

Rent Stabilization Board

RENT STABILIZATION BOARD

DATE: June 20, 2024
TO: Honorable Members of the Rent Stabilization Board
FROM: DéSeana Williams, Executive Director
BY: Amanda Eberhart, Registration Unit Manager
SUBJECT: Request for waiver of late registration penalties

Recommendation:

That the Board approves 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 a "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 the staff has incorrectly applied the criteria listed in Regulation 884 (B) (1-12).

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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. Please see the attached Ministerial Waiver Analysis and Recommendation for additional details.

Waiver	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
	2019 7TH ST.	JON & MONITA GREEN	1,450.00	1,450.00	-
	1540 PRINCE ST	NAMIT RAISURANA	1,160.00	1,160.00	-
	1598 CAPISTRANO AVE	CATHERINE LEDBETTER	165.00	165.00	-
	1603 8TH ST	CHRIPSTOPHER UTTER	356.00	356.00	-
	1627 8TH ST	YANBO ZHANG	1,580.00	869.00	711.00
	1632 OREGON ST	ANTHONY WEI	1,160.00	1,160.00	-
	1301 ALCATRAZ AVE	KAT HANNAH	1,740.00	1,740.00	-
	1764-1766 WALNUT ST	CALVIN AND MELINDA WONG	1,000.00	1,000.00	-
	1767 EUCLID AVE #2	FRANK & CONSTANCE SAJER	178.00	178.00	-
	1835 63RD ST	DANIEL HO & VIVIAN YU	580.00	580.00	-
	1916 ALCATRAZ AVE	CHUN SING OTTO YEUNG	356.00	356.00	-
	1947 ROSE ST	FAEZEH SHAMTOOB	1,160.00	1,160.00	-
	2010 HEARST AVE #A	CHUAN-PING WANG	150.00	150.00	-
	2106 SPAULDING AVE	SUZANNE BAERTSCH	580.00	522.00	58.00
	544 WOODMONT	PARVIN EBRAHIMI	356.00	356.00	0
	1772 WALNUT	HALIT CANBAZOGLU	778	778	0
	3024 FULTON	CINDY HAAG	870	696	174
	1252 HOPKINS	GARY & KIMIKO TOJI	1450	1450	0
	1538 63RD	SG REAL ESTATE	3500	3500	0
	2631 REGENT	ANDREW WEN	2320	2320	0
	2238 RUSSELL	ZHIYUAN PENG	1080	1080	0
	2400 DOWLING PL #4	SCOTT STOLLER	806	644.8	161.2
	2510 CHANNING WAY	THELMA & LOUISE NO 2 LLC	14904	14904	0
	2622 MARIN	LARRY DRUMM	310	310	0

2000 Center Street, Suite 400, Berkeley, California 94704

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	2706 MLK	TIM & SHERI WEDLAKE	300	240	60
	2730 8TH	2730 8TH STREET LLC	250	250	0
	2732 8TH ST	2730 8TH STREET LLC	343	343	0
	2734 8TH ST	2730 8TH STREET LLC	778	778	0
	2736 8TH ST	2730 8TH STREET LLC	778	778	0
	2750 Dwight	2750 DWIGHT WAY LLC	240	240	0
TOTAL			40,678.00	39,513.80	1,164.20

Financial Impact: Ministerial Waivers

Approval of the Executive Director's recommendations will decrease the Board's current accounts receivable by **\$39,513.80**.

Discretionary Waivers

Staff recommendations are attached and presented to the full Board for approval for the waiver requests listed below. 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
W5118	916 Euclid	SERGIO GARCIA	600.00	300.00	300.00
W5119	912 SPRUCE	REDADCT	1,134.00	1,134.00	0
W5120	1139 OXFORD	ABDUL FARID	1,450.00	1,450.00	0
W5121	1327 ASHBY	SHARON CHOYCE	1,740.00		1740
W5122	1530 STUART	MARCIA THOMPSON	1,556.00	1,556.00	0
W5123	1802 CEDAR	SAM COHEN	870	870	0
W5124	2813 TELEGRAPH	LYDA WONG	1160	1160	0
TOTAL			8,510.00	6,470.00	2,040.00

Financial Impact: Discretionary Waivers

Approval of the Executive Director's recommendations will decrease the Board's current accounts

Waiver Recommendations

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receivable by **\$6,470.00**.

Name and Telephone Number of Contact Person:

DéSeana Williams, Executive Director
Rent Stabilization Board
2125 Milvia Street, Berkeley, CA 94704
(510) 981-7368

June Ministerial Waivers

Address	Details
2019 7th St.	This property consists of 5 rented fully covered units. The owners state the property was managed by a property management company that changed ownership numerous times in the past 2 years. Due to the various changes of ownership of the property management company, many of their bills were missed and they are currently catching up with all outstanding bills. The owners don't 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 Reg 884 C.
1540 Prince St	This property consists of 2 fully covered units with both units being rented. The owner has owned this property since May 2023. The owner recently acquired this property and their mailing address differs from the property address. They state that the first bill they received was in January 2024, which they paid immediately. Having never received a prior bill, the owner requests a waiver. As the current owner has no history of late payments, we can consider their request. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.
1598 Capistrano Ave	This property is a rented single-family home covered by Measure MM. The owner has owned this property since July 2020. The owner is requesting a waiver because this property is a first-time rental of their previously owner-occupied house. They stated they were not aware of the registration requirements and had assumed filing a business license with the City would have generated any required billing information from the Rent Board. This is the owner's first late payment of registration fees. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.
1603 8th St	This property is a rented single-family home covered by Measure MM. The owner has owned this property since September 2011. The owner states they did not receive a bill to their PO Box address. They became aware of the outstanding balance via email on January 24th, 2024. The owner typically pays their registration fee on time and they do not have a history of late payment. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.
1627 8th St	This property consists of 2 rented fully covered units. The owner has owned this property since December 2014. The owner states they had incorrect unit information on their account. They indicate that they spoke with Rent Board staff to clarify unit information and to pay the registration fee. The owner has a history of paying registration fees late and was granted a waiver in 2018 and 2019. Staff recommends waiving 55% of penalties because this is the fourth late payment within the prior five years per Reg 884 C.
1632 Oregon St	This property consists of 4 rented fully covered units. The owner has owned this property since October 2009. The owner states they sent a bank check online on June 13, 2023, which was applied on June 29, 2023. However, they later found out the check was sent to the Rental Housing Safety Program and not the Rent Board. 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 Reg 884 C.

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<p>1301 Alcatraz Ave</p>	<p>This property consists of 3 rented fully covered units. The owner has owned the property since November 2006. The owner states they did not receive a bill or notice for unit registration prior to January 23, 2024. The owner states they received the first notice via email on 1/23/24, noting that their registration was still open for the 2023/2024 registration cycle. The owner reached out to the Rent Board and made a payment for the outstanding registration fee over the phone. While talking to rent board staff, the owner states they informed staff that the mailing address was incorrect and believes this is why they did not receive the initial billing statement. 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 Reg 884 C.</p>
<p>1764-1766 Walnut St</p>	<p>This property consists of 2 rented fully covered units. The owner has owned this property since August 2022. The owner states the previous owner did not pay the 2022/23 registration fee. This is why they are requesting a waiver of the penalties. The owner does not have a history of late payment. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.</p>
<p>1767 Euclid Ave #2</p>	<p>This property is a rented single-family home covered by Measure MM. The owner has owned the property since July 2021. The owner states the spelling of their mailing address was incorrect. The street name should have been Rodney Lane and not Rooney Lane. This is why they did not receive the 2023/24 billing statement. 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 Reg 884 C.</p>
<p>1835 63rd St</p>	<p>This property consists of 3 fully covered units with 1 of the units owner-occupied. The owners have owned this property since May 2022. The owners stated they had a misunderstanding with their tenant, thinking the tenant was going to leave and end their lease in July 2023. However, the tenant decided to continue their tenancy. In the midst of this, the owners state a family member (Grandmother) went into hospice care and they assumed the role of regular visitations for the remainder of the year. The family member later passed away on 12/24/2023. In early February, they called the Rent Board to correct the unit information on their property. The owners had no intention to have the unit incorrectly recorded nor to deliberately not pay the registration fees. The owners do 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 Reg 884 C.</p>
<p>1916 Alcatraz Ave</p>	<p>This property is a rented single-family home covered by Measure MM. The property owner has owned this property since March 2016. The owner states they did not receive an email or notice to remind them to register for 2023/2024 year until January 2024. The owner states they were not aware they had to register on an annual basis. The owner moved last year and changed their mailing address with the county's tax record. They were not aware that the Rent Board has its own system for changing addresses. The owner states the penalty is hefty and will impose an undue financial hardship on them. 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 Reg 884 C.</p>

Public

1947 Rose St	This property consists of 4 rented fully covered units. The property owner has owned this property since September 2003. The owner stated they never received the original bill for the 2023/24 registration year. They noticed their address had a typo in the Rent Board system, which is probably why they did not receive the bill. They received a "Past Due Notice" in September while they were out of the country from September 22, 2023 until October 10, 2023. Once they returned, they came by the Rent Board's office to pay the fee. This is the owner's first late payment in the past 6 years. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.
2010 Hearst Ave #A	This property is a rented condo that is covered by Measure MM. The property owner has owned the property since August 2021. The owner stated they were not aware of the annual registration fee until they received a welcome letter dated 2/2/2023. They immediately paid the fee along with the penalty. This is the owner's first late payment. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.
2106 Spaulding Ave	This property consists of 2 rented fully covered units. The owner has owned this property since February 2013. The owner stated they made an online payment on 5/27/2023 and received an email from the Rent Board that the payment was received. They noticed the money was not withdrawn from their account and sent a check in June. The owner claims they sent an email in July to ask why their payment had not been processed. Our database shows the owner's check was returned. They later paid the registration fee and penalty after receiving a notice in January. This is the owner's second late payment of registration fees. Staff recommends waiving 90% of the penalties because this is the second late payment within the prior five years per Reg 883 H.2.
544 Woodmont Ave	The current owners have owned the partially covered Single-family home at 544 Woodmont since 2019. This property is a Measure MM property, so there are not five years of payment history to review. Unfortunately, the property owner left the narrative section of the waiver form blank. The property owner did include documentation for a stop payment on a check. Per regulation 884 C, this property qualifies to have 100% of the penalty waived for three late payments in the last five years. Staff recommends waiving 100% of the penalty.
1772 Walnut St	The partially covered single-family home located at 1772 Walnut has been owned by the current owner since 1997. This property is a Measure MM property, so there are not five years of payment history to review. The property owner stated in their waiver that "they were unaware of the passing of Measure MM. However, once they found out, they corrected the issue." A search of Rent Board records will show that the Registration Unit also had placeholder data for the tenancy due to the 2021 database transfer. Per Regulation 883 G, this property qualifies to have 100% of the penalty on the property forgiven due to staff error. Staff recommends waiving 100% of the penalty.
3024 Fulton St	The fully covered property located at 3024 Fulton has been owned by the current owner since 2004. In the last five fiscal years, this property has paid the registration fee late one time in the 21/22 registration cycle. The property owner stated in their waiver, " Her father had an accident on his 95th birthday, which was also the date registration fees were. Unfortunately, she was going through a busy and chaotic time in her life and missed the registration due date." Staff notes that the property owner did not provide any additional documentation for the Board to Review. Per regulation 884 C, this property qualifies to have 80% of the penalty waived for two late payments in the last five years. Staff recommends waiving 80% of the penalty.

