



Rent Stabilization Board

RENT STABILIZATION BOARD

DATE: March 20, 2025
TO: Honorable Members of the Rent Stabilization Board
FROM: DeSeana Williams, Executive Director
BY: Basil Lecky, Community Service Specialist II
SUBJECT: Request for waiver of late registration penalties

Recommendation:

That the Board approve the attached recommendations.

Background and Need for Rent Stabilization Board Action:

The Board's penalty waiver process is governed by Regulations 883, 884 and 885. Regulation 883 lists the grounds for administrative waivers. In accordance with Regulation 884, the Executive Director reviews waiver requests that do not meet the criteria for an administrative waiver. Regulation 884 lists 12 categories, which will require a review of the totality of the circumstances by the full Board prior to granting any waiver request. Waivers that require a review of the totality of the circumstances are listed below as "Discretionary Waiver." If none of the 12 listed categories apply to the property, the waiver shall be granted/denied in a ministerial manner, based upon the formula outlined in Regulation 884(C). The Board may only alter these ministerial waivers if staff has incorrectly applied the criteria listed in Regulation 884 (B) (1-12).

Ministerial Waivers

In accordance with Regulation 884, the Executive Director reviews waiver requests that do not meet the criteria enumerated in Regulation 883. The following waiver request will be decided ministerially, unless the Board has reason to believe the underlying basis of the recommended assessment is inappropriate.

2000 Center Street, Suite 400, Berkeley, California 94704

TEL: (510) 981-7368 (981-RENT) • TDD: (510) 981-6903 • FAX: (510) 809-3921

E-MAIL: rent@cityofberkeley.info • INTERNET: www.cityofberkeley.info/rent

Waiver Recommendations

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Waiver	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
	1914 Haste St	David Mayeri	\$3,440.00	\$3,440.00	\$0.00
	1329 Shattuck Ave	David Mayeri	\$2,752.00	\$2,752.00	\$0.00
	1411 Berkeley way	Adel Ali	\$424.00	\$424.00	\$0.00
	1537 Bonita St	Susan R. Downs	\$390.00	\$312.00	\$78.00
	1685 Arch St	Bryan Smith	\$481.60	\$481.60	\$0.00
	2335 10th St	Maria R. Winston	\$424.00	\$424.00	\$0.00
	2455 Bonar St	Maria Chen	\$5,504.00	\$4,403.20	\$1,100.80
	2615 Telegraph Ave #202	Samson Hsia	\$424.00	\$424.00	\$0.00
	2018 9th St #B	Chuk Leung	\$424.00	\$424.00	\$0.00
	2412 Acton St	John Mahony	\$424.00	\$424.00	\$0.00
	1642 Ashby Ave	Mona Dwivedi	\$424.00	\$424.00	\$0.00
	1239 Haskell St	Richard & Kamillah Brown	\$3,116.00	\$3,116.00	\$0.00
	2113 Delaware St #A	Susanti Martin	\$424.00	\$424.00	\$0.00
	337 Panoramic Way	Diamond Kassam	\$424.00	\$424.00	\$0.00

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TOTAL			\$19,075.60	\$17,896.80	\$1,178.80
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Financial Impact: Ministerial Waivers

Approval of Executive Director's recommendations will decrease the Board's current accounts receivable by **\$17,896.80**.

Discretionary Waivers

For the waiver requests listed below, staff recommendations are attached and presented to the full Board for its approval. With respect to these cases, the determination of good cause to waive some or all of the penalties depends on the totality of the circumstances.

Waiver	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
W5140	2020 Berkeley Way	Bridge Berkeley Way Lp	\$22,098.00	\$11,049.00	\$11,049.00
W5145	2 Panoramic Way #102	Jeetendra Jangle	\$424.00	\$424.00	\$0.00
W5146	2137 Ashby Ave	Gerald & Kathleen Turney	\$746.00	\$373.00	\$373.00
TOTAL			\$23,268.00	\$11,846.00	\$11,422.00

Financial Impact: Discretionary Waivers

Approval of Executive Director's recommendations will decrease the Board's current accounts receivable by **\$11,846.00**.

