

Amendments to Berkeley's Eviction Moratorium

MARCH 16, 2023 REGULAR MEETING OF THE RENT STABILIZATION BOARD

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Existing Moratorium

-Prohibits all evictions, except those necessary to stop an imminent threat to the health and safety of other occupants.

-Landlords can still recover delinquent rent that accrues during Covered Period, but cannot use this rent as a basis for eviction.

Proposed Amendments to the Moratorium

- Current prohibition on all evictions, except those necessary to stop an imminent threat to the health and safety of other occupants, will continue until May 1, 2023 (“Covered Period”).
- Two additional grounds for eviction permitted between May 1 and August 31, 2023 (“Transition Period”):
 - Owner move-in evictions for owners with only one rental property in Berkeley. Owners may serve notices starting March 1; and
 - Non-payment of rent that becomes due May 1, 2023 and afterwards and where the tenant does not have a COVID-related reason for non-payment.

Timeline

-Amendments adopted at first reading on March 14, 2023 and have scheduled a second reading for March 21, 2023. The amendments would become effective 30 days after the second reading on April 20.

-Starting September 1, 2023, all state and local COVID-related eviction protections will have expired. For most Berkeley rental units, evictions will again be regulated by the good cause provisions in the Ordinance.