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<p>1252 Hopkins St</p>	<p>The fully covered property located at 1252 Hopkins has been owned by the current owner since 2002. This property has not made any late registration payments in the last five fiscal years. The property owner stated in their waiver, "They mailed checks 826 and 827 on time but were not received by the Rent Board". Staff notes that the property owner provided additional documentation showing a good faith effort to pay registration fees on time. Per regulation 884 C, this property qualifies to have 100% of the penalty waived for no late payments in the last five years. Staff recommends waiving 100% of the penalty.</p>
<p>1538 63rd St</p>	<p>The fully covered property located at 1538 63rd has been owned by the current owner since 2015. In the last five fiscal years, this property has made one late payment in the 22/23 registration cycle. The property owner stated in their waiver, "They mailed checks 1249 on time but was not received by the Rent Board". Staff notes that the property owner provided additional documentation showing a good faith effort to pay registration fees on time. Per regulation 884 C, this property qualifies to have 100% of the penalty waived for no late payments in the last five years. Staff recommends waiving 100% of the penalty.</p>
<p>2631 Regent St</p>	<p>The fully covered property located at 2631 Regent has been owned by the current owner since 2022. In the last five fiscal years, this property has been paid late three times. However, these payments late payments were made by the prior owner. The property owner stated in their waiver "that the payment was made on time, but there was a processing error, and one of the payments was returned to the property owner." A search of Rent Board records will show that registration staff returned a payment to the property owner. Staff notes that the "Account" listed on the top of both checks says "2720 College". There was a separate smaller memo line that indicated where registration staff should have applied the payment. Per Regulation 883 G, this property qualifies to have 100% of the penalty on the property forgiven due to staff error. Staff recommends waiving 100% of the penalty.</p>
<p>2238 Russell St</p>	<p>This property consists of 3 fully covered units with all 3 units being exempt (1 unit is owner-occupied and the other 2 units are not available for rent). The owner has owned this property since November 2023. The owner states they should not be held responsible for the 2022/23 registration fee because they did not own the property during that registration cycle. The units on the property are currently not being rented and there is no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.</p>
<p>2400 Dowling Pl #4</p>	<p>This property is a rented condo that is covered by Measure MM. The property owner has owned this property since July 2006. The owner states they regret missing the registration payment and thought that since renting the condo below market rate, the rent board would have little interest in monitoring the property. The owner states they paid the overdue balance in February 2024 for the 2022/23 registration year and requested that the penalties be waived. This is the owner's second late payment of registration fees. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per Reg 884 C.</p>

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2510 Channing Way	This property consists of 42 units covered by Measure MM with 6 of the units exempt. The owner has owned this property since November 2018. The owner states they sent a check in June 2023 for the registration fees but was notified in November 2023 that their check was not applied due to the check not having the correct property address. The property is registered under the main parcel address; however, the owner put one of the associated addresses which may be why the payment was not applied. The owner does not have a history of late payment. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.
2622 Marin Ave	This property consists of 2 rented units covered by Measure MM. The owner has owned this property since February 2018. The owner states in Spring 2023, they received a registration request for the property, which was registered as a single-family dwelling at the time. The owner claims they submitted the payment for the SFH on time and inquired on how to register the new ADU. Once their inquiry was addressed, they filed all the documents to register the unit. 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 Reg 884 C.
2706 MLK Jr. Way	This property consists of 2 rented units covered by Measure MM. The owner has owned this property since October 2015. The owner states that the registration bill was mailed to an old address. When they received the bill to their current address, they paid the registration fee with a credit card. They are requesting a waiver of penalties because they did not receive the bill timely at the correct address. This is the owner's second late payment of registration fees. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per Reg 884 C.
2730 8TH	This property is a rented single-family home that is covered by Measure MM. The owner has owned this property since December 2005. The owner states when they received the registration bill, they were overwhelmed with the process. They believe the penalty amount is excessive in combination with all other landlord obligations. 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 Reg 884 C.
2732 8th St	This property is a rented single-family home that is covered by Measure MM. The owner has owned this property since December 2005. The owner states when they received the registration bill, they were overwhelmed with the process. They believe the penalty amount is excessive in combination with all other landlord obligations. 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 Reg 884 C.
2734 8th St	This property is a rented single-family home that is covered by Measure MM. The owner has owned this property since December 2005. The owner states when they received the registration bill, they were overwhelmed with the process. They believe the penalty amount is excessive in combination with all other landlord obligations. 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 Reg 884 C.

Public

2736 8th St	<p>This property is a rented single-family home that is covered by Measure MM. The owner has owned this property since December 2005. The owner states when they received the registration bill, they were overwhelmed with the process. They believe the penalty amount is excessive in combination with all other landlord obligations. 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 Reg 884 C.</p>
2750 Dwight Way	<p>This property consists of 24 rented units that are fully covered. The owner has owned this property since February 2024. The owner states they received a letter from the Rent Board in October 2023 about fees being owed on their account. They reached out to the Rent Board to get more information on why they still owed fees because they paid registration fees in June 2023. After getting clarification from the Rent Board, they paid the registration fee and is requesting that the penalties be waived. 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 Reg 884 C.</p>

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5118	Property address: 916 EUCLID AVE BERKELEY	Transferred: 11/28/2012
Exempt units (as of February 2021): Unit # 916 EUCLID AVE BERKELEY CA 94708 - OCCC - Owner		
Owner(s): SERGIO GARCIA	Waiver filed by: OWNER	# of Units: 1
Other Berkeley rental property owned: None		

Late payment/penalty history: This property is a Measure MM property, so there are not five years of payment history to review.

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
-	-	-	-	-	-	-
Totals (penalties previously assessed)				\$0.00	\$0.00	\$0.00

Penalties Currently Under Consideration

Reason for Penalties: Death						
Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 23-24	0	-	-	\$600.00	-	\$600.00
Totals				\$600.00	\$0.00	\$600.00

Grounds under Regulation 884(B): (1) The good cause asserted in the waiver request is a death or illness in the landlord's family.

Good cause claimed by owner: The owner states in their waiver, "In 2019, due to the death of his mother-in-law, the property owner and his wife moved from Berkeley and Rented their home. In 2023, when the property owners returned, they learned of the past due fees from the Rent Board."

Recommendation: Staff recommends waiving 50% of the penalties

Staff Analysis: The partially covered Single-family home located at 916 Euclid has been owned by the current owners since 2012. This property is a Measure MM property, so there are not five years of payment history to review. The owner states in their waiver, "In 2019, due to the death of his mother-in-law, the property owner and his wife moved from Berkeley and Rented their home. In 2023, when the property owners returned, they learned of the past due fees from the Rent Board." A search of Rent Board Records will also show that billing code "GARSER1" was listed under the 23/24 collections project for properties with unpaid registration fees (Please see attached collections letter and bill). During the collections project, the

Registration Unit offered to waive 50% of the penalties so that properties could comply with the Registration Requirement of the Rent Ordinance. Unfortunately, the property owner did not want to accept the settlement offer. Per regulation 884 J, this property qualifies to have 50% of the penalty waived. Additionally, Per Regulation 884 B (1), this waiver qualifies as discretionary because the good cause asserted in the waiver request is a death or illness in the landlord's family, and the landlord provides sufficient documentation to support their request. Unfortunately, the property owner did not include any additional documentation for the Board's review. Staff recommends waiving 50% of the penalty.

*Property Address: 916 Euclid Ave

*Owner: Sergio Garcia

Date of acquisition, if new owner: Nov 2012

*Name & relationship of person filing request, if not owner: _____

If, after reading the information on Page 1, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document the circumstances that prevented timely payment, such as hospitalization or death in the family.

It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. All Board decisions are final.

Please print or type clearly. Attach an additional sheet of paper if needed.

See attached.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

*Date: 9-18-23 *Signature: 

The information entered below **must be clearly printed or typed** in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time, and location of the meeting should you choose to attend and address the Commissioners.

Email Address: sergio@garcia-llc.com

Mailing Address: 916 Euclid Ave Berkeley CA 94708

Phone Number: 415-290-1851 Fax Number: _____

RECEIVED

SEP 2 X 2023

Initial: _____
Berkeley Rent Board

CITY OF BERKELEY
RENT STABILIZATION PROGRAM
2125 Milvia Street, Berkeley, CA 94704
PHONE: (510) 981-7368 • FAX: (510) 981-4910
WEB: <https://rentboard.berkeleyca.gov>

Request for Waiver of Late Registration Penalties

Please read the important disclosures below. Areas marked with an asterisk (*) MUST BE FILLED OUT. Incomplete applications will be returned to the sender.

- 1) **Before submitting a waiver request, you must pay all outstanding registration fees and file all registration forms.**

SG *Initial Here

- 2) The penalties on your bill are owed under the law. The Rent Board **may** forgive some or all of the penalties when the late payment was not deliberate and the owner acts in "good faith." Most waivers are processed by staff, based primarily on your past payment history (see Reg. 883*).

SG *Initial Here

- 3) Under certain circumstances (see Reg. 884*) the Rent Board will review a waiver request to determine what amount, if any, to forgive. In these discretionary reviews the Board is looking at "good cause" and the "totality of the circumstances" to determine an appropriate penalty.

