

RICHMOND, CALIFORNIA, May 20, 2020

The Regular Meeting of the Richmond Rent Board was called to order at 5:02 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/83041077508?pwd=RU5wVnhoaVgyWGJPY2dzMHRRU1I1dz09>
Password: rentboard

Or By Telephone:

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or
+1 646 558 8656

or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 830 4107 7508

International numbers available:

<https://us02web.zoom.us/j/kcUJF0gChn>

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, May 20, 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, Finlay, Vice Chair Gerould, and Chair Maddock.

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

Absent: Boardmember Duncan.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

None.

PUBLIC FORUM

Carla Pecoraro commented by email, regarding the lack of support for Landlords in collecting unpaid rent and handling of Tenant speculation and abuse of emergency order.

Cordell Hindler commented by email, inviting the Board to attend the Richmond Rotary Club meeting held on June 5th from 12:30 to 1:30 PM, location to be determined and the speakers will be Jane Pratt and Christopher Larsen, who will provide an overview on the Richmond Public Library. He also invited the Board to attend the Contra Costa Mayors Conference, held on July 9th and hosted by the City of Walnut Creek, location to be determined.

Marilyn Langlois informed the Board that the Richmond City Council voted at their meeting held on May 19, 2020, to extend the grace period for Tenants who were affected by the Shelter in Place Order and unable to pay all of their rent during that time, and to allow Tenants up to twelve months after the Shelter in Place Order ends to catch up and pay it off. She hopes that this extension will bring continuity and that people will not need to be evicted since Tenants will have time to pay all of the money owed to the Landlords and eventually, Landlords will be made whole. She also mentioned that Councilmember Willis stated that he supports bringing an item to support the efforts of Congress, to cancel rents and mortgages because it impacts both

renters and small Landlords, folks who rely on this for income. She also mentioned that Councilmember Willis stated that we need to be able to support Tenants and Landlords alike during this difficult time, because we know that both Tenants are losing income and having financial hardships and Landlords who may be losing some of their rental income are also having financial hardships. She also thanked the Rent Program staff for the work that is being done and for providing assistance to people who are affected by the Shelter in Place.

Sean S expressed concerns regarding overcrowding in apartments and the rental fee pass through that was discussed at the Rent Board meeting held on April 15, 2020. He feels that overcrowding in apartments is beginning to be an issue. He also feels that overcrowding can cause a health hazard as well as making it difficult for Landlords to make repairs. He also feels that the Rent Board should come up with language that would not put the responsibility on Landlords. He also mentioned that there has been many unidentified people starting to come in and be around children, which makes it a serious issue. He also mentioned that he hopes the Board would not continue to debate about passing through the Rental Housing fee to Tenants and move their efforts to something more productive. He also added that the Board should keep in mind that Landlords are not running a social program. He also mentioned that one of the Councilmembers mentioned that 40% of household income is going towards rent and feels that this issue is not due to the Landlords, this is a social problem. He also feels that the Board should come up with some form of assistance for Landlords to be able to deal with bad Tenants. He also added the way the law is written assumes that every Tenant is good, but there are some bad Tenants out there and they are taking advantage of our rental system. He also added that he hope his comments were heard.

RENT BOARD CONSENT CALENDAR

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

*F-1. Approve the minutes of the April 15, 2020, 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 April 2020 Rent Program Monthly Report.

*F-4. Receive the Rent Program FY 2019-20 Monthly Revenue and Expenditure Report through April 2020.

*F-5. Receive Comprehensive Annual Financial Reports for the fiscal years ending June 30, 2018, and June 30, 2019.

