

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: July 18, 2018

Final Decision Date Deadline: July 18, 2018

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

- | | | | | |
|---|---|--|--|---|
| <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 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.

Linda M. Newton
214 Washington Avenue
Point Richmond, CA 94801

May 15, 2018

City of Richmond Rent Program
440 Civic Center Plaza, Ste. 200
Richmond, CA 94804

Attn: Paige Roosa

Subj: Concerns regarding "Regulation regarding units exempt from the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance" of June 21, 2017

Dear Rent Board Members and Staff,

At the June 21, 2017 meeting of the Rent Board adopted Regulation 17-03. The "Statement of the Issue" states, "Section 11.100.030(d) of the Fair Rent...Ordinance (Section 11.100.070), but does not address which rental units are also exempt from the Just Cause of Eviction provisions of the Ordinance (Section 11.10.050). Adoption of a regulation is therefore necessary to clarify which units are exempt from both the Rent Control and Just Cause for Eviction provisions."

Our concerns refer specifically to item (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** [emphasis mine]."

- 1. For example, problems can occur when guests want to overstay their contract. If we have reservations already lined up, then is it right that a guest can sue us for not extending their contract?** We have already had guests who were upset when their contracts were up and decided to stay longer, but due to other reservations that had to be honored, they couldn't stay. Under the new ordinance it appears that in a situation like that, we would be responsible for moving expenses and other compensation. It has already been well documented in the news that there are some transient guests who commit fraud by taking advantage of their hosts (throwing parties, complaining to Airbnb about the rental not being what they expected even though it was, etc). Therefore, we would expect that some of these guests would take advantage of the just cause eviction part and insist on getting recompense for their disappointment of not being able to rent longer than their contract states.
- 2. Our short term rental business should not be in the same class as long term rentals.** We provide fully furnished accommodations just like a hotel. And just like a hotel, we do not lease out our property. This is a different business model from long term lease rentals. Combining long term lease rentals and "transient guest" rentals in the same ordinance does not make sense.
- 3. Establishing the 13 day maximum is too short for many transient guests.** In the Bay Area it is common for guests to visit relatives for a month, or to recover from surgery for a month, or to work during the Chevron turn-around for a month, or to intern at corporations during the summer for a month or so. At the same time it is common for a proprietor of one of these short term establishments to have reservations set for new transient guests after the previous contracted month or so. The 13 day maximum puts us proprietors in the transient guest rental business in a difficult position by

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inconveniencing those guests who need a place to stay for more than 13 days. It also means it limits our ability to maintain a profitable flow of guests.

In conclusion, if this combination of rental businesses in the same ordinance is considered legal, then we urge the Rent Board to modify the language so that the transient rental business can honor its legal contracts and continue to take reservations. If that modification requires a ballot measure, then we request an exemption for our short term rental business.

Thank you for looking into this part of the ordinance and considering the odd situation in which this places us. We look forward to your reply.

Yours truly,



Linda M. Newton