SG *Initial Here

- 4) **Procedure for Discretionary Waivers:** Staff will review your waiver request and make a recommendation to the Board. If a circumstance outlined in Regulation 884 applies, staff will send you a copy of the recommendation about a week before the Board meeting. You may submit a written response to the recommendation. The Board will review the staff recommendation and any response, and issue a decision. You are not required to, but may, attend and address the Board. **Staff will mail you the Board's decision, which cannot be further appealed.**

Full waiver is granted: The account is cleared or credited, your eligibility for annual general adjustments (AGAs) is restored, and you are deemed in compliance from the date the waiver application was completed.

Partial waiver is granted: **The denied amount must be resolved within 30 days or the waiver may be rescinded and the full amount of penalties reinstated.** While any penalties remain outstanding, the property is considered not registered. This means, among other things, that you may not impose rent increases, may not evict tenants, and may be subject to tenant petitions for rent withholding.

SG *Initial Here

For questions about waivers please call Amanda Eberhart at (510) 981-4904 or email at AEberhart@cityofberkeley.info.

- 6) **Communications Disclaimer:**

This document will be included in the Rent Board's agenda packet and, as such, will become part of the City's electronic records, which are accessible through the City's website. This means that any e-mail addresses, names, addresses, and other information you provide will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, please call the Rent Board's Registration Unit at (510) 981-7368 or email RentRegistry@cityofberkeley.info to make that request.

SG *Initial Here

- 7) The referenced regulations can be found at: Chapter 8: Rent Registration

Please complete the Request for Waiver Form on the Back of this page

Request for Waiver of Late Registration Penalties

I have been a homeowner in Berkeley since 2012. Due to the illness and eventual death of my mother-in-law, my wife and I had to move out of our Berkeley home in 2019. We retained the services of a property manager to list our home for rental.

In 2023, we returned to our home and received correspondence from DeSeana Williams, Executive Director, Rent Stabilization Board, advising that we have past due registration fees. This was the first time we learned about any past due registration fees. When we first rented our home, our property manager advised us that our single family home was not covered by the rent control ordinance. Since registration fees were not required in 2019/2020, our property manager did not advise us regarding the requirement to pay registration fees – and we never received an update regarding Measure MM since we no longer lived in Berkeley.

In short, I had a good faith belief that our single family home was not subject to registration fees, and I apologize for the nonpayment. I have paid the past due amount, effective September 20, and I respectfully request a waiver of the late registration penalties.

In gratitude for your attention to this request.

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5119	Property address: 912 SPRUCE ST BERKELEY	Transferred: 08/16/2023
Exempt units (as of February 2021): Unit # 912 SPRUCE ST BERKELEY CA 94707 - OOC - Owner		
Owner(s): TEJASVI KOTHAPALLI &	Waiver filed by: OWNER	# of Units: 1
Other Berkeley rental property owned: 912 SPRUCE ST, BERKELEY, CA 94707		

Late payment/penalty history: This property is a Measure MM property, so there are not five years of payment history to review.

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
-	-	-	-	-	-	-
Totals (penalties previously assessed)				\$0.00	\$0.00	\$0.00

Penalties Currently Under Consideration

Reason for Penalties: Penalties incurred under prior owner.

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 23/24	1	-	-	\$1,134.00	-	\$1,134.00
Totals				\$1,134.00	\$0.00	\$1,134.00

Grounds under Regulation 884(B): (7) The landlord requesting the waiver was not the owner of the property when the penalty first accrued

Good cause claimed by owner: Penalties incurred under prior owner.

Recommendation: Staff recommends waiving 100% of the penalty fee.

Staff Analysis: The partially covered Single-family home located at 912 Spruce has been owned by the current owners since August 2023. This property is a Measure MM property, so there are not five years of payment history to review. The owner states in their waiver, "They purchased the property in August of 2023 and that two units are rented in a shared owner occupied/tenant agreement." Per Regulation 884 B (3), this waiver qualifies as discretionary because the landlord requesting the waiver was not the property owner when the penalty first accrued. Staff recommends waiving 100% of the penalty.

FEB 20 2024

Initial: _____
Berkeley Rent Board

Request for Waiver of Late Registration Penalties

Please read the important disclosures below. Areas marked with an asterisk (*) MUST BE FILLED OUT. Incomplete applications will be returned to the sender.

- 1) **Before submitting a waiver request, you must pay all outstanding registration fees and file all registration forms.**

TK *Initial Here

- 2) The penalties on your bill are owed under the law. The Rent Board **may** forgive some or all of the penalties when the late payment was not deliberate and the owner acts in "good faith." Most waivers are processed by staff, based primarily on your past payment history (see Reg. 883*).

TK *Initial Here

- 3) Under certain circumstances (see Reg. 884*) the Rent Board will review a waiver request to determine what amount, if any, to forgive. In these discretionary reviews the Board is looking at "good cause" and the "totality of the circumstances" to determine an appropriate penalty.

TK *Initial Here

- 4) **Procedure for Discretionary Waivers:** Staff will review your waiver request and make a recommendation to the Board. If a circumstance outlined in Regulation 884 applies, staff will send you a copy of the recommendation about a week before the Board meeting. You may submit a written response to the recommendation. The Board will review the staff recommendation and any response, and issue a decision. You are not required to, but may, attend and address the Board. **Staff will mail you the Board's decision, which cannot be further appealed.**

Full waiver is granted: The account is cleared or credited, your eligibility for annual general adjustments (AGAs) is restored, and you are deemed in compliance from the date the waiver application was completed.

Partial waiver is granted: The denied amount must be resolved within 30 days or the waiver may be rescinded and the full amount of penalties reinstated. While any penalties remain outstanding, the property is considered not registered. This means, among other things, that you may not impose rent increases, may not evict tenants, and may be subject to tenant petitions for rent withholding.

TK *Initial Here

- 5) For questions about waivers please call Amanda Eberhart at (510) 981-4904 or email at AEberhart@cityofberkeley.info.

- 6) **Communications Disclaimer:**

This document will be included in the Rent Board's agenda packet and, as such, will become part of the City's electronic records, which are accessible through the City's website. This means that any e-mail addresses, names, addresses, and other information you provide will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, please call the Rent Board's Registration Unit at (510) 981-7368 or email RentRegistry@cityofberkeley.info to make that request.

TK *Initial Here

- 7) The referenced regulations can be found at: [Chapter 8: Rent Registration](#)

Please complete the Request for Waiver Form on the Back of this page

RECEIVED

*Property Address: 912 SPRUCE ST, BERKELEY, CA 94707

*Owner: TEJASVI KOTHAPALLI

Date of acquisition, if new owner: 08/16/2023

*Name & relationship of person filing request, if not owner: SELF

If, after reading the information on Page 1, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document the circumstances that prevented timely payment, such as hospitalization or death in the family. It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. All Board decisions are final.

Please print or type clearly. Attach an additional sheet of paper if needed.

PLEASE WAIVE ALL FEES PRIOR TO
AUG 16, 2023.
I PURCHASED AND MOVED INTO THE HOUSE
ON AUG 16, 2023 - I LIVE IN THE PROPERTY
AND ALSO RENT 2 ROOMS.
THE STATUS OF PROPERTY IS OCC/SHARED

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

*Date: 2/17/2024 *Signature: [Signature]

The information entered below **must be clearly printed or typed** in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time, and location of the meeting should you choose to attend and address the Commissioners.

Email Address: TEJASVI.KOTHAPALLI@BERKELEY.EDU

Mailing Address: 912 SPRUCE ST, BERKELEY, CA - 94707

Phone Number: 408-802-0826 Fax Number: _____

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5120	Property address: 1139 OXFORD ST BERKELEY	Transferred: 02/21/2023
Exempt units (as of February 2021): None		
Owner(s): ABDUL FARID	Waiver filed by: OWNER	# of Units: 5
Other Berkeley rental property owned: None		

Late payment/penalty history: In the last five fiscal years, the property has paid registration fees late twice. However, those late payments were made by the previous owner.

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
-	-	-	-	-	-	-
Totals (penalties previously assessed)				\$0.00	\$0.00	\$0.00

Penalties Currently Under Consideration

Reason for Penalties: Justice						
Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2023-24	5	\$1,450.00	10/23/2023	\$1,450.00	\$0.00	\$1,450.00
Totals				\$1,450.00	\$0.00	\$1,450.00

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: There were a couple of fires at the property, and mail was not received.

Recommendation: Staff recommends waiving 100% of the penalty.

Staff Analysis: The fully covered property, located at 1139 Oxford, has been owned by the current owner since February 2023. In the last five fiscal years, the property has paid registration fees late twice. However, those late payments were made by the previous owner. The property owner states in their waiver, "There were a couple of fires at the property, and the mail was not received. Per regulation 884 B (6), this waiver qualifies as discretionary because the Executive Director or their designee recommends that a greater or lesser amount be waived in the interest of Justice. Staff recommends waiving 100% of the penalty due to the fire on the property.

RECEIVED

OCT 26 2023

Initial: _____
Berkeley Rent Board

CITY OF BERKELEY
RENT STABILIZATION PROGRAM
2125 Milvia Street, Berkeley, CA 94704
PHONE: (510) 981-7368 • FAX: (510) 981-4910
WEB: <https://rentboard.berkeleyca.gov>

Request for Waiver of Late Registration Penalties

Please read the important disclosures below. Areas marked with an asterisk (*) MUST BE FILLED OUT. Incomplete applications will be returned to the sender.

- 1) Before submitting a waiver request, you must pay all outstanding registration fees and file all registration forms.

 *Initial Here

- 2) The penalties on your bill are owed under the law. The Rent Board may forgive some or all of the penalties when the late payment was not deliberate and the owner acts in "good faith." Most waivers are processed by staff, based primarily on your past payment history (see Reg. 883*).

 *Initial Here

- 3) Under certain circumstances (see Reg. 884*) the Rent Board will review a waiver request to determine what amount, if any, to forgive. In these discretionary reviews the Board is looking at "good cause" and the "totality of the circumstances" to determine an appropriate penalty.

 *Initial Here

- 4) **Procedure for Discretionary Waivers:** Staff will review your waiver request and make a recommendation to the Board. If a circumstance outlined in Regulation 884 applies, staff will send you a copy of the recommendation about a week before the Board meeting. You may submit a written response to the recommendation. The Board will review the staff recommendation and any response, and issue a decision. You are not required to, but may, attend and address the Board. Staff will mail you the Board's decision, which cannot be further appealed.

