



Rent Stabilization Board

DATE: September 23, 2021

TO: Honorable Members of the Berkeley Rent Stabilization Board

FROM: Matthew Siegel, Staff Attorney *MS*

SUBJECT: Report regarding COVID-related state financial assistance and eviction numbers for the City of Berkeley

The Board chair has requested an update on eviction data as of March 2020 in addition to an update on tenant relief funding via the federal Emergency Rental Assistance Program.

Eviction Data

In response to COVID-19, Berkeley declared a state of emergency effective March 3, 2020 and the City has been under various Berkeley Health Officer Orders since March 16, 2020. The City passed an eviction moratorium on March 17, 2020, prohibiting all evictions except those filed under the Ellis Act and those necessary for the health and safety of residents (B.M.C. 13.110 et.seq.)

Pursuant to Rent Board Regulation 1312, landlords must file with the Board copies of eviction notices and copies of eviction lawsuits within ten days of service on the tenant. The agency enters notices and lawsuits into a database for reporting purposes. It should be noted that there may be actual notices and lawsuits served on tenants that the Board is not aware of since they have not been filed with the agency.

Since March 16, 2020, the Board has received one hundred sixty-six (166) eviction notices. Of this number 133 are for non-payment of rent, 25 are for lease violations, six are categorized as “nuisance” and two are Ellis Bill evictions.

It should be noted that the Board’s database does not differentiate between “notices” and “lawsuits,” thus, at this time it is not possible to discern how many eviction lawsuits (“Unlawful Detainers”) have been filed with the agency.¹ However, staff has reached out to the eviction defense providers the City contracts with for data. The Eviction Defense Center believes that since March 2020 they have represented between ten and fifteen Berkeley tenants; all alleging health and safety concerns as the basis for the eviction. According to the EDC, none of these

¹ Moving forward with our new 3DI system, staff will be able to differentiate between notices and lawsuits.

cases have gone to trial, several have been dismissed and the remainder are still on calendar. At the time of this report we have not yet heard back from the East Bay Community Law Center. Broken down by month the notices filed are as follows:

3/16/20-3/31/20: 15	January 2021: 12
April 2020: 17	February 2021: 3
May 2020: 2	March 2021: 14
June 2020: 5	April 2021: 9
July 2020: 2	May 2021: 8
August 2020: 2	June 2021: 6
September 2020: 4	July 2021: 8
October 2020: 6	August 2021: 9
November 2020: 24	September to date: 4
December 2020: 16	

Alameda County Housing Secure

In response to COVID-19, the federal government enacted the Federal Emergency Rental Assistance Program allocating funding to the states to provide rent relief to eligible tenants. Alameda County runs their portion of the program via Alameda County Housing Secure, a collaborative of legal service providers that have partnered to process rent relief to eligible county residents.

According to the Alameda County Housing Secure website, Berkeley has received \$2,963,707 in funding. As a comparison, Alameda has received 1.3 million in funding; Albany just under \$750,000 in funding and Emeryville just over \$750,000 in funding.

Additional funding is available via the state's program, "Housing is Key," but local Berkeley data is not available from their website.

Name and Telephone Number of Contact Person:

Matthew Siegel, Staff Attorney (510) 981-7368