

RICHMOND, CALIFORNIA, December 18, 2019

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

PLEDGE TO THE FLAG

ROLL CALL

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

Absent: Boardmember Duncan.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

On motion of Chair Maddock, seconded by Boardmember Conner, a recommendation to move Item G-2 for discussion before Item G-1 under Rent Board as a Whole, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay, Vice Chair Gerould and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Boardmember Duncan.

PUBLIC FORUM

Cordell Hindler invited the Board to attend the Board to attend the Contra Costa Mayors Conference, held at the Pinole Senior Center in the month of January. He also invited the Board to attend the Council of Industries monthly luncheon, held at Hotel Mac, also held in the month of January. He also requested that the topic of stipends for Rent Boardmembers for their service to the community be considered as a future meeting agenda item.

Jerrilee Doss thanked the Board for being here and for being the voice of reason. She expressed concerns regarding Item F-6 on the Consent Calendar. She mentioned that the Rent Program budget is 2.5 million dollars, they have over 20 staff members and they borrow several staff members from the Information Technology Department. She also mentioned that they have some volunteers, according to the website and they have the Boardmembers for guidance. She also mentioned that according to the Rent Program's document, they leave 1 million dollars on the table annually. She also mentioned a million dollars has not been

collected from Landlords, who have not been tracked down. She expressed that Item F-6 is asking for \$20,000 from the fund collected from compliant Landlords to be spent in order to figure out how to secure a financial future for the Rent Program staff. She also mentioned that it appears with a staff this size, we should be able to find the uncollected money and get it into the account. She also expressed based on her experiences with the Rent Program, that they are less than efficient. She also expressed that not being able to collect the money that is required by Measure L makes the Rent Program appear to be ineffectual as well. She also mentioned the passing of the California Statewide Rent Control Law, which in no doubt will come with its own fees. She concluded by asking the Board to not allow the Rent Program to take any more money from Landlords' pockets.

Chair Maddock allowed an additional community member to speak under Public Forum regarding Item F-6, on the Consent Calendar.

Brian Fishe mentioned that he came before the Board some months ago and pointed out information that was referenced on an agenda item in the Rent Board Meeting Agenda Packet, which stated that City of San Jose was the 20th largest city in America with over 1 million people where approximately 43% of rental units are Rent Controlled. He also mentioned that in the packet it stated that City of San Jose was paying their Rent Control Management Staff less than the City of Richmond, which is a small city that only has 110,000 people. He also mentioned that he asked the Board at that time if they would consider that fact, since we are a small city and not a large city like San Jose. He also mentioned that Landlords are paying more money for our Rent Control management than the City of San Jose. He also asked the Board if they would take a financial stance and look into the costs for Rent Control Management Staff because the costs keep going up and now the Rent Program is asking for \$20,000 for another consultant. He also expressed that Richmond is a small city with small apartment owners like himself. He concluded by saying that property owners money should be used for taking care of their property, rather than being used to fund additional staff.

RENT BOARD CONSENT CALENDAR

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

*F-1. Approve the minutes of the November 20, 2019, Regular Meeting of the Richmond Rent Board.

*F-2. Receive letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100.

*F-3. Receive the November 2019 Rent Program Monthly Report.

*F-4. Receive the Rent Program FY 2019-20 Monthly Revenue and Expenditure Report through November 2019.

*F-5. Approve a letter addressed to the Director of Governmental Affairs for the Contra Costa Association of Realtors requesting the inclusion of additional language in both the Disclosures and Disclaimers Advisory and Purchase Agreement Addendum documents and direct staff to transmit the letter and keep the Rent Board apprised of the response from the Contra Costa Association of Realtors. *This item was continued from the November 20, 2019, meeting.*

*F-6. Direct staff to negotiate and execute a contract for financial consulting services in an amount not to exceed \$20,000 for the second half of the 2019-20 fiscal year (January 2020 – June 2020).

RENT BOARD AS A WHOLE

G-2. The matter to receive an informational handout about AB 1482 and a report regarding how the Rent Program plans to conduct outreach, education, and counseling related to the passage of AB 1482 was presented by Staff Attorney Palomar Sanchez. The presentation included information about AB 1482, how AB 1482 intersects with the Richmond Rent Ordinance, which properties are covered by AB 1482, which properties are exempt from AB 1482, Landlord requirements to have just cause to evict, Landlord requirements to pay relocation assistance, and Richmond Rent Program outreach and education on AB 1482. Discussion ensued. The following individual gave comments: Ilona Clark. No formal action was taken.