Full waiver is granted: The account is cleared or credited, your eligibility for annual general adjustments (AGAs) is restored, and you are deemed in compliance from the date the waiver application was completed.

Partial waiver is granted: The denied amount must be resolved within 30 days or the waiver may be rescinded and the full amount of penalties reinstated. While any penalties remain outstanding, the property is considered not registered. This means, among other things, that you may not impose rent increases, may not evict tenants, and may be subject to tenant petitions for rent withholding.

 *Initial Here

- 5) For questions about waivers please call Amanda Eberhart at (510) 981-4904 or email at AEberhart@cityofberkeley.info.

- 6) **Communications Disclaimer:**

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 *Initial Here

- 7) The referenced regulations can be found at: Chapter 8: Rent Registration

*Property Address: 1139 OXFORD ST

*Owner: MAJID FARID

Date of acquisition, if new owner: _____

*Name & relationship of person filing request, if not owner: _____

If, after reading the information on Page 1, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document the circumstances that prevented timely payment, such as hospitalization or death in the family.

It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. All Board decisions are final.

Please print or type clearly. Attach an additional sheet of paper if needed.

We had a couple of fires at the property and mail was not received. Things were chaotic and I missed paying the fees. I am asking for a waiver of the late fees. I have made the entire payment for the ordinance fees. Appreciate your understanding.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

*Date: 10-21-23

*Signature: 

The information entered below **must be clearly printed or typed** in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time, and location of the meeting should you choose to attend and address the Commissioners.

Email Address: abdul.farid@gmail.com

Mailing Address: 4772 MATFIELD DR FREMONT 94536

Phone Number: 510 648 8555 Fax Number: _____

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5121	Property address: 1327 ASHBY AVE BERKELEY	Transferred: 08/02/1995
Exempt units (as of February 2021): Unit # C - SEC8-V - Rent Subsidized Tenant, Unit # B - SEC8-V - Tenant		
Owner(s): SHARON CHOYCE	Waiver filed by: OWNER	# of Units: 8
Other Berkeley rental property owned: 1616 ALCATRAZ AVE BERKELEY CA 94703		

Late payment/penalty history: The property owner paid the 23/24 registration payment late in the last five fiscal years.

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
-	-	-	-	-	-	-
Totals (penalties previously assessed)				\$0.00	\$0.00	\$0.00

Penalties Currently Under Consideration

Reason for Penalties: Justice

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 23-24	8	-	10/13/2023	\$1,740.00	-	\$0.00
Totals				\$1,740.00	\$0.00	\$0.00

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 updated a tenancy for unit B and paid the prorated fee instead of the 23/24 registration fees.

Recommendation: Staff recommends denying the penalty waiver.

Staff Analysis: The fully covered property, located at 1327 Ahsby, has been owned by the current owner since 1995. The property owner paid the 23/24 registration payment late in the last five fiscal years. The property owner states in their waiver, "They used the Rent Registry portal to pay registration fees on 6/29/23 after updating the property information. The adjusted amount was \$462. The property owner paid \$462, assuming that was the registration fee". A search of Rent Board records will show that on 6/29/23, the property owner updated the tenancy information for unit B. Unit B was previously a subsidized tenant and exempt from the registration requirement of the ordinance. The new tenancy for unit B started on 8/1/2022.

The ordinance instructs all property owners to update new tenancies with the Rent Board within 14 days to avoid incurring fees and penalties. Unfortunately, the property owner notified the Rent Board of the new tenancy in June 2023 and was charged prorated fees and penalties. The Registration Unit Manager also did a 10-year review of the property's payment history to see if the property owner had made any pro-rated payments and registration fees in the same year due to unit changes. Rent Board records will show that the 2011-2012 registration cycle units were updated, and the property paid prorated fees for the unit changes. Staff also notes that each property owner paying registration fees can see their transaction history through the Rent Registry Portal. The property owner would have seen in real-time that the \$462 they paid was the prorated fee for the late tenancy registration of unit B, not the full 23/24 registration fee. Staff also notes that all of the 23/24 registration material sent to the property owners laid out that properties must submit their property for registration before they can pay registration fees. This language is a permanent reminder for all property owners with active accounts. It is unclear why the property owner would assume the \$462 prorated fee payment for unit B would replace the fully covered registration fee. Rent Board records will show that the payment for registration fees also came after the Automatic Waiver Period for property owners. Per regulation 884 B (6), this waiver qualifies as discretionary because the Executive Director or their designee recommends that a greater or lesser amount be waived in the interest of Justice. Based on the 23/24 registration material provided to the property owner, their experience as a Berkeley property owner since 1995, and their ability to view transaction history, it is evident that the owner should have been aware the \$462 payment was for the prorated fees. Furthermore, the property owner has already paid the outstanding penalties in October 2023. Therefore, staff recommends denying the penalty waiver request.

Discretionary
Per ED.

RECEIVED

OCT 16 2023

Initial:
Berkeley Rent Board

CITY OF BERKELEY
RENT STABILIZATION PROGRAM
2125 Milvia Street, Berkeley, CA 94704
PHONE: (510) 981-7368 • FAX: (510) 981-4910
WEB: <https://rentboard.berkeleyca.gov>

Request for Waiver of Late Registration Penalties

Please read the important disclosures below. Areas marked with an asterisk (*) MUST BE FILLED OUT. Incomplete applications will be returned to the sender.

- 1) **Before submitting a waiver request, you must pay all outstanding registration fees and file all registration forms.**

SC *Initial Here

- 2) The penalties on your bill are owed under the law. The Rent Board may forgive some or all of the penalties when the late payment was not deliberate and the owner acts in "good faith." Most waivers are processed by staff, based primarily on your past payment history (see Reg. 883*).

SC *Initial Here

- 3) Under certain circumstances (see Reg. 884*) the Rent Board will review a waiver request to determine what amount, if any, to forgive. In these discretionary reviews the Board is looking at "good cause" and the "totality of the circumstances" to determine an appropriate penalty.

SC *Initial Here

- 4) **Procedure for Discretionary Waivers:** Staff will review your waiver request and make a recommendation to the Board. If a circumstance outlined in Regulation 884 applies, staff will send you a copy of the recommendation about a week before the Board meeting. You may submit a written response to the recommendation. The Board will review the staff recommendation and any response, and issue a decision. You are not required to, but may, attend and address the Board. **Staff will mail you the Board's decision, which cannot be further appealed.**

Full waiver is granted: The account is cleared or credited, your eligibility for annual general adjustments (AGAs) is restored, and you are deemed in compliance from the date the waiver application was completed.

Partial waiver is granted: The denied amount must be resolved within 30 days or the waiver may be rescinded and the full amount of penalties reinstated. While any penalties remain outstanding, the property is considered not registered. This means, among other things, that you may not impose rent increases, may not evict tenants, and may be subject to tenant petitions for rent withholding.

SC *Initial Here

- 5) For questions about waivers please call Amanda Eberhart at (510) 981-4904 or email at AEberhart@cityofberkeley.info.

- 6) **Communications Disclaimer:**

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SC *Initial Here

- 7) The referenced regulations can be found at: Chapter 8: Rent Registration

Please complete the Request for Waiver Form on the Back of this page

*Property Address: 1327 ASHBY AVE. (LEGAL ADDR) 1325

*Owner: SHARON CHOYE

Date of acquisition, if new owner: N.A.

*Name & relationship of person filing request, if not owner: _____

If, after reading the information on Page 1, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document the circumstances that prevented timely payment, such as hospitalization or death in the family.

It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. All Board decisions are final.

Please print or type clearly. Attach an additional sheet of paper if needed.

I FEEL THE 100% LATE FEE PENALTY IS NOT WARRANTED. IN GOOD FAITH I USED YOUR ONLINE RENT REGISTRY - CITY OF BERKELEY TO PAY MY UNIT FEES DUE BY 7.03.23 FOR 1740.00. WHEN I WENT IN SYSTEM, IT TOOK ME TO SECTION TO VERIFY UNIT INFO, IT WAS INCOMPLETE, I UPDATED, THEN IT DIRECTED ME TO OFFICIAL PMTS, THE SYSTEM CHANGED THE AMT, SO I ASSUMED IT ADJUSTED WHAT I OWED OF 462.00. I RECEIVED RECEIPT, AND CONFIRMATION OF PMT.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

*Date: 10.13.23 * Signature: Sharon Choye

The information entered below must be clearly printed or typed in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time, and location of the meeting should you choose to attend and address the Commissioners.

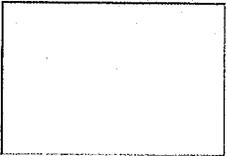
Email Address: SHARON@JUBILEEPROPERTIES.NET

Mailing Address: 3945 SHAKER RUN CIRCLE, FAIRFIELD, Ca. 94533

Phone Number: 510.812.5196 Fax Number: N.A.

I WHEN RECEIVED A LETTER DATED 9.18.2023 FROM COB THAT MY FEES DUE 7.3.2023 WERE DUE, AND NEVER PAID. I WAS SHOCKED AND DISMAYED. COULD NOT BELIEVE IT.

This is a "printer friendly" page. Please use the "print" option in your browser to print this screen.



City of Berkeley, CA - Rent Stabilization Board
Rent Stabilization Board 3Di

Confirmation Number

Date & Time

XKRRTBDQA

Friday, October 13, 2023 02:48PM PT

Successful completion of the payment transaction is conditioned upon accurate and complete information being entered by you and is subject to financial institution and biller acceptance, approval and authorization of the payment. Electronic check payments may take up to seven business days to be returned by your Financial Institution if incorrect information is entered when a payment is submitted.

Payment Method

Amount



Ending in *69**

\$3,480.00

Account Information

Name Sharon Choyce
Street Address 3945 Shaker Run Circle
City Fairfield
State CA
Zip code 94533
Country United States
Daytime phone (510) 812 - 5196
Email Sharon@jubileeproperties.net
APN 053162301401
Property Address 1327 ASHBY AVE BERKELEY CA 94702
Property Owner Jubilee Res. Property Mgmt.

RIGHT TO REFUND

You, the customer, are entitled to a refund of the money to be transmitted as the result of this agreement if ACI Payments, Inc. does not forward the money received from you within 10 days of the date of its receipt, or does not give instructions committing an equivalent amount of money to the person designated by you within 10 days of the date of the receipt of the funds from you unless otherwise instructed by you.