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Waiver Recommendations

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Name and Telephone Number of Contact Person:

DeSeana Williams, Executive Director
Rent Stabilization Board
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(510) 981-7368

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March Waivers
Ministerial

Address	Details
1914 Haste St	This property consists of five rented units. The owner has owned this property since 1979. The owner stated that throughout their extensive ownership period, they have consistently met their financial obligations, notably never once failing to pay the annual registration fees on time. They fully acknowledge their responsibility to pay these fees. However, they did not receive any notice regarding their delinquent account, nor did they receive the initial invoices for the property in 2024. While they understand the requirement to pay the base fee, they are contesting the imposed 100% penalty. They believe the penalties to be excessively punitive and disproportionate to any administrative burden caused by the delay. They believe that penalties should serve as a means of encouraging timely payments, not as a tool for excessive financial punishment. Therefore, they respectfully request a waiver for the penalties assessed. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1329 Shattuck Ave	This property consists of four rented units. The owner has owned this property since 2013. The owner stated they have consistently met their financial obligations, notably never once failing to pay the annual registration fees on time. They fully acknowledge their responsibility to pay these fees. However, they claim they did not receive the initial invoice to pay the registration fees. They received a delinquency notice dated January 6, 2025, and another notice was received January 15, 2025. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1411 Berkeley way	This property is a rented single-family home. The owner has owned this property since 2015. The owner stated that they did not receive the initial invoice for the registration fee. The bill they received was in January 2025. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1537 Bonita St	This property is a rented single-family home. The owner has owned this property since 1987. The property manager explained that a recent office relocation and subsequent USPS mail forwarding delays caused late responses and payments. They have stated their commitment to ensuring timely payments going forward. This is the second late payment on the property account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
1685 Arch St	This property consists of four units with two rented and two exempt. The owner has owned this property since 2022. The owner reported that a check mailed to the former Rent Board address was not received, and a subsequent certified check arrived one week late. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2335 10th St	This property is a rented single-family home. The owner has owned this property since 2014. The owner stated they did not receive an invoice until January 2025, when penalties were already assessed. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.

Public

2455 Bonar St	This property consists of eight rented units. The owner has owned this property since 2019. The owner reports that the property has been under professional management since 2019, and registration fees have been consistently paid on time. In 2023, a new property manager was appointed, who paid the 2023/2024 registration fee in September 2023. Upon reviewing the general ledger provided by this new property manager, the owner discovered that the 2024/2025 registration fee was not paid before the deadline. This missed payment was attributed to the property manager's oversight. The owner was unaware of this oversight, and the delay was neither intentional nor a case of non-compliance. Effective January 2025, the property is now managed by a different property management company. This is the second late payment on the property account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
2615 Telegraph Ave #202	This property is a rented condo. The owner has owned this property since 1998. The owner stated they do not recall receiving the 2024/2025 registration fee invoice and did not receive a delinquent notice until January 2025. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2018 9th St #B	This property is a rented condo. The owner has owned this property since 2005. The owner reported that the property was removed from the rental market in April 2024 and was placed on sale the same year. The property will remain off the rental market until it is sold. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2412 Acton St	This property is a rented single-family home. The owner has owned this property since 2024. The owner stated they received an invoice in January 2025 and this is the first time being aware of the registration fee being due. The owner claims if they had received the initial invoice for the 2024/2025 registration fee, they would have paid on time. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 883 I.1.
1642 Ashby Ave	This property consists of two units with one rented and the other exempt. The owner has owned this property since 2018. The owner stated this is the first time receiving an invoice. They believe the initial invoice was sent to an incorrect address. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1239 Haskell St	This property consists of two rented units. The owner has owned this property since 2018. The property manager is requesting a waiver of the penalties because they believe the delay was caused entirely by the Rent Board's processing backlog, and not their lack of effort. Over a five-month period, they persistently attempted to register, contacting the Rent Board numerous times via email and phone. They consistently provided the required documentation, yet faced lengthy response times and was repeatedly told to be patient due to the high volume of requests. Despite their diligent efforts, they were unable to complete the registration within the deadline. The manager acted in good faith throughout this process, and believe the delays were completely beyond their control. The processing of rent registry corrections took longer than expected due to the busy registration season. The account does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.

