



Rent Stabilization Board

RENT STABILIZATION BOARD

DATE: November 21, 2024
TO: Honorable Members of the Rent Stabilization Board
FROM: DeSeana Williams, Executive Director
BY: Basil Lecky, Community Service Specialist II
SUBJECT: Request for waiver of late registration penalties

Recommendation:

That the Board approve the attached recommendations.

Background and Need for Rent Stabilization Board Action:

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

Ministerial Waivers

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

2000 Center Street, Suite 400, Berkeley, California 94704

TEL: (510) 981-7368 (981-RENT) • TDD: (510) 981-6903 • FAX: (510) 981-4940

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

Waiver Recommendations

November 21, 2024

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Waiver	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
	982 University Ave	Rosalyn Tung-loong	\$1,760.00	\$1,760.00	\$0.00
	2319 Jefferson Ave	Jesse Rosenbloom	\$1,848.00	\$1,848.00	\$0.00
	2412 6th St	Eleanor Songey	\$580.00	\$580.00	\$0.00
	836 Channing Way	Jose & Virginia Garcia	\$2,268.00	\$1,814.40	\$453.60
	1711 Milvia St #B	Miguel Desanz	\$746.00	\$746.00	\$0.00
	2415 California St	Chang Sui	\$356.00	\$284.80	\$71.20
	2535 Ridge Rd A	Yan Zhou	\$212.00	\$169.60	\$42.40
	2707 Parker St	Leong & Soon Living Trust	\$4,262.00	\$4,262.00	\$0.00
	1201 Evelyn Ave	Mark T Sundelin Tte	\$72.00	\$72.00	\$0.00
	1253 Carrison Ave	Liu Hongling & Linda Wang	\$534.00	\$427.20	\$106.80
	1640 Fairview St	Zrr Alpha Real Estate Group	\$534.00	\$427.20	\$106.80
	2922 Otis St	Joseph Wong & Claudia Wong Chan Trust	\$2,900.00	\$2,900.00	\$0.00
	1425 Harmon St	Meng Sun	\$580.00	\$464.00	\$116.00
	1169 Miller Ave	Clara Mattei	\$394.00	\$394.00	\$0.00
	2853 Sacramento St	Lap K Poon	\$356.00	\$356.00	\$0.00

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	1320 Ordway St A	Adina Nystrom	\$534.00	\$534.00	\$0.00
	1321 Bonita Ave A	Marisa Villa	\$776.00	\$620.80	\$155.20
	2908 Deakin St. C	Nancy F. & Alfred V. Mollitor	\$356.00	\$356.00	\$0.00
	1531 Alcatraz Ave	Reo Homes 2 Llc	\$870.00	\$870.00	\$0.00
	2615 Telegraph Ave #307	Anny Hu	\$534.00	\$427.20	\$106.80
	2615 Telegraph Ave #306	Anny Hu	\$534.00	\$427.20	\$106.80
	1900 7th St	Sun Hui Kim & Chul Min Jung	\$2,428.00	\$1,456.80	\$971.20
	2709 McGee Ave	Chetan Mehta	\$241.00	\$241.00	\$0.00
	3218 Ellis St	Peter Vinella	\$1,376.00	\$1,100.80	\$275.20
TOTAL			\$25,051.00	\$22,539.00	\$2,512.00

Financial Impact: Ministerial Waivers

Approval of Executive Director’s recommendations will decrease the Board’s current accounts receivable by **\$22,539.00**.

Discretionary Waivers

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

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Waiver Recommendations

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Waiver	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
5128	2431 Ellsworth St	Raj Properties	\$10,150.00	\$0.00	\$10,150.00
5129	1797 Shattuck Ave	Sydney Kelly	\$19,500.00	\$9,750.00	\$9,750.00
5130	2008 Shattuck Ave	2008 Shattuck Ave Llc	\$960.00	\$0.00	\$960.00
5131	2001 Allston Way	Ymca Office	\$23,830.00	\$11,915.00	\$11,915.00
5132	3000 San Pablo	Ri- Willits Llc	\$27,888.00	\$13,944.00	\$13,944.00
5133	2628 Shattuck Ave	K & M South Berkeley Llc	\$74,823.00	\$37,411.50	\$37,411.50
TOTAL			\$157,151.00	\$73,020.50	\$84,130.50

Financial Impact: Discretionary Waivers

Approval of Executive Director’s recommendations will decrease the Board’s current accounts receivable by **\$73,020.50**.