If your instructions as to when the moneys shall be forwarded or transmitted are not complied with and the money has not yet been forwarded or transmitted, you have a right to a refund of your money.

If you want a refund, you must mail or deliver your written request to ACI Payments, Inc. at 6060 Coventry Drive, Elkhorn, NE 68022. If you do not receive your refund, you may be entitled to your money back plus a penalty of up to \$1,000 and attorney's fees pursuant to section 2102 of the California Financial Code.

Thank you for using ACI Payments, Inc. If you have a question regarding your payment, please call us toll free at 1-800-487-4567. To make payments in the future, please visit our website at www.officialpayments.com.



Sharon

From: RentBoardOnline@cityofberkeley.info
Sent: Friday, October 13, 2023 2:48 PM
To: SHARON@JUBILEEPROPERTIES.NET
Subject: Rent Stabilization Board - Payment received



Dear SHARON CHOYCE ,

Thank you for your E-Check payment of \$3,480.00.

We have received this amount at the City of Berkeley's Rent Stabilization Board and credited the following account(s) in our system, with the receipt number(s) listed below. The payment is assigned reference #XKRRTBDQA by your bank.

Property Address	Amount	Receipt #
1327 ASHBY AVE	\$3,480.00	00013462

If you have any questions, please reply to this message or call our office at 510-981-RENT (7368). We are open weekdays from 9:00 AM to 4:45 PM except for Wednesdays, we are closed to the public.

Regards,
Rent Stabilization Board.

Sharon

From: ACI Payments, Inc. - Customer Service <CustomerService@aciworldwide.com>
Sent: Friday, October 13, 2023 2:48 PM
To: Sharon Choyce
Subject: Thank you from the City of Berkeley Rent Stabilization Board

Dear ACI Payments, Inc. Customer:

Thank you for selecting ACI Payments, Inc. for your electronic payment. Your payment of \$3,480.00 was sent to the City of Berkeley Rent Stabilization Board on 10-13-2023. Your confirmation number is XKRRTBDQA.

APN: 053162301401

Property Owner: Jubilee Res. Property Mgmt.

Property Address: 1327 ASHBY AVE BERKELEY CA 94702

To check the status of your payment, visit the ACI Payments, Inc. Web site at https://acipayonline.com/pc_paym.jsp. Please be prepared to provide your e-mail address Sharon@jubileeproperties.net and one of the following two items:

-Your confirmation number, XKRRTBDQA

OR

-Account: *****9969

-Account Type: Business Checking Account

To become a registered user of ACI Payments, Inc., enabling you to access your complete tax and fee payment history, visit our web site at http://acipayonline.com/pc_sign.jsp.

Again, thank you for using ACI Payments, Inc. We hope you enjoy the convenience, cash management, and payment card benefits earned from your payment.

Customer Service

ACI Payments, Inc.
Corporation

Questions? Call toll-free 1-800-487-4567.

Eberhart, Amanda

From: Sharon <Sharon@jubileeproperties.net>
Sent: Friday, October 13, 2023 3:31 PM
To: Eberhart, Amanda; 'Palmer, Kara, SSA'
Cc: Brown, Matthew (Matt); Williams, DeSeana; 'Atty.D.Choyce'
Subject: RE: 1616 Alcatraz Ave fees removed (ASHBY)
Attachments: COB.RentBoard.REQ. WAIVER of Late Fees. 10.13.23.1327 AshbyPROOF OF PMT. .pdf
Importance: High

To Ms. Eberhart,

I AM REQUESTING THAT YOUR DEPARTMENT SEND ME A NOTIFICATION OF MY HEARING AND COPY ALL PARTIES IN THIS EMAIL.

AS KARA CHOYCE HAS STATED THE COB SENT ME A SCHEDULED HEARING REQUEST PRIOR REGARDING ANOTHER MATTER, AND I NEVER RECEIVED IT, AND THEN THEY DENIED ME MY RIGHTS TO A HEARING STATING IT WAS TOO LATE. SO THERE IS NO EXCUSE FOR ME NOT RECEIVING THE HEARING REQUEST.

I am just wondering and I won't hold my breath, if this will happen with my other properties. . . .

WHO IS MATTHEW BROWN, WHAT IS HIS POSITION?

Sincerely,

Sharon Choyce, Property Owner

"The Truth is, of course, that what one regards as interruptions are precisely one's life."

C. S. Lewis

*Sharon Choyce
dba Jubilee Property Management
Sharon@jubileeproperties.net
Ph.510.812.5196
Fax.510.275.9592*

From: Eberhart, Amanda <AEberhart@berkeleyca.gov>
Sent: Friday, October 13, 2023 10:57 AM
To: Palmer, Kara, SSA <Kara.Palmer@acgov.org>; Sharon <Sharon@jubileeproperties.net>
Cc: Brown, Matthew (Matt) <MBrown@berkeleyca.gov>; Williams, DeSeana <DeWilliams@berkeleyca.gov>;

Atty.D.Choyce <D.choyce@sbcglobal.net>
Subject: RE: 1616 Alcatraz Ave fees removed (ASHBY)

Hi Kara,

I hope this message finds you well, please note that this will be my final communication on this matter.

If you would like the Board to consider waiving the penalties on your account, please fill out the attached form and return it to our office at your earliest convenience.

Please note, in order for the Board to hear your waiver all registration fees must be paid. Also, it is the responsibility of the property owner/manager to present their case to the board. Please include all pertinent documentation and evidence you would like the board to review as all Board decisions are final.

Thank you,
Amanda Eberhart
Registration Unit Manager
City of Berkeley | Rent Stabilization Board
510.981.4904

From: Palmer, Kara, SSA <Kara.Palmer@acgov.org>
Sent: Friday, October 13, 2023 9:39 AM
To: Eberhart, Amanda <AEberhart@berkeleyca.gov>; Sharon <Sharon@jubileeproperties.net>
Cc: Brown, Matthew (Matt) <MBrown@berkeleyca.gov>; Williams, DeSeana <DeWilliams@berkeleyca.gov>;
Atty.D.Choyce <D.choyce@sbcglobal.net>
Subject: RE: 1616 Alcatraz Ave fees removed (ASHBY)

She's saying the form – doesn't match what is reflecting in your system. Her intent was to pay what was reflected on the form however, your system was inaccurate. And because she lives more than 50 miles away from Berkeley, she doesn't have the luxury to walk into COB to pay these fees when your system should reflect the print out below.

This has been a consistent issue with COB systems for at least 10 years. Your forms don't match your systems. How can this be resolved? Can you remove the penalty?

From: Eberhart, Amanda <AEberhart@berkeleyca.gov>
Sent: Friday, October 13, 2023 9:34 AM
To: Sharon <Sharon@jubileeproperties.net>
Cc: Brown, Matthew (Matt) <MBrown@berkeleyca.gov>; Williams, DeSeana <DeWilliams@berkeleyca.gov>;
Atty.D.Choyce <D.choyce@sbcglobal.net>; Palmer, Kara, SSA <Kara.Palmer@acgov.org>
Subject: RE: 1616 Alcatraz Ave fees removed (ASHBY)

Good Morning,

Unfortunately, I don't know where the confusion is. On the attached document Sharon sent over the total due for the 6 units is on the paper. I have highlighted the portion of the statement packet that indicated \$1740 was due for the 6 units at 1327 Ashby for the 2023/2024 registration cycle. From what we can see below, the property owner only paid for the pro-rated fees for unit B. Please let me know if you have any questions or concerns.

2

Registration Year: 07/01/2023-06/30/2024

Due Date: 07/03/2023

Berkeley Rent Board
2125 Milvia Street
Berkeley, CA 94704

PROPERTY ADDRESS [REDACTED] CA 94702
APN 53162301401
BILLING CONTACT: Sharon Choyce
CURRENT FEES 1740
PREVIOUS FEES 0
PENALTIES 0

Units Paid For:

[Empty box]

Amount Enclosed
(Checks Only):

2023.
462.00



UNIT STATUS FORM

Rent Stabilization Board

UNIT STATUS: [8] UNITS [2] EXEMPT

1327 ASHBY AVE BERKELEY CA 94702

CHANGE OF ADDRESS:

Sharon Choyce
3945 Shaker Run Cir
Fairfield CA 94533-7759

Phone: _____

E-mail: _____

'Unit Address'	'Unit Number'	'Current Status'	'Status Last Changed'	'Start Date'
1325 ASHBY AVE BERKELEY CA 94702	D	RENTED	5/31/1980	5/31/1980
1325 ASHBY AVE BERKELEY CA 94702	C	SEC8-V	6/28/2019	4/9/2019
1325 ASHBY AVE BERKELEY CA 94702	B	RENTED	1/12/2014	1/12/2014
1327 ASHBY AVE BERKELEY CA 94702	C	RENTED	1/3/2023	5/31/1990
1325 ASHBY AVE BERKELEY CA 94702	A	RENTED	1/4/2010	1/10/2017
1327 ASHBY AVE BERKELEY CA 94702	D	RENTED	7/10/2010	7/10/2010
1327 ASHBY AVE BERKELEY CA 94702	B	SEC8-V	2/4/2015	1/16/2012
1327 ASHBY AVE BERKELEY CA 94702	A	RENTED	6/3/2013	6/3/2013

12.19

The 'Status Last Changed' indicates when the status of the unit last changed, not

Thank you,
Amanda Eberhart
Registration Unit Manager
City of Berkeley | Rent Stabilization Board
510.981.4904

From: Sharon <Sharon@jubileeproperties.net>
Sent: Friday, October 13, 2023 8:22 AM
To: Eberhart, Amanda <AEberhart@berkeleyca.gov>
Cc: Brown, Matthew (Matt) <MBrown@berkeleyca.gov>; Williams, DeSeana <DeWilliams@berkeleyca.gov>; Atty.D.Choyce <D.choyce@sbcglobal.net>; 'Palmer, Kara, SSA' <Kara.Palmer@acgov.org>
Subject: RE: 1616 Alcatraz Ave fees removed (ASHBY)
Importance: High

Ms. Eberhart,

Thank you for your response.

This is so confusing to me, and overwhelming, **and shall I say no matter what I say to you on behalf of me diligently trying to keep my business current and updated, you reject what I have brought to your attention, and penalize me. The City of Berkeley makes me feel that I do not fulfil my obligations as a Landlord, your letters are confusing and misleading.**

I explained to you that I sent in the paper changes for my properties with my payments in past years, my units were never updated, until June 2023, when I was able I THOUGHT TO PAY MY FEES ONLINE AND UPDATE MY UNITS.