2113 Delaware St #A	This property is a rented condo. The owner has owned this property since 2010. The owner states that in May 2024, they received a notice from the Rent Board to register their unit and pay the outstanding 2024-2025 registration fee. This notice included fees and penalties for the previous year. In June 2024, the owner created an online account to register and pay the outstanding balance. They assumed they had paid the 2024-2025 registration fee, but were later informed that the payment was applied to the previous registration year. They have since paid the correct registration fee and are requesting a refund of the penalties. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
337 Panoramic Way	This property is a rented single-family home. The owner has owned this property since 1982. The owner states they were unaware of the registration requirement, attributing this to a misunderstanding that their property was exempt from rent control. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.

Discretionary

Address	Details
2020 Berkeley Way*	Bridge Housing Corporation, developer and manager of the property at 2020 Berkeley Way, respectfully requests a reassessment of the penalties imposed by the Rent Board. Despite diligent efforts to register the property, including multiple inquiries and submission of required forms, significant delays occurred due to the Rent Board's system issues. The property was not officially registered until April 2024, and Bridge Housing Corporation received no prior bills or notifications. Given these circumstances, they request a waiver of all penalties. Records indicate that the property commenced unit rentals in 2022. The property manager did not contact the Rent Board until 2023. Had they contacted the Rent Board earlier, the assessed penalties could have been avoided. Following the February Board meeting, the property manager provided a regulatory agreement, confirming the units are affordable housing and subject to the reduced \$53 per unit registration fee. The account has been credited for the difference in registration fees, and penalties have been adjusted accordingly. Staff recommends a 50% waiver of the penalties.
2 Panoramic Way #102	The owner stated they experienced 14 months of unemployment spanning 2023 and 2024. The owner faced considerable financial distress after the death of their father last year, citing substantial medical bills and loan obligations. Consequently, they were unable to remit the registration fee. Furthermore, the property incurred additional problems that contributed to their financial difficulties. Due to the owner's father's passing and the resulting financial hardship, staff recommends a full waiver of penalties.

2137 Ashby Ave	The owner stated that following extensive renovations, which rendered the property uninhabitable for over two years, the 2024/2025 registration fee was paid late, subsequent to clarifying its applicability with Rent Board staff. These comprehensive upgrades, including a new foundation, sewer, roof, and central heating, were undertaken to modernize the property. Given the property's uninhabitable state during this period, Rent Board staff initially indicated that no registration fee was due. Now, with the renovations complete and the property rented, the owners respectfully request a waiver of the penalties. The owners cite the initial guidance from Rent Board staff, along with the challenges of navigating complex regulations and contracting during the extensive renovation, compounded by health issues including COVID-19, as the reasons for the delayed payment. Property owners are responsible for familiarizing themselves with the rent ordinance's registration requirements. Therefore, staff recommends a 50% waiver.
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**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5140	Property address: 2020 BERKELEY WAY, BERKELEY, CA 94704	Transferred: 07/07/2020
Exempt units (as of February 2021): Unit # 614 - MGTU -		
Owner(s): Bridge Berkeley Way LP Bridge Berkeley Way LP	Waiver filed by: PROPERTY OWNER	# of Units: 88
Other Berkeley rental property owned: None		
Late payment/penalty history: 2022/2023, 2023/2024 and 2024/2025 registration year		

Registration Date or Year	Units Requiring Registration at That	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Paid
FY2024-25	87	\$18,444.00	01/23/2025	\$36,888.00	\$0.00	\$0.00
FY2023-24	87	\$15,359.00	01/23/2025	\$30,718.00	\$0.00	\$0.00
FY2022-23	87	\$15,130.00	01/23/2025	\$30,260.00	\$0.00	\$0.00
Totals (penalties previously assessed)				\$97,866.00	\$0.00	\$97,866.00

Penalties Currently Under Consideration

Reason for Penalties: LATE PAYMENT OF REGISTRATION FEES						
Registration Date or Year	Unit(s) Registered Late At This Time	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Due
FY2024-25	87	\$18,444.00	01/23/2025	\$36,888.00	\$0.00	\$36,888.00
FY2023-24	87	\$15,359.00	01/23/2025	\$30,718.00	\$0.00	\$30,718.00
FY2022-23	87	\$15,130.00	01/23/2025	\$30,260.00	\$0.00	\$30,260.00
Total				\$97,866.00	\$0.00	\$97,866.00

Grounds under Regulation 884(B): (6) The landlord requesting the waiver owns or manages 11 or more rental units

Good cause claimed by owner: Bridge Housing Corporation, developer and manager of the property at 2020 Berkeley Way, respectfully requests a reassessment of the penalties imposed by the Rent Board.

