MM/YY)</th>
<th>Port Outs (b)</th>
<th>Port Ins (c)</th>
<th>50068 Required</th>
<th>50058 Received</th>
<th>Difference</th>
<th>Reporting Rate</th>
<th>Last Month</th>
<th>Last 3 Months</th>
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### Summary Information for the Field Office: 9APH

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<th>Total ACC Units Lensed</th>
<th>Total VMS Units Lensed</th>
<th>Total Port Outs</th>
<th>Total Port Ins</th>
<th>Total 50068 Required</th>
<th>Total 50058 Received</th>
<th>Total Difference</th>
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<th>Last Months</th>
<th>Last 3 Months</th>
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https://hudapps.hud.gov/picj2ee/Mtcsddelinquency?category=ProgramType&ptvde=CF&do... 2/21/2017
## Existing Deed Restricted Affordable Housing

### Development Name | Type | Total Units | AMI: Very Low (<60%) | AMI: Low (60%-80%) | AMI: Moderate (80%-120%) | Market Rate | Ownership Type
--- | --- | --- | --- | --- | --- | --- | ---
1. Crescent Park | LIHTC | 341 | 341 | 341 | LEASE
2. Baycliff Apartments | LIHTC | 341 | 341 | 341 | LEASE
3. Monterey Pines Apartments | LIHTC | 324 | 324 | 324 | LEASE
4. Richmond Townhomes Section 8 | LIHTC | 199 | 192 | 199 | 7 | LEASE
5. Heritage Park at Hilltop | LIHTC | 192 | 190 | 192 | 2 | LEASE
6. St Johns Apartments | LIHTC | 158 | 158 | 158 | LEASE
7. Easter Hill Apartments Phase II | LIHTC | 85 | 83 | 85 | 2 | LEASE
8. Barrett Terrace Apartments Section 8 | LIHTC | 115 | 114 | 115 | 1 | LEASE
9. Liberty Village Apartments | LIHTC | 100 | 98 | 100 | 2 | LEASE
10. Deliverance Temple | LIHTC | 82 | 82 | 82 | LEASE
11. Richmond Village Phase 1B | LIHTC | 67 | 65 | 67 | 2 | LEASE
12. Richmond Macdonald Senior Apartments | LIHTC | 66 | 65 | 66 | 1 | LEASE
13. Richmond City Center Apartments | LIHTC | 63 | 63 | LEASE
14. Barrett Plaza Townhouses Section 8 | LIHTC | 58 | 58 | LEASE
15. Community Heritage Apartments Section 202 (Senior) | LIHTC | 51 | 51 | LEASE
16. Richmond Village Phase 1A | LIHTC | 51 | 50 | 1 | LEASE
17. The Arbors | LIHTC | 36 | 35 | 1 | LEASE
18. The Carquinez | LIHTC | 36 | 35 | 1 | LEASE
19. Arborgs Apartments | LIHTC | 36 | 35 | 1 | LEASE
20. Chelsey Mutual Housing | LIHTC | 30 | 29 | 1 | LEASE
21. Rubicon Homes Section 202 (Senior) | LIHTC | 10 | 10 | LEASE
22. Triangle Court Section 8 | LIHTC | 98 | 98 | LEASE
23. Neptune Village Public | LIHTC | 102 | 102 | LEASE
24. Friendship Manor Section 8 | LIHTC | 58 | 58 | LEASE
25. Nevin Plaza Public | LIHTC | 148 | 148 | LEASE
26. Richmond Village Public | LIHTC | 181 | 181 | LEASE
27. Westridge | LIHTC | 401 | 401 | LEASE
28. Harborview Senior Apartments | LIHTC | 65 | 65 | LEASE

### Total Affordable Housing Sites
Total: 3,476

### Pipeline Residential Projects

#### Project Name | Status | Total Units | AMI: Very Low (<60%) | AMI: Low (60%-80%) | AMI: Moderate (80%-120%) | Market Rate | Ownership Type
--- | --- | --- | --- | --- | --- | --- | ---
1. Bottoms Residential | Approved | 60 | 60 | 60 | OWN
2. Mraflores Senior | Approved | 80 | 80 | 0 | LEASE
3. Anchorage @ Marina Bay | Approved | 111 | 111 | OWN
4. Garrison Way Apartments | Approved | 98 | 98 | LEASE
5. Central Avenue | Approved | 140 | 15 | 0 | LEASE
6. Nevin Avenue | Approved | 258 | 289 | 2 | LEASE
7. Westridge Rehab and Addition | Approved | 22 | 62 | 0 | LEASE
8. Hilltop Apartments | Approved | 180 | 180 | LEASE
9. Baywalk | Approved | 193 | 193 | LEASE
10. The Point Townhomes | Approved | 27 | 27 | LEASE
11. Terminal One | Approved | 323 | 323 | OWN
12. 12th and MacDonald | ERN | 256 | 77 | 179 | LEASE
13. Cutting Fire Training Facility | ERN | 100 | 30 | 70 | LEASE
14. Mraflores | Contemplated | 79 | 270 | 161 | LEASE
15. Hacienda | Contemplated | 58 | 216 | 11 | LEASE
16. Nystrom | Contemplated | 10 | 216 | 0 | LEASE

### Total Pipeline Units
Total: 2,636

## Regional Housing Need Allocation (RHNA) Mandate Analysis (January 1, 2014 - October 31, 2022)

### Total Pipeline Units
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<th>Total Units</th>
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<th>AMI: Moderate (80%-120%)</th>
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<th>Ownership Type</th>
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### RHNA 2022 Mandate Units
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### Percent Planned (current)
| Percent Planned | 108% | 97% | 223% | 29% | 110% |

## Low Income Housing Tax Credit Income Limits – Very Low/Low/Moderate Income

### Contra Costa County 4 Person Area Median Income ($93,600)

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## Guide

- LIHTC: Low Income Housing Tax Credit
- Section 8: Project Based Section 8 Housing
- Section 202 (Senior): Section 202 Supportive Housing for the Elderly Program
- DDA: Disposition and Development Agreement

---

These developments are proposed and have not yet obtained review or approvals. These projections may change as part of an ongoing settlement agreement.

### DRAFT HOUSING ELEMENT PROGRESS REPORT (11/15/2016)