Shame on you City of Berkeley for what you do to the poor landlords, 100% penalty. **(LET ME BE CLEAR, I AM AWARE OF THE 100% PEANALTIES, THAT'S WHY I TRY TO PAY OR MAIL MY RENEWALS EARLY).** Had I known that your online system would **screw me** and cause me to think I was paying MY RENEWAL FEES, I would have made other choices to pay my fees. **Your online payment system is faulty,** and ACCORDING TO YOU, I WAS PAYING SOMETHING ELSE BUT NOT MY RENEWAL FEES. I HAVE TO CHALLENGE **YOUR ONLINE PAYMENT SYSTEM, ITS NOT CLEAR, THE SYSTEM CHANGED THE AMOUNT DUE NOT ME,** and that's what I paid.

When I've mailed my payments to the City, they were lost **inside of the department (TWICE).** You cashed the checks, but sent me letters that you never received my renewals. Last year for 2022, Ms. Addison had to reverse penalties and late fees due to this fact. The Only person that helped with these matters was Ms. Addison, and I guess she has retired.

I HAVE ATTACHED A COPY OF "UNIT STATUS" THIS IS WHAT I RECEIVED IN THE MAIL. UNBELIEVABLE **(THE INFORMATION WAS ALL WRONG).**

I guess at this point to get these fees reversed I have to file for a Hearing, and this is so unfair. This too will be a waste of my time and energy, because trying to plead my cause is useless against the City of Berkeley.

Sincerely,

Sharon Choyce, Owner

"The Truth is, of course, that what one regards as interruptions are precisely one's life."

C. S. Lewis

Sharon Choyce
dba Jubilee Property Management
Sharon@jubileeproperties.net
Ph.510.812.5196
Fax.510.275.9592

From: Eberhart, Amanda <AEberhart@berkeleyca.gov>
Sent: Thursday, October 12, 2023 1:04 PM
To: Sharon@jubileeproperties.net
Cc: Brown, Matthew (Matt) <MBrown@berkeleyca.gov>; Williams, DeSeana <DeWilliams@berkeleyca.gov>
Subject: RE: 1616 Alcatraz Ave fees removed

Good Morning Sharon,

Thank you for the email below. I've attached the bill we sent you for your property located at 1327 Ashby. I have also attached a screenshot of the transaction history for the property. On 6/29, you were charged prorated fees for unit b at 1327 Ashby (please see the yellow highlights). The second screenshot shows that unit b was previously a rent-subsidized unit (sec 8). Please note, that rent-subsidized units are exempt from the registration requirement of the ordinance. The ordinance also instructs property owners to update the Rent Board regarding any change in the property status to avoid incurring any penalties on the account. We can see in the second screenshot that the rent-subsidized tenant voluntarily vacated the property in 2020 (please see the blue highlights). The Rent Board was not notified of the change until 6/29/23. We can also see that the new tenancy for unit b started in August of 2022. You were charged \$231 for prorated registration fees and a 100% of \$231 penalty for the late registration payment, bringing the total to \$462. In the first screenshot, we see you made an electronic payment of \$462 on 6/29 for the prorated fees and penalties for unit B. Unfortunately, you did not pay the current 23/24 registration fees for the 6 units (\$290 per unit for 6 units equals \$1740) on the property by the July 3rd deadline. Please see the blue highlight in the first screenshot. Regrettably, the account was charged a 100% penalty and sent a past-due bill for the outstanding 23/24 registration fees and penalties.

Please let me know if you have any questions or concerns.

Addresses	Contacts	Photos	Notes	Change Log	Geo View	Correspondence Logs
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You need to submit the Property for Registration before you can pay your fees for this fiscal year.

Current Year Fees:	\$1,740.00
Current Year Penalties:	\$1,740.00
Previous Year's Fees:	\$0.00
Previous Year's Penalties:	\$0.00
Unallocated Fund:	\$0.00
APN Balance:	\$3,480.00

Fiscal Year	Date/Time	Payment Received Date	Transaction Type	Reference	Description	Credit Amount	Debit Amount	Current Year Fees	Current Year Penalties	Pr	Ye
FY2023-24	07/04/2023 12:30 AM	-	Invoice	RR2023-24-3 87843	Annual penalty applied	\$1,740.00	-	\$0.00	\$1,740.00	\$0	
FY2023-24	06/30/2023 10:57 AM	-	Invoice	RR2023-24-3 87843	Annual Registration Fee	\$1,740.00	-	\$1,740.00	\$0.00	\$0	
FY2023-24	06/29/2023 6:06 PM	06/29/2023	Payment	EBC	Payment Received	-	-\$462.00	\$0.00	\$0.00	-\$	
FY2023-24	06/29/2023 5:46 PM	-	Invoice	UC2023-24-4 02484	Privatized Fee applied for B: 1327 ASHBY AVE	\$462.00	-	\$0.00	\$0.00	\$0	

Case Details

APN : 053162301401 Ca
Primary Address : 1327 ASHBY AVE BERKELEY CA 94702 St
Unit # : B, 1327 ASHBY AVE BERKELEY CA 94702 Cr
No of Units : 8 Mk
Case Type : Occupancy Amendment

Overview

> Submitter's Name : Sharon Choyce
> Submitter's Title : Primary Owner
> Date Previous Occupant Vacated : 03/01/2020
> Reason For Change : Tenant Voluntarily Vacated

Original Information

Occupant Type : Rent Subsidized Tenant
Start Date Of Tenancy : 01/16/2012
Date Of Prohibition : 01/01/1970

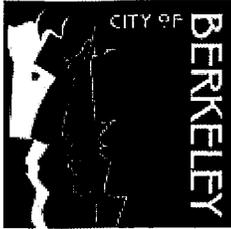
Amended Information

Occupant Type : T
Initial Rent : S
Start Date Of Tenancy : C
No. Of Occupants : 2
Smoking Prohibition In Lease Agreement? : Y
Date Of Prohibition : C
Included With Rent : L

Thank you,
Amanda Eberhart
Registration Unit Manager
City of Berkeley | [Rent Stabilization Board](#)
510.981.4904

From: Manager, C <CManager@berkeleyca.gov>
Sent: Wednesday, October 11, 2023 1:04 PM
To: Williams, DeSeana <DeWilliams@berkeleyca.gov>; Brown, Matthew (Matt) <MBrown@berkeleyca.gov>
Cc: Williams-Ridley, Dee <DWilliams-Ridley@berkeleyca.gov>
Subject: FW: 1616 Alcatraz Ave fees removed

Please see email below sent to City Manager's general mailbox relating to the Rent Stabilization Board.



Ramonda Clarke
Secretary to the City Manager
City of Berkeley, 2180 Milvia Street, 5th Floor, Berkeley, CA 94704
Office: (510) 981-7004
Cell: (510) 704-3993
Remote: Monday & Tuesday; In-Office: Wednesday-Friday

From: Sharon <Sharon@jubileeproperties.net>
Sent: Wednesday, October 11, 2023 7:47 AM
To: Addison, Athena <AAddison@berkeleyca.gov>
Cc: Manager, C <CManager@berkeleyca.gov>; 'Palmer, Kara, SSA' <Kara.Palmer@acgov.org>; Atty.D.Choyce <D.choyce@sbcglobal.net>
Subject: RE: 1616 Alcatraz Ave fees removed
Importance: High

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Ms. Addison,

The letter that accompanied this notice is attached.

Thank you.

*"The Truth is, of course, that what one regards as interruptions are precisely one's life."
C. S. Lewis*

Sharon Choyce
dba Jubilee Property Management
Sharon@jubileeproperties.net
Ph.510.812.5196
Fax.510.275.9592

From: Sharon <Sharon@jubileeproperties.net>
Sent: Tuesday, October 10, 2023 6:57 PM
To: 'Addison, Athena' <AAddison@cityofberkeley.info>
Cc: 'manager@berkeleyca.gov' <manager@berkeleyca.gov>; 'Palmer, Kara, SSA' <Kara.Palmer@acgov.org>; Atty.D.Choyce <D.choyce@sbcglobal.net>
Subject: RE: 1616 Alcatraz Ave fees removed
Importance: High

RE: 1327 ASHBY AVE. – APN#53162301401.

Dear Ms. Addison,

I hope this finds you well.

The City of Berkeley Rent stabilization Board has did it to me again. (I wanted to follow this thread from last year when the same thing happened to me), BUT THIS IS THE 3RD. TIME.

I am preparing to file a suit against the City. My documentation must be on point. I am not understanding what is wrong with the City of Berkeley's finance system. I have had problems with every department that I interact with regarding my properties. **(Please see the attached documents)**

#1 -The Document shows non Payment of my Annual fees, along with penalties.

#2 - Please see proof of payment [REDACTED] **ALSO SHOWING THAT I UPDATED/REGISTERED MY UNITS.**

NOTE: MY UNITS ARE ALREADY REGISTERED, WHY DO THEY MAKE THIS COMMENT, I JUST CANNOT GET THE INFORMATION UPDATED ABOUT THE UNITS.

I MADE THE UPDATES IN YOUR SYSTEM, BECAUSE [REDACTED] I have mailed in the PAPER changes WHICH ARE INCLUDED IN THE RENEWALS. Each year that I receive the annuals registrations, NOTHING WAS UPDATED. OLD STUFF FROM 3 TO 4 YEARS. What do they do with the forms, they must throw them away!

The online information DID NOT SHOW MY HAP UNITS, so I corrected, AND THE SYSTEM MADE ITS ADJUSTMENT, AND THEN GAVE ME THE AMOUNT OWED, AND THAT'S WHAT I PAID.

I HAVE CC'D MY ATTORNEY, AND MY DAUGHTER WHO IS FULLY AWARE OF ALL OF THE ISSUES THAT I CONTINUE TO HAVE WITH MY PROPERTIES, AND ONLY WITH THE CITY OF BERKELEY.

I NEED THE EMAIL ADDRESS OF Ms. DeSeana Williams, I want her cc'd on all of my emails moving forward pertaining to these reoccurring issues.

DéSeana Williams. Director of City of Berkeley Rent Board

Thank you.

Sincereley,

Sharon Choyce.

"The Truth is, of course, that what one regards as interruptions are precisely one's life."

