

CITY OF PASADENA

RULES FOR APPOINTMENT OF PASADENA RENTAL HOUSING BOARD

Pursuant to Section 1811 of Measure H, I hereby adopt the following regulations governing appointment to the Pasadena Rental Housing Board:

1. PREAMBLE. Section 1811 of The Pasadena Fair and Equitable Housing Charter Amendment ("Measure H") requires the City Clerk to provide forms and to accept applications on behalf of the City Council for appointment to the Pasadena Rental Housing Board ("Board"). These rules are adopted to give notice to the public of the Clerk's understanding of his duties under Section 1811 and of how the Clerk intends to fulfill them.
2. PROOF OF RESIDENCY. All applicants must provide proof of residency in a City Council district (Section 1811(b)). Residency may be established by either:
 - a. If applicant is a registered voter, the City Clerk will verify applicant's signature with that on file with the Los Angeles County Registrar of Voters; or
 - b. An applicant who is not a registered voter may provide two (and need not provide more than two) forms of proof of California residency bearing the applicant's name and address of the types acceptable to the California Department of Motor Vehicles (DMV) for a REAL ID, listed below (*see* Cal. Code Regs. tit. 13, § 17.00 and § 15.01(d)).
 - i. Home utility bill or cellular phone bill
 - ii. Records from any state or national bank, state or federal savings association, trust company, industrial loan company, state or federal credit union, or any institution or entity that has issued a credit card
 - iii. Insurance documents, including medical, dental, vision, life, home, rental or vehicle
 - iv. Medical documents
 - v. A document issued by a U.S. government agency, meaning an entity, office, or authority governing over a country, state, county, city, municipality, district, agency, department, or any other political subdivision of a country or state
 - vi. Mortgage bill
 - vii. Employment documents
 - viii. Tax return (either Internal Revenue Service (IRS) or California Franchise Tax Board (FTB))

- ix. Rental or lease agreement with the signature of the owner/landlord and the tenant/resident
- x. School documents issued by a public or private primary, secondary, or post-secondary institution, college, or university that includes the applicant's date of birth. If using a foreign school document, it must be sealed by the school and include a photograph of the applicant at the age the record was issued.
- xi. Change of Address Confirmation by the U.S. Postal Service
- xii. Property tax bill or statement
- xiii. Letter attesting that the applicant resides in Pasadena from a homeless shelter, shelter for abused women, non-profit entity, faith-based organization, employer or government agency within the United States
- xiv. Deed or title to residential real property
- xv. Voter registration confirmation letter or postcard issued by the California Secretary of State or the Los Angeles County Registrar of Voters
- xvi. Proof of payment of resident tuition at a public institution of higher education in California
- xvii. An original copy of an approved Claim for Homeowners' Property Tax Exemption (BOE-266) form filed with the Los Angeles County Assessor
- xviii. Court documents that list the applicant as a resident of Pasadena
- xix. California Certificate of Vehicle or Vessel Titles or registration (i.e., a title to, or a DMV registration for, a boat, truck or car)
- xx. A DMV No Fee Identification Card Eligibility Verification (DL 933) form, completed and signed
- xxi. If your name does not appear on any residency documents, you may present a birth certificate, marriage license, or domestic partner registration certificate to trace your relationship to the person whose name does appear on the residency documentation.
- xxii. If the residency document reflects a name that differs from the tracing document due to a name change (for example, marriage, divorce, or court order), name change documentation is required.

3. PROOF OF TENANCY. All applicants for Board seats reserved for Tenants, including the alternate Tenant seat, must provide proof of tenancy. "Tenant" is defined in Rule 4(a)(iii) below. Proof of tenancy may be established by both:

- a. A rental agreement, such as a lease (see Rule 4(a)(iii)(1), below); and,

- b. A declaration, made under penalty of perjury, attesting to the applicant's status as a tenant and non-owner of rental housing. (Form RHB-003)

4. PROOF OF NON-OWNERSHIP OF MATERIAL INTEREST IN RENTAL PROPERTY. All applicants to Tenant Board seats must complete a Statement of Economic Interest (California Fair Political Practices Commission Form 700) reporting "the interests and dealings of the applicant and their Extended Family in Rental Properties in the county of Los Angeles during the three (3) years immediately prior to the submission of the application" (Section 1811(b)) (Form RHB-002). These documents are disclosable public records and will not be kept confidential.