G-1. The matter to receive a presentation from Rent Program staff members including a summary of termination of tenancy notices filed with the Rent Program by property type, proposed policy options regarding a proposed Owner Move-In

eviction regulation, and an analysis of the anticipated fiscal impact of administering an Owner Move-In eviction regulation, and provide policy direction to staff, which includes a revised Policy Option Matrix, was presented by Deputy Director Paige Roosa and Rent Program Services Analyst Vickie Medina. The Board continued discussions on this item from the November 20, 2019, Regular Meeting. The following individuals gave comments: Melvin Willis and Ilona Clark.

The Board accepted a recommendation from Staff Attorney Charles Oshinuga to pass over voting on Policy Question #2 and continue the discussion on Policy Question #2 at the end of the meeting.

A motion by Boardmember Conner, regarding Policy Question #3, Option #1, directing staff to develop a policy that would allow unlimited Owner Move-In evictions to be conducted as long as the owner or relative resides on the property as his or her primary residence failed for lack of a second to the motion.

A new motion by Chair Maddock, seconded by Boardmember Finlay, regarding Policy Question #3, Option #3, to allow no more than one owner or qualified family member with 50% ownership to move into the property even if the other family member lives on the property and must be the owner or qualified family members' primary residence (excluding the second paragraph of this option), passed by the following vote: **Ayes:** Boardmembers Finlay, Vice Chair Gerould and Chair Maddock. **Noes:** Boardmember Conner. **Abstentions:** None. **Absent:** Boardmember Duncan.

A motion by Boardmember Finlay, seconded by Chair Maddock, regarding Policy Question #4, Option #2, to require that once an Owner Move-In has taken place on a property, any future Owner Move-In evictions on that property shall occur in that same unit, with the exception that if an owner will reside in the building as their primary residence, the owner may elect to move into a different unit if they require a reasonable accommodation, passed by the following vote: **Ayes:** Boardmembers Finlay, Vice Chair Gerould and Chair Maddock. **Noes:** Boardmember Conner. **Abstentions:** None. **Absent:** Boardmember Duncan.

A motion by Vice Chair Gerould, regarding Policy Question #5, Option # 3 that would allow a Tenant up to one year to respond was continued for further discussion at the end of

meeting. No second motion was received and no formal action was taken.

Vice Chair Gerould recommended that the Board revisit Policy Question #5 after discussing Policy Question #8 before making a motion on Policy Question #5. The Board agreed and no formal action was taken.

A motion by Vice Chair Gerould, seconded by Boardmember Conner, regarding Policy Question #8, Option #3, to require both the Landlord and the Rent Program to maintain records of the Tenant's contact information, with the addition that it shall be the sole responsibility of the Landlord to notify the Rent Program when an Owner Move-In unit is being placed back on the rental market, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay, Vice Chair Gerould and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Boardmember Duncan.

A motion by Boardmember Conner, seconded by Boardmember Finlay, regarding Policy Question #9, Option #3, to require additional forms or documentation from both the Landlord and Tenant, and direct staff to return to the Board with a proposal for the minimal amount of compliance forms for the Board's consideration, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay, and Chair Maddock. **Noes:** Vice Chair Gerould. **Abstentions:** None. **Absent:** Boardmember Duncan.

A new motion by Boardmember Finlay, seconded by Boardmember Conner, regarding Policy Question #5, Option #2, to allow a Tenant up to 30 Days to respond that they would like to exercise their first right of refusal to return to the Rental Unit, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay, Vice Chair Gerould and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Boardmember Duncan.

A motion by Vice Chair Gerould, seconded by Boardmember Finlay, regarding Policy Question #7, to require that the Rent Program and Landlord maintain the Tenant's contact information for as long as the obligation of offering the Tenant the first right of refusal exists, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay, Vice Chair Gerould and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Boardmember Duncan.

A motion by Vice Chair Gerould, seconded by Chair Maddock, to continue Policy Questions #2 and #6 for discussion at

the January 15, 2020, Regular Meeting, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay, Vice Chair Gerould and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Boardmember Duncan.

REPORTS OF OFFICERS

Deputy Director Paige Roosa gave a brief report informing the Board of the Rent Program Office holiday closure from December 23, 2019, through January 1, 2020. She also stated that staff members look forward to continuing to serve the community in the new year and expressed gratitude to the Board for all of their work and service to the community in 2019. She also wished everyone a happy holiday.

Rent Board Clerk Cynthia Shaw informed the Board that they can expect to receive an email from the City Clerk's Office regarding completion of form 700 in the near future and reminded Boardmembers that the form is due by April 1, 2020.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:56 P.M.

Cynthia Shaw and Ramona Howell
Staff Clerks

(SEAL)

Approved:

LAUREN MADDOCK
Lauren Maddock, Chair