C. S. Lewis

Sharon Choyce
dba Jubilee Property Management
Sharon@jubileeproperties.net
Ph.510.812.5196
Fax.510.275.9592

From: Addison, Athena <AAddison@cityofberkeley.info>
Sent: Tuesday, February 21, 2023 11:08 AM
To: SHARON@JUBILEEPROPERTIES.NET
Subject: 1616 Alcatraz Ave fees removed

Athena D. Addison
510-981-4912
Accounting Office Specialist Three
City of Berkeley
Rent Stabilization Board

Due to the COVID-19 pandemic, some Rent Board services have changed. See our updated services, response times, and COVID-19 resources page for more information.

GET INFORMATION ABOUT RENT BOARD WORKSHOPS, SEMINARS, THE ANNUAL GENERAL ADJUSTMENT, REGISTRATION BILLS AND NEWSLETTERS BY EMAIL! We invite you to join our email list to receive information and timely updates on rental housing and Berkeley Rent Board issues that interest you! CLICK HERE TO SIGN UP.

Follow us on Facebook by clicking HERE.

Please visit Berkeley Rent Board Events Page to learn more about upcoming **FREE Workshops and Seminars.**

In an effort to provide you with improved service, we would appreciate your comments regarding your experience with the City of Berkeley's Rent Stabilization Program.
Customer Comment Form

Site Address

1616 ALCATRAZ AVE BERKELEY CA 94703

Rent

You pay

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** This email was sent from an external source. If you do not know the sender, do not click on links or attachments. **

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5122	Property address: 1530 STUART ST BERKELEY	Transferred: 11/05/1998
Exempt units (as of February 2021): Unit # REAR - FREE - Rent-Free Occupant		
Owner(s): MARCIA THOMPSON	Waiver filed by: OWNER	# of Units: 2
Other Berkeley rental property owned: None		

Late payment/penalty history: This property is a Measure MM property, so there are not five years of payment history to review.

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
FY2021-22	ALL	\$0.00	-	\$0.00	\$0.00	\$0.00
Totals (penalties previously assessed)				\$0.00	\$0.00	\$0.00

Penalties Currently Under Consideration

Reason for Penalties: Illness						
Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 23-24	0	-	-	\$1,556.00	-	\$1,556.00
Totals				\$1,556.00	\$0.00	\$1,556.00

Grounds under Regulation 884(B): (1) The good cause asserted in the waiver request is a death or illness in the landlord's family.

Good cause claimed by owner: The property owner's father passed away.

Recommendation: Staff recommends waiving 100% of the penalty.

Staff Analysis: The partially covered single-family home located at 1530 Stuart has been owned by the current owner since 1998. This property is a Measure MM property, so there are not five years of payment history to review. The property owner stated in their waiver that "Various health-related issues happened during registration. Unfortunately, the property owner's father passed away." Staff notes that the property owner did provide additional evidence for the Board to review. Per Regulation 884 B (1), this waiver qualifies as discretionary because the good cause asserted in the waiver request is a death or illness in the landlord's family, and the landlord provides sufficient documentation to support their request. This property qualifies to have 100% of the penalty on the property forgiven. Staff recommends waiving 100% of the penalty.

RECEIVED

CITY OF BERKELEY
RENT STABILIZATION PROGRAM
2125 Milvia Street, Berkeley, CA 94704
PHONE: (510) 981-7368 • FAX: (510) 981-4910
WEB: <https://rentboard.berkeleyca.gov>

DEC 01 2023

Initial: _____
Berkeley Rent Board

Request for Waiver of Late Registration Penalties

Please read the important disclosures below. Areas marked with an asterisk (*) MUST BE FILLED OUT. Incomplete applications will be returned to the sender.

- 1) **Before submitting a waiver request, you must pay all outstanding registration fees and file all registration forms.**

MT *Initial Here

pd 11/27/23

- 2) The penalties on your bill are owed under the law. The Rent Board **may** forgive some or all of the penalties when the late payment was not deliberate and the owner acts in "good faith." Most waivers are processed by staff, based primarily on your past payment history (see Reg. 883*).

MT *Initial Here

- 3) Under certain circumstances (see Reg. 884*) the Rent Board will review a waiver request to determine what amount, if any, to forgive. In these discretionary reviews the Board is looking at "good cause" and the "totality of the circumstances" to determine an appropriate penalty.

MT *Initial Here

- 4) **Procedure for Discretionary Waivers:** Staff will review your waiver request and make a recommendation to the Board. If a circumstance outlined in Regulation 884 applies, staff will send you a copy of the recommendation about a week before the Board meeting. You may submit a written response to the recommendation. The Board will review the staff recommendation and any response, and issue a decision. You are not required to, but may, attend and address the Board. **Staff will mail you the Board's decision, which cannot be further appealed.**

Full waiver is granted: The account is cleared or credited, your eligibility for annual general adjustments (AGAs) is restored, and you are deemed in compliance from the date the waiver application was completed.

Partial waiver is granted: The denied amount must be resolved within 30 days or the waiver may be rescinded and the full amount of penalties reinstated. While any penalties remain outstanding, the property is considered not registered. This means, among other things, that you may not impose rent increases, may not evict tenants, and may be subject to tenant petitions for rent withholding.

MT *Initial Here

- 5) For questions about waivers please call Amanda Eberhart at (510) 981-4904 or email at AEberhart@cityofberkeley.info.

- 6) **Communications Disclaimer:**

This document will be included in the Rent Board's agenda packet and, as such, will become part of the City's electronic records, which are accessible through the City's website. This means that any e-mail addresses, names, addresses, and other information you provide will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, please call the Rent Board's Registration Unit at (510) 981-7368 or email RentRegistry@cityofberkeley.info to make that request.

MT *Initial Here

- 7) The referenced regulations can be found at: Chapter 8: Rent Registration

Please complete the Request for Waiver Form on the Back of this page

*Property Address: 1530 Stuart St.

*Owner: Robert Todd (deceased) / Marcia Todd Thompson
(Trustee)

Date of acquisition, if new owner: nlc

*Name & relationship of person filing request, if not owner: daughter / Trustee

If, after reading the information on Page 1, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document the circumstances that prevented timely payment, such as hospitalization or death in the family.

It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. All Board decisions are final.

Please print or type clearly. Attach an additional sheet of paper if needed.

See attached

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

*Date: Nov. 28, 2022 Signature: Marcia Todd Thompson

The information entered below **must be clearly printed or typed** in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time, and location of the meeting should you choose to attend and address the Commissioners.

Email Address: marciathomp17@yahoo.com

Mailing Address: 1106 Scotch Dr., Gastonia, NC 28054

Phone Number: (704) 674 6284 Fax Number: (910) 320 0301

November 28, 2023

Hello,

I am submitting this request for a waiver of penalty fees assessed due to late payment. I apologize for the oversight.

My father passed away on Oct. 7, 2023. I have enclosed a copy of his death certificate for verification. My brother had been receiving mail re my father's affairs and forwarding it to me as I live in North Carolina. He was also taking care of my father and did not attend to the payment due to his own health issues and caretaking duties. I did not see the notices re the penalties until I arrived in CA for a visit last week.

I plan to rectify this issue by submitting an amendment to the mailing address so that I will receive the notices directly.

Thank you for your consideration.

Marcia Todd Thompson

Marcia Todd Thompson

PAST DUE

CITY OF BERKELEY
Rent Stabilization Program
 2125 Milvia Street, Berkeley, CA 94704
 Phone: 510-981-7368; Fax: 510-981-4910

REGISTRATION YEAR

07/03/2023 - 06/30/2024

BILLING CODE

THOMAR4

DUE DATE

07/03/2023

MARCIA THOMPSON
 6180 ELKHORN CT
 VALLEJO, CA 94591

ASSESSOR PARCEL NUMBER : 053167102800
PROPERTY ADDRESS : 1530 STUART ST BERKELEY CA 94703

PIN : 987195

FEE STRUCTURE	Annual Fee Per Unit	Number of Units	Total
Fully Covered Units - (\$24/Month Prorated Fee)	\$ 290.00	0	\$ 0.00
Partially Covered (Measure MM) Units - (\$15/Month Prorated Fee)	\$ 178.00	2	\$ 356.00
Exempt Units	\$ 0.00	0	\$ 0.00
City of Berkeley Rent Stabilization Ordinance requires owners of residential units that are rented or available for rent to pay an annual registration fee by July 1. A 100 % penalty will be assessed on the outstanding registration fee in July and every six months that it remains unpaid. Formerly exempt units must be registered within 60 days to avoid the assessment of penalties. This bill is <u>past due</u> . If payment is not made by the due date, a penalty will be assessed.	Current Fees		\$356.00
	Previous Fees		\$600.00
	Penalties		\$1,556.00
	Total Due		\$2,512.00

REQUIRED ACTION

Property owners may pay the amount on this billing statement by mail with a check only. Make checks payable to the City of Berkeley. Do not mail cash or credit card information.

If you wish to pay with a credit card you may do so in person at our office or online at:

<https://rentregistry.cityofberkeley.info>

Mail To: **Registration Year:** 07/03/2023 - 06/30/2024 **Due Date:** PAST DUE

Berkeley Rent Board
 2125 Milvia Street
 Berkeley, CA 94704

PROPERTY ADDRESS : 1530 STUART ST BERKELEY CA 94703
APN : 053167102800
BILLING CONTACT: MARCIA THOMPSON
CURRENT FEES : \$356.00
PREVIOUS FEES: \$600.00
PENALTIES : \$1,556.00
TOTAL DUE : \$2,512.00

Units Paid For:

Amount Enclosed (Checks Only):

ROBERT TODD
6180 ELKHORN COURT
VALLEJO, CA 94591

DUE DATE

07/03/2023

PROPERTY ADDRESS : 1530 STUART ST BERKELEY CA 94703
ASSESSOR PARCEL NUMBER : 53167102800

PIN: 987195

FEE STRUCTURE	Per Unit Fee	Number of Units	Total
Fully Covered Units	\$290	0	
Fully Covered Exempt Units	\$0	0	\$
Partially Covered (Measure MM) Units	\$178	2	\$356
Partially Exempt Units	\$0	0	\$0
Current Fees			\$356
Current Penalties			\$356
Previous Registration Fees			\$600
Previous Penalties			\$2400
Total Due			\$3712

The City of Berkeley Rent Stabilization Ordinance requires owners of residential units that are rented or available for rent to pay an annual registration fee by July 3. A 100 % penalty will be assessed on the outstanding registration fee in July and every six months that it remains unpaid. Formerly exempt units must be registered within 60 days to avoid the assessment of penalties.