Applicants must report:

- a. All "Material Interest in Rental Property" held during the 3 years immediately before submission of an application. Section 1803 of Measure H provides the following definitions:
 - i. "Extended Family": extended family means any spouse, whether by marriage or not, domestic partner, parent, child, sibling, grandparent, aunt or uncle, niece or nephew, grandchild, or cousin (Section 1803(g)).
 - ii. "Material Interest in Rental Property": An individual has a Material Interest in Rental Property if they, or any member of their Extended Family, own, manage, or have a 5% or greater ownership stake in Rental Units in the county of Los Angeles, or if they or any member of their Extended Family owned, managed, or had a 5% or greater ownership stake in Rental Units in the county of Los Angeles in the past three (3) years (Section 1803(i)).
 - iii. "Tenant": a tenant means a tenant, subtenant, lessee, sublessee or any other person entitled under the terms of a Rental Housing Agreement or this Article [i.e., Measure H] to the use or occupancy of a Rental Unit. (Section 1803(aa)).
 - 1. To be a tenant, an applicant must be named in a rental agreement or provide proof of a relationship to a person named in a rental agreement entitling the applicant to the rights of a tenant; OR, alternatively, applicant may provide proof of residency (under Rule 2, above) along with a rental agreement that confers the rights of a tenant on those who reside in a rental unit even if not named in the agreement or related to one named in it.

5. APPLICATION FORM. All applicants must complete the application form (Form RHB-001).
 - a. An applicant must identify the Board seat they seek (tenant, at-large, alternate tenant, or alternate at-large).
 - b. An applicant must provide signatures of 25 residents of the City Council district in which he or she resides, even if applying for an at-large or alternate at-large seat under Section 1811(b). (Form RHB-004). The names, addresses, and signatures of residents will be public records open to inspection; however, documents provided to demonstrate the residency of signers who are not registered voters will be maintained in confidence unless a court requires otherwise.
 - c. Residency of signers will be determined as in Rule 2, above.
6. REVIEW OF APPLICANT'S QUALIFICATIONS. The City Clerk will provide all applications to the City Council for review, and will inform the City Council of any conclusions as to whether an applicant demonstrates qualifications for one or more categories of appointment (Section 1811(b)). If the City Clerk determines an applicant appears not qualified for the seat sought, the City Clerk will inform the applicant of that determination before the City Council meeting at which appointments are to be made so that applicant may address the Council as to his or her qualifications. The City Council's decisions on qualifications for appointment and on whom to appoint are final as to the City and not subject to further administrative remedies.
7. SOLICITATION FOR APPLICATIONS. The City Council must publish a solicitation for applications. (Section 1811(c)). The City Clerk will present a form of public notice at an open meeting of the City Council for review and approval. Application forms will be available to the public when the solicitation is published (Section 1811(c)). The solicitation "must specify which position is open, and the length of each corresponding term." (Section 1811(c)). The notice will indicate which Board seats are available. For initial appointments to be made in early 2023, all seats are available:
 - a. 7 district seats reserved for tenants
 - b. 4 at-large seats open to any Pasadena resident without respect to tenancy
 - c. 1 alternate for category (a.) above.
 - d. 1 alternate for category (b.) above.

In the case of subsequent appointments due to vacancies, the City Council must publish a solicitation for applications within 30 days of the date it becomes aware of the vacancy. The City Council shall publish a solicitation for applications 120 days before the end of each term.

8. STAGGERING INITIAL TERMS. "Member terms shall be staggered" (Section 1811(d)).
- a. "Four (4) of the tenant appointees initially appointed shall serve for four (4) years; the terms of the remaining initial tenant appointees shall be two (2) years" (Section 1811(d)).
 - b. "Two (2) of the at-large appointees initially appointed shall serve for four (4) years; the terms of the remaining initial at-large appointees shall be two (2) years" (Section 1811(d)).
 - c. "The initial term for any alternate shall be for four (4) years" (Section 1811(d)).
 - d. "Members may serve no more than eight (8) consecutive years and members filling unexpired terms shall serve the remaining length of the unexpired term." (Section 1811(d)).

When the Council appoints initial Board members, it will designate which seats will serve for two-year terms and which for four-year terms. (Section 1811(d)).

Notice of these Rules will be published and posted to the City's website for 10 days and opportunity for comment was permitted at the [date] City Council meeting. These Rules are hereby adopted under the authority granted to the City Clerk by City Charter Section 1811. These Rules shall remain in effect until amended or repealed by further action of the City Clerk.

Mark Jomsky [date]
City Clerk
City of Pasadena, California