PUBLIC HEARING

G-1. The matter to (1) receive an update on the Rent Program's collection efforts through the Rent Board's contract with Rash Curtis and Associates; (2) adopt proposed Fiscal Year 2020-21 Budget; (3) receive and approve the Fiscal Year 2020-21 Rental Housing Fee Study; and (4) direct staff to prepare a resolution, consistent with the Rent Board's approved Fee Study and Budget, recommending to the City Council adoption of a two-tier fee structure of \$219 for Fully Covered Rental Units and \$124 for Partially Covered Rental Units, including Governmentally Subsidized Rental Units, was presented by Deputy Director Paige Roosa. The presentation included background information, the Rent Program's Mission Statement which included the impact and the importance of community stability, healthy housing and affordability for Richmond Tenants, how the Rent Program has assisted the community during the COVID-19 pandemic, proposed FY 2020-21 goals, the proposed fiscal year 2020-21 budget, an expense and revenue summary, summary of revenue collected by Rash Curtis Collections Agency, and the proposed 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, and the recommended action. Discussion ensued. The following individuals gave comments: Marilyn Langlois and Ilona Clark. A motion by Vice Chair Gerould, seconded by Boardmember Finlay, to adopt proposed Fiscal Year 2020-21 Budget, approve the Fiscal Year 2020-21 Rental Housing Fee Study and direct staff to prepare a resolution, consistent with the Rent Board's approved Fee Study and Budget, recommending to the City Council adoption of a two-tier fee structure of \$219 for Fully Covered Rental Units and \$124 for Partially Covered Rental Units, including Governmentally Subsidized Rental Units, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay, Vice

Chair Gerould and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Boardmember Duncan.

REGULATIONS

H-1. The matter to adopt emergency regulation 20-01 to (1) permit the conduction of hearing and appeals through telecommunications and/or videoconferencing; (2) allow that any document tied to hearings and appeals be served by email; and (3) require that both parties agree to a hearing by telecommunication and/or videoconferencing prior to such a hearing being conducted, was presented by Executive Director Nicolas Traylor. The presentation included a statement of the issue, proposed Emergency Regulations and the recommended action. Discussion ensued. There were no public comments on this item. A motion by Boardmember Finlay, seconded by Boardmember Conner, to adopt emergency regulation 20-01 to (1) permit the conduction of hearing and appeals through telecommunications and/or videoconferencing; (2) allow that any document tied to hearings and appeals be served by email; and (3) require that both parties agree to a hearing by telecommunication and/or videoconferencing prior to such a hearing being conducted, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay, Vice Chair Gerould and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Boardmember Duncan.

RENT BOARD AS A WHOLE

I-1. The matter to receive the 2019 Affordable Housing Report summarizing Low Income Housing Tax Credit (LIHTC) developments' compliance in Richmond and determine next steps in regards to LIHTC properties and their exemption under Regulation 202, was presented by Deputy Director Paige Roosa. The presentation included an introduction, the purpose, overview of affordable housing stock, summary of inquiries from LIHTC Tenants in 2019, summary of compliance with Resolution 19-01 and the recommended action. Discussion ensued. The follow individual gave comments: Ilona Clark. A motion by Boardmember Finlay, seconded by Chair Maddock, to receive the 2019 Affordable Housing Report summarizing Low Income Housing Tax Credit (LIHTC) developments' compliance in Richmond and direct staff to continue the steps that are being done in regards to low income housing tax credit units, provide an update at the next meeting about the third annual convening call, and provide updates about any habitability and health and safety issues that might arise, 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

Executive Director Nicolas Traylor gave a brief update on the first virtual community workshop titled “Understanding the Richmond Rent Ordinance for Realtors” scheduled for Friday, May 29, 2020 at 10:00 AM. He also informed the Board that he and Deputy Director Paige Roosa are working with the City Manager’s Office and the Planning Department on the development of a Rent Assistance Fund to assist Tenants affected by COVID-19 with paying their defaulted rent, up to a certain amount. He added that they are currently in the process of developing that program and related fundraising efforts.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:33 P.M.

Cynthia Shaw
Staff Clerk

(SEAL)

Approved:

LAUREN MADDOCK
Lauren Maddock, Chair