This bill is due now past due. If payment is not made by the due date, a penalty will be assessed in January.

REQUIRED ACTION

Property owners may pay the amount on this billing statement online through the Rent Registry Portal at [Rent Registry - City of Berkeley](#). Do not mail cash or credit card information.

If you wish to pay with a credit card you may do so in person at our office Monday, Tuesday, Thursday, or Friday 9 am to 4:45 pm

Registration Year: 07/01/2023-06/30/2024

Due Date: 07/03/2023

Mail To:

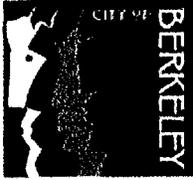
Berkeley Rent Board
2125 Milvia Street
Berkeley, CA 94704

PROPERTY ADDRESS	1530 STUART ST BERKELEY CA 94703
APN	53167102800
BILLING CONTACT:	ROBERT TODD
CURRENT FEES	\$356
CURRENT PENALTIES	\$356
PREVIOUS FEES	\$600
PREVIOUS PENALTIES	\$2400

TOTAL DUE \$3712

of Units Paid For:

Amount Enclosed (Checks Only): \$



UNIT STATUS FORM *Todd*
Rent Stabilization Board

mailing Marcia Thompson

CHANGE OF ADDRESS:
1106 Scotch Dr
Castonia, NC 28054

Phone: 704 674 6284
Email: marciathomp17@yalso.com

1530 STUART ST BERKELEY CA 94703

ROBERT TODD
6180 ELKHORN COURT
VALLEJO, CA 94591

Unit Address	Unit No	Current Status	Status Last Changed	Current Tenancy Start
1530 Stuart	1	rented		
" "	2	not rented	9-2023	n/a

The 'Status Last Changed' indicates when the status of the unit last changed not necessarily the beginning of the current tenancy. Please make corrections to the information directly on this form. If you make changes, return this form with your payment. If a unit listed here as exempt is now rented, a pro-rated registration fee is due. Please contact our Registration Unit at 510-981-7368 EXT 2 (981-Rent) for the calculation of the additional amount due.

I declare under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge and belief.

Signed: Marcia Todd Date: 11-28-23
Thompson

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5123	Property address: 1802 CEDAR ST BERKELEY	Transferred: 01/01/1900
Exempt units (as of February 2021): Unit # NA - COMM - Manager, Unit # NA - OCCC - Owner		
Owner(s): SAM COHEN	Waiver filed by: PROPERTY	# of Units: 5
Other Berkeley rental property owned: None		

Late payment/penalty history: In the last five fiscal years, this property owner has paid late 20/21, 21/22, 22/23, and 23/24 registration fees.

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
FY2019-20	ALL	\$750.00	06/19/2019	\$0.00	\$0.00	\$0.00
Totals (penalties previously assessed)				\$0.00	\$0.00	\$0.00

Penalties Currently Under Consideration

Reason for Penalties: Illness

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 23-24	5	-	-	\$870.00	-	\$0.00
Totals				\$870.00	\$0.00	\$0.00

Grounds under Regulation 884(B): (1) The good cause asserted in the waiver request is a death or illness in the landlord's family.

Good cause claimed by owner: Illness

Recommendation: Staff recommends crediting 100% of the penalty.

Staff Analysis: The 5-unit combined commercial and residential property located at 1802 Cedar has been owned by the current owner since 1990. In the last five fiscal years, this property owner has paid late 20/21, 21/22, 22/23, and 23/24 registration fees. Unfortunately, the narrative section of the waiver was not filled out. The property representative included multiple documents to show that the property owner had various health issues between May and August of 2023, which prevented the property owner from making the registration payment. Per Regulation 884 B (1), this waiver qualifies as discretionary because the good cause asserted in the waiver request is a death or illness in the landlord's family, and the landlord provides sufficient documentation to support their request. This property qualifies to have 100% of the penalty on the

property forgiven. Staff recommends crediting 100% of the penalty.

CITY OF BERKELEY
RENT STABILIZATION PROGRAM
2125 Milvia Street, Berkeley, CA 94704
PHONE: (510) 981-7368 • FAX: (510) 981-4910
WEB: <https://rentboard.berkeleyca.gov>

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NOV 06 2023

Initial: _____
Berkeley Rent Board

Request for Waiver of Late Registration Penalties

Please read the important disclosures below. Areas marked with an asterisk (*) MUST BE FILLED OUT. Incomplete applications will be returned to the sender.

- 1) **Before submitting a waiver request, you must pay all outstanding registration fees and file all registration forms.**

EZL *Initial Here

- 2) The penalties on your bill are owed under the law. The Rent Board may forgive some or all of the penalties when the late payment was not deliberate and the owner acts in "good faith." Most waivers are processed by staff, based primarily on your past payment history (see Reg. 883*).

EZK *Initial Here

- 3) Under certain circumstances (see Reg. 884*) the Rent Board will review a waiver request to determine what amount, if any, to forgive. In these discretionary reviews the Board is looking at "good cause" and the "totality of the circumstances" to determine an appropriate penalty.

EZK *Initial Here

- 4) **Procedure for Discretionary Waivers:** Staff will review your waiver request and make a recommendation to the Board. If a circumstance outlined in Regulation 884 applies, staff will send you a copy of the recommendation about a week before the Board meeting. You may submit a written response to the recommendation. The Board will review the staff recommendation and any response, and issue a decision. You are not required to, but may, attend and address the Board. **Staff will mail you the Board's decision, which cannot be further appealed.**

Full waiver is granted: The account is cleared or credited, your eligibility for annual general adjustments (AGAs) is restored, and you are deemed in compliance from the date the waiver application was completed.

Partial waiver is granted: The denied amount must be resolved within 30 days or the waiver may be rescinded and the full amount of penalties reinstated. While any penalties remain outstanding, the property is considered not registered. This means, among other things, that you may not impose rent increases, may not evict tenants, and may be subject to tenant petitions for rent withholding.

EJK *Initial Here

- 5) For questions about waivers please call Amanda Eberhart at (510) 981-4904 or email at AEberhart@cityofberkeley.info.

- 6) **Communications Disclaimer:**

This document will be included in the Rent Board's agenda packet and, as such, will become part of the City's electronic records, which are accessible through the City's website. This means that any e-mail addresses, names, addresses, and other information you provide will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, please call the Rent Board's Registration Unit at (510) 981-7368 or email RentRegistry@cityofberkeley.info to make that request.

ELV *Initial Here

- 7) The referenced regulations can be found at: Chapter 8: Rent Registration

Please complete the Request for Waiver Form on the Back of this page

*Property Address: 1802 Cedar St, Berkeley, CA 94703

*Owner: Samuel Cohen

Date of acquisition, if new owner: _____

*Name & relationship of person filing request, if not owner: Tenant, friend, manager

If, after reading the information on Page 1, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document the circumstances that prevented timely payment, such as hospitalization or death in the family. It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. All Board decisions are final.

Please print or type clearly. Attach an additional sheet of paper if needed.

See Attached documents
(sorry there's so many; he
sent me a bunch)

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

*Date: 11/3/23 *Signature: Ethan Lee

The information entered below **must be clearly printed or typed** in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time, and location of the meeting should you choose to attend and address the Commissioners.

Email Address: Subwayguitars@gmail.com

Mailing Address: 1800 Cedar St, Berkeley, CA, 94703

Phone Number: 510-841-4106 Fax Number: N/A

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5124	Property address: 2811 TELEGRAPH AVE	Transferred: 01/01/1900
Exempt units (as of February 2021): Unit # NA - OCCC - Owner		
Owner(s): LYDA WONG	Waiver filed by: OWNER SON	# of Units: 3
Other Berkeley rental property owned: None		

Late payment/penalty history: In the last five fiscal years, this property has paid the registration fee late one time in the 19/20 registration cycle.

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
-	-	-	-	-	-	-
Totals (penalties previously assessed)				\$0.00	\$0.00	\$0.00

Penalties Currently Under Consideration

Reason for Penalties: Illness

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2023-24	3	\$580.00	03/07/2024	\$1,160.00	\$0.00	\$1,160.00
Totals				\$1,160.00	\$0.00	\$1,160.00

Grounds under Regulation 884(B): (1) The good cause asserted in the waiver request is a death or illness in the landlord's family.

Good cause claimed by owner: The property owner passed away.

Recommendation: Staff recommends waiving 100% of the penalty.

Staff Analysis: The fully covered property located at 2813 Telegraph has been owned by the current owner since 1987. In the last five fiscal years, this property has paid the registration fee late once in the 19/20 registration cycle. The property owner stated in their waiver, "His father previously handled all the finances but has passed away. His 83-year-old mother does not speak English." Staff notes that the property owner did not provide any additional documentation for the Board to Review. Per Regulation 884 B (1), this waiver qualifies as discretionary because the good cause asserted in the waiver request is a death or illness in the landlord's family, and the landlord provides sufficient documentation to support their request. This property qualifies to have 100% of the penalty on the property forgiven. Staff recommends waiving 100% of the penalty.

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TW *Initial Here

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TW *Initial Here

- 7) The referenced regulations can be found at: [Chapter 8: Rent Registration](#)

Please complete the Request for Waiver Form on the Back of this page

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*Property Address: 2811 Telegraph Ave. Berkeley CA 94705

*Owner: Lyda Wong

Date of acquisition, if new owner: _____

*Name & relationship of person filing request, if not owner: Son

If, after reading the information on Page 1, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document the circumstances that prevented timely payment, such as hospitalization or death in the family.

It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. All Board decisions are final.

Please print or type clearly. Attach an additional sheet of paper if needed.

My mom is 83 and did not handle finances previously. My dad (Paul King Ning Wong) passed away and he use to handle much of the finances. This is the first time I am seeing the bill (son) and my mom does not read or speak English. Please grant this waiver request as I try to help my mom. I will be mindful and set reminder for future July deadline. Thank you.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

*Date: 3/7/24 *Signature: [Handwritten Signature]

The information entered below **must be clearly printed or typed** in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time, and location of the meeting should you choose to attend and address the Commissioners.

Email Address: joeywong@gmail.com

Mailing Address: 2753 Dohr. St Berkeley CA 94702

Phone Number: 510-316-3492 Fax Number: _____