

How to File a Notice of Rent Increase with the Richmond Rent Program

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City of Richmond
Rent Program

The Rent Increase Noticing Requirement

Landlords of Controlled Rental Units, must file a copy of any notice of rent increase with the Rent Program, along with a Proof of Service, within ten (10) business days after having served a Tenant with a notice of a rent increase. If a Landlord does not file a copy of the rent increase along with a proof of service within 10-business days, the rent increase shall be deemed null and void.

Notices of rent increase may be submitted to the Rent Program via hardcopy or through the Rent Program's online submission webpage.

The Richmond Rent Ordinance (RMC 11.100)

Rent Control

Rents are regulated. The Maximum Allowable Rent is calculated by taking the **Base Rent + Annual General Adjustments (cost-of-living increase) + any allowable Individual Rent Adjustment** that is ordered by a Hearing Examiner.

Annual General Adjustment (AGA):
Annual allowable inflationary rent increase

Petition Process:
A mechanism to increase or decrease the Rent above or below the Maximum Allowable Rent

Base Rent: The initial rent paid by the Tenant or for tenancies that started before July of 2015, the rent in effect as of **July 21, 2015**.

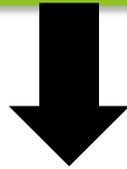
Just Cause for Eviction Protections

a Landlord needs to have one of the eight "**Just Causes**" to terminate tenancy

- 1) Failure to Pay Rent
- 2) Breach of Lease
- 3) Nuisance
- 4) Failure to Give Access
- 5) Temporarily Vacate in Order to Undertake Substantial Repairs
- 6) Owner-Move-in/Owner Relative Move-In
- 7) Withdrawal from the Rental Market (Ellis Act)
- 8) Temporary Tenancy

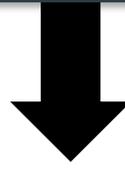
WHICH PROPERTIES ARE COVERED BY THE RENT ORDINANCE?

Fully Covered
("Controlled Rental
Units"): Rent Control
and Just Cause for
Eviction Protections



- ✓ Multi-Unit Properties built on or before February 1, 1995

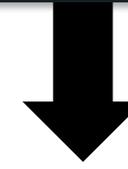
Partially Covered:
Only Just Cause for
Eviction Protections
(Not Rent-Controlled)



- ✓ Subsidized Units, including Section 8 Tenancies
- ✓ Properties with one dwelling unit on one parcel
- ✓ Condominiums
- ✓ "New Construction" constructed after February 1, 1995*

*Costa Hawkins requires units be permitted with a certificate of occupancy (i.e., permits are final and unit is fit for residential habitation).

Fully Exempt: No
Rent Control and no
Just Cause for
Eviction Protections



- ✓ Landlord and Tenant share kitchen and/ or bath
- ✓ Single family homes where a permitted ADU was added and the main house is owner-occupied.
- ✓ Retirement Homes

WHAT ARE THE REQUIREMENTS FOR TAKING AN AGA RENT INCREASE?

Administrative Requirements

- Landlord must be in compliance with all aspects of the Rent Ordinance including
- Property Enrollment
 - Tenancy Registration
 - Paying Rental Housing Fees
 - Properly rolling back rents and refunding any overcharges to Tenant

Requirements for taking the AGA or petition related Rent increases

Noticing Requirements

Pursuant Rent Board Regulation 603, file with the Rent Program a copy of the Rent increase with proof of service within 10-business days of having served the Tenant

Only properties that are subject to the Rent control provisions of the Ordinance are required to file Rent increase notices with the Rent Program

The AGA can be taken on September 1 of each year with proper legal notice. To qualify for the first AGA increase, the tenancy had to have started prior to September 1 of the previous year

Measure P: Change in the way that the Annual General Adjustment is Calculated

- ▶ In November of 2023, Richmond voters approved Measure P, which lowered the allowable annual increase from 100% of CPI to 60% of CPI or 3% whichever is less.
- ▶ Effective December 30, 2022, the 2022 Annual General Adjustment (AGA) of 5.2% shall no longer apply and the rent charged a Tenant in a Rent Controlled unit can only be the lawful amount the Tenant was charged on August 31, 2022, plus 3%. Failure to reduce the AGA increase from 5.2% to 3% may result in the Landlord being liable for rent overcharges.
- ▶ Measure P contains no language requiring the Landlord to reimburse the Tenant if the Landlord took the 5.2% Annual General Adjustment rent increase that was previously allowed by the Rent Ordinance prior to the passage of Measure P.
- ▶ Currently, electing to take previously banked (deferred) AGAs is not allowable. During the “phase-in” period, which extends from December 30, 2022, to August 31, 2023, no tenant’s rent on a Controlled unit shall be higher than what it was on August 31, 2022, plus a 3% increase.

ANNUAL GENERAL ADJUSTMENTS 2016 - 2022

2016 Annual General Adjustment: 3.0%

2017 Annual General Adjustment: 3.4%

2018 Annual General Adjustment: 3.6%

2019 Annual General Adjustment: 3.5%

2020 Annual General Adjustment: 2.9%

2021 Annual General Adjustment: 1.6%

2022 Annual General Adjustment: ~~5.2%~~ 3.0% *

Measure P has lowered the allowable annual increase to 60% of CPI or 3% whichever is less.

The Two Ways to Submit Notices of Rent Increase with the Richmond Rent Program

- ▶ Mail a hard copy of the notice along with a copy of the Proof of Service to the City of Richmond Rent Program office located at:

Richmond Rent Program
440 Civic Center Plaza, Suite 200, Richmond, CA 94804

File and complete the Notice of Rent Increase Form
online at: www.richmondrent.org or

At the direct link: www.richmondrent.org/3376/Rent-Increase