



DATE: February 20th, 2025

TO: Honorable Members of the Rent Stabilization Board

FROM: Chair Soli Alpert and Commissioner Marrero

SUBJECT: Affirming the Rent Stabilization Board's Support for and Compliance with the City of Berkeley's Sanctuary Policies

Recommendation:

The Berkeley Rent Stabilization Board:

- 1) Adopt the attached resolution affirming the Board's support for and compliance with the City of Berkeley's Sanctuary City policies and
- 2) Direct the Executive Director to ensure that all Rent Board staff are informed of the Sanctuary City policy and
- 3) Direct the Executive Director to communicate to tenants and landlords in Berkeley regarding the rights of non-citizen tenants under local and state law.

Background:

On January 21st, the Berkeley City Council voted to adopt Resolution NO. 71,658-N.S. "REAFFIRMING BERKELEY AS A SANCTUARY CITY." This resolution was put forward in response to the Trump administration's threats of mass deportations and plans to rescind the long-standing federal policy restricting ICE arrests in sensitive areas such as schools, after-school programs, hospitals, community health centers, and places of worship. Those threats and plans have since been implemented. Additionally, the Trump administration has illegally and unconstitutionally narrowed Birthright Citizenship as guaranteed by the 14th Amendment to the US Constitution. As a connected but independent organization within the City of Berkeley, it is incumbent on the Rent Board to affirm the Board's support for this policy and that this policy applies to the Board as an agency.

Additionally, state law, including the Immigrant Tenant Protection Act of 2017, provides specific protections for non-citizen tenants from being harassed on the basis of their immigration status. As fear and misinformation circulate regarding new federal policies and the rights of immigrants in the Berkeley community, it is vital for tenants and landlords to be informed about their rights under the law.

Financial Impact:

Expenses associated with possible mailings to tenants and landlords. Costs may be reduced through a partnership with the City and/or School District on joint mailings.

Name and Email Address of Contact Person:

Chair Soli Alpert, RSBAlpert@berkeleyca.gov

RESOLUTION 25-01

REAFFIRMING BERKELEY AS A SANCTUARY CITY

BE IT RESOLVED by the Rent Stabilization Board of the City of Berkeley as follows:

WHEREAS, the residents of Berkeley have a long history and deep commitment to welcoming immigrants, refugees, and those in exile; and

WHEREAS, the Berkeley community believes in protecting all of our residents and letting them know they are safe, regardless of their immigration status; and

WHEREAS, the City of Berkeley was the first city in the nation to declare itself a City of Refuge in 1971 (Resolution 44,784-N.S.) and the first city to support the “New Border Vision” in 2020, to encourage Congress to expand public safety, protect human rights, and welcome people to our communities; and

WHEREAS, the City of Berkeley reaffirmed its City of Refuge status in 1986 (Resolution No. 52,596-N.S.), 2007 (Resolution No. 63,711-N.S.), 2015 (Resolution No. 67,325-N.S.), 2016 (Resolution No. 67,598-N.S. & No. 67,763-N.S.) and 2017 (Resolution No. 68,131-N.S.); and

WHEREAS, the City of Berkeley once again reaffirmed its Sanctuary City status on January 21, 2025, adopting Resolution NO. 71,658-N.S. “REAFFIRMING BERKELEY AS A SANCTUARY CITY”; and

WHEREAS, the Trump administration has begun a campaign of mass deportation and has rescinded the longstanding federal policy restricting immigration enforcement activity at schools, after-school programs, hospitals, community health centers, and places of worship; and

WHEREAS, non-citizen tenants are vulnerable to abuse and manipulation by their landlords on the basis of their immigration status.

NOW, THEREFORE, BE IT RESOLVED, that the Berkeley Rent Stabilization Board affirms its support for the Sanctuary City policies adopted by the City of Berkeley in Resolution NO. 71,658-N.S and prior resolutions, and affirms that said policies apply to the Berkeley Rent Stabilization Board and its operations and staff; and

BE IT FURTHER RESOLVED, that the Berkeley Rent Stabilizations board expresses its desire for cooperation with the City of Berkeley and the Berkeley Unified School District in the effort to ensure that all immigrants in the Berkeley community are made safe from this renewed federal assault.

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REAFFIRMING BERKELEY AS A SANCTUARY CITY

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Dated: February 20, 2025

Adopted by the Rent Stabilization Board of the City of Berkeley by the following vote:

YES:

NO:

ABSTAIN:

ABSENT:

Soli Alpert, Chairperson
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director
Rent Stabilization Board