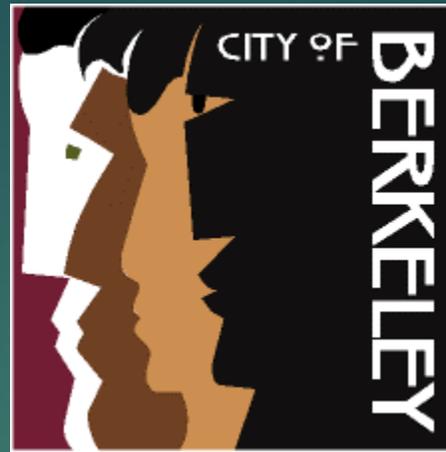


Distributed at the Meeting



Rent Stabilization Board

# Amendments to the Rent Stabilization Ordinance in Measure BB

Regular Meeting of the Berkeley Rent Stabilization Board  
January 16, 2025

# Measure BB Overview

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Non-operational changes

Changes to types of units covered

New Registration requirements

Changes to Good Causes for Eviction

Creates a “Right to Organize”

# Non-operational changes

Updated findings section

Modernized language; standardized capitalization

Non-substantive headings

Allows rent controls on Replacement Units under SB 330

Lowers maximum AGA from 7% to 5%

Eliminates authority to request Council remove Rent Control

Annual increases to OMI payment now mandatory

# Changes to types of units covered by Ordinance

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Ordinance applies to all residential units rented or available to rent  
(unless exempt)



Partially-covered units are subject to the registration, security deposit and just  
cause for eviction



**Measure BB**

**Some fully-exempt units now covered**

**Some partially covered units now fully-covered.**

# Government-Subsidized & Government-owned Units

## Prior Exemptions

- Section 8 (Partial exemption)
- Government-Owned (Full exemption)
- Non-profit exemption: “Full” exemption for rental units owned by a non-profit and subject to another subsidy

Measure BB change: full coverage for government-owned or –subsidized units (as allowed by state and federal law)

# Petitions for Government-Subsidized Units

Fully covered government-subsidized units can access the same petitions as non-subsidized tenancies.

Subsidized units can access petitions to determine the exemption status of a rental unit.

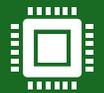
Mediation is available.

Petition decisions unlikely to affect what a tenant pays.

# New Registration Requirements



Landlords required to re-register unit within 15 days of new tenancy



The Board has the authority to issue fines for failure to re-register a tenancy (or file a VR)



Activating fine authority requires separate Board regulation on process



At the beginning of a tenancy, landlord must provide tenants notice on rights under ordinance or of any exemption claims

# Notice of Tenant Rights



Separate notices: for **Fully Covered** and **Partially Covered** Units.



If the property has an interior common space, the landlord must post the notice or notices in that space.



In properties with both Fully Covered & Partially Covered units: **landlord must post both notices**

# Utility Charges in Fully-Covered Units

Permitted only if:

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Included in base rent

OR

Individually-metered and the utility service is in tenant's name.

If a lease entered into on or after February 6, 2024 charges utilities in violation of this section, the landlord may petition to include the utilities in the base rent.

# Changes to Cause for Eviction



Must owe at least one month's Fair Market Rent (based on unit size) to be evicted for nonpayment



Refusal to sign a new fixed-term lease no longer a grounds for eviction



Breach of lease must cause actual harm to be grounds for eviction

# New Requirements for Eviction Notices

Must be filed with the Board within 3 days of service on the tenant (no longer 10 days).



Must contain a statement that assistance regarding the notice is available at the Rent Board.

# Tenant Right to Organize

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## Limited to:

- Properties with 10 or more units; or
- Managed by a property management company.

## Creates the right to form a Tenant Association

- Includes right to contact & provide info on organizing to other residents.
- Requires 50% of tenants to sign a petition
- Entitled to quarterly meeting with landlord

## Remedies for violations include:

- Potential rent reduction in fully covered units
- Private right of action in partially covered units