Despite diligent efforts to register the property, including multiple inquiries and submission of required forms, significant delays occurred due to the Rent Board's system issues. The property was not officially registered until April 2024, and Bridge Housing Corporation received no prior bills or notifications. Given these circumstances, they request a waiver of all penalties.

Recommendation: Staff recommends waiving 50% of the penalties.

Staff Analysis: Records indicate that the property commenced unit rentals in 2022. The property manager did not contact the Rent Board until 2023. Had they contacted us earlier, the assessed penalties could have been avoided. Therefore, staff recommends a 50% waiver of the penalties.

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5145	Property address: 2 PANORAMIC WAY #102, BERKELEY, CA 94704	Transferred: 03/06/2018
Exempt units (as of February 2021): None		
Owner(s): JEETENDRA JANGLE	Waiver filed by: PROPERTY OWNER	# of Units: 1
Other Berkeley rental property owned: None		
Late payment/penalty history: 2024/2025 Registration Fee		

Registration Date or Year	Units Requiring Registration at That	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Paid
FY2024-25	1	\$212.00	01/29/2025	\$424.00	\$0.00	\$0.00
Totals (penalties previously assessed)				\$424.00	\$0.00	\$424.00

Penalties Currently Under Consideration

Reason for Penalties: Late payment of registration fee						
Registration Date or Year	Unit(s) Registered Late At This Time	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Due
FY2024-25	1	\$212.00	01/29/2025	\$424.00	\$0.00	\$424.00
Total				\$424.00	\$0.00	\$424.00

Grounds under Regulation 884(B): (11) The Executive Director, or his or her designee, recommends that the interests of justice require that a greater or lesser amount be waived

Good cause claimed by owner: The owner stated they experienced 14 months of unemployment spanning 2023 and 2024. The owner faced considerable financial distress after the death of their father last year, citing substantial medical bills and loan obligations. Consequently, they were unable to remit the registration fee. Furthermore, the property incurred additional problems that contributed to their financial difficulties.

Recommendation: Staff recommends waiving 100% of the penalties.

Staff Analysis: Due to the owner's father's passing and the resulting financial hardship, staff recommends a full waiver of penalties.

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5146	Property address: 2137 ASHBY AVE BERKELEY CA 94705	Transferred: 01/01/1900
Exempt units (as of February 2021): None		
Owner (s): GERALD & KATHLEEN TURNEY	Waiver filed by: PROPERTY OWNER	# of Units: 1
Other Berkeley rental property owned: None		
Late payment/penalty history: 2024/2025 Registration Fee & 2023/2024 Registration Fee		

Registration Date or Year	Units Requiring Registration at That	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Paid
FY2024-25	1	\$212.00	10/15/2024	\$212.00	\$0.00	\$0.00
FY2023-24	1	\$178.00	10/15/2024	\$534.00	\$0.00	\$0.00
Totals (penalties previously assessed)				\$746.00	\$0.00	\$746.00

Penalties Currently Under Consideration

Reason for Penalties: Late payment of registration fees						
Registration Date or Year	Unit(s) Registered Late At This Time	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Due
FY2024-25	1	\$212.00	10/15/2024	\$212.00	\$0.00	\$212.00
FY2023-24	1	\$178.00	10/15/2024	\$534.00	\$0.00	\$534.00
Total				\$746.00	\$0.00	\$746.00

Grounds under Regulation 884(B): None

Good cause claimed by owner: The owner stated that following extensive renovations, which rendered the property uninhabitable for over two years, the 2024/2025 registration fee was paid late, subsequent to clarifying its applicability with Rent Board staff. These comprehensive upgrades, including a new foundation, sewer, roof, and central heating, were undertaken to modernize the property. Given the property's uninhabitable state during this period, Rent Board staff initially indicated that no registration fee was due. Now, with the renovations complete and the property rented, the owners respectfully request a waiver of the penalties. The owners cite the initial guidance from Rent Board staff, along with the challenges of navigating complex regulations and contracting during the extensive renovation,

compounded by health issues including COVID-19, as the reasons for the delayed payment.

Recommendation: Staff recommends waiving 50% of the penalties.

Staff Analysis: Property owners are responsible for familiarizing themselves with the rent ordinance's registration requirements. Therefore, staff recommends a 50% waiver.