Name and Telephone Number of Contact Person:

DeSeana Williams, Executive Director
Rent Stabilization Board
2000 Center Street, Suite 400, Berkeley, CA 94704
(510) 981-7368

November Waivers

Ministerial

Address	Details
982 University Ave	This property consists of 3 units with 2 rented and 1 exempt. The owner has owned this property since 1992. The owner stated they have operated a business in the commercial unit for 25 years. Upon retirement, they leased the commercial unit and began renovating the vacant residential units. During the pandemic, the commercial tenant defaulted on rent for over two years and refused to vacate after the lease expired. The owner regained possession in June 2024 but incurred significant legal costs. They've been working to recover financially since then. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2319 Jefferson Ave	This property consists of 4 units with 2 rented and 2 exempt. The owner has owned this property since 2020. The owner stated In 2021, they paid registration fees for Units A and B as required. However, due to a system error, their mailing address was reverted to an old address, preventing them from receiving invoices for the 2023-2024 and 2024-2025 cycles. Despite this, they proactively contacted the rent board to rectify the issue and pay the outstanding fees. After persistent follow-up, the error was corrected, and they promptly paid the updated invoices. They are requesting a waiver of the \$1,848 penalty fee due to the system error and their timely payment of all fees once the issue was resolved. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2412 6th St	This property consists of 2 units with 1 rented and the other exempt. The owner stated they realized the invoice was incorrect when they went online to pay the registration fee. They contacted the rent board and was able to update tenancy data. They paid the invoice once it was corrected. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
836 Channing Way	This property consist of 3 units with 2 rented and 1 exempt. This waiver request was written in Spanish and has been translated using google translate. Translation: <i>"I, Francisco Garcia, from 836 Channing Way in Berkeley, am writing to inform you that I have not received any letter from the Rent Board. I went to the office in person and was informed of a \$1,580 fine. Paying this penalty is very difficult for me because I lost my job. I was unemployed for a year. I lost my mother and brother due to the COVID-19 pandemic, and I am very depressed and under medical care. I am working at Amazon, but I do not earn enough to cover the \$8,000 property tax due every six months in advance. I apologize in advance and am trying to find a way to avoid falling behind on the annual amount owed to the office. However, I truly have not received any new letter from the Rent Board. I apologize for any inconvenience."</i> This is the second late payment on the account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
1711 Milvia St #B	This property is a rented condo covered by Measure MM. The owner has owned this property since 2004. The owner stated that they were unaware of the registration process. They registered the property as soon as they became aware. The account does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.

Public

2415 California St	This property is a rented single-family home covered by Measure MM. The owner has owned this property since 1998. The owner stated that the invoice was sent to the co-owner who is 96 years old. They have since updated the mailing address. This is the second late payment on the account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
2535 Ridge Rd	This property is a rented condo covered by Measure MM. The owner has owned this property since 2017. The owner stated that they received a late notification from the Rent Board on June 17, 2024, stating their unit was exempt. Despite having a new tenant since August 1, 2023, the owner promptly contacted the Rent Board to rectify the issue and submitted a registration form on July 23, 2024. However, they received a bill with a penalty on July 26, 2024. The owner believes they should not be held responsible for the late payment due to the Rent Board's delayed response. They are requesting a full waiver of the penalty. This is the second late payment on the account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
2707 Parker St	This property consists of 5 units with 4 rented and 1 exempt. The owner has owned this property since 2023. The owner stated that they were given the wrong information regarding their property being exempt and would like the penalties 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 regulation 884 C.
1201 Evelyn Ave	This property consists of 2 rented units. The owner has owned this property since 1993. The owner explained that they underwent surgery on February 8, 2024, after being diagnosed with an illness in November 2023. Following a three-month recovery period, they were well enough to resume their responsibilities in June, including those related to 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 regulation 884 C.
1253 Carrison Ave	This property is a rented single-family home covered by Measure MM. The owner has owned this property since 2020. The owner stated that the notice for the registration late fee was not mailed to their primary address. They believe it was mailed to the rental property and the tenants did not inform the owner of the notice. This is the second late payment on the account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
1640 Fairview St	This property is a rented single-family home covered by Measure MM. The owner has owned this property since 2022. The owner stated that they did not receive any notice from the City of Berkeley Rent Board until the one dated for the 2024/2025 registration year. The notice showed past due previous year's fees and penalties. They paid the outstanding balance once they received the notice. This is the second late payment on the account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.

2922 Otis St	This property consists of 5 rented units. The owner has owned this property since 2022. The owner stated that due to unforeseen circumstances, they did not receive the 2023 invoice, causing a delay in registration. They apologized for the inconvenience and assured this was an isolated incident. They stated they have always been compliant with regulations and took immediate action to rectify the situation by paying both the 2023 and 2024 fees. As a new owner and partner with the City of Berkeley, they have invested significantly in this property and have been diligent in managing it. The penalty has caused financial hardship, and they kindly request the Rent Board's reconsideration to help alleviate the stress and allow them to continue their partnership with the city. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1425 Harmon St	This property consists of 2 units with 1 rented and the other exempt. The owner has owned this property since 2013. The owner is asking that the penalties be waived due to a mailing error. The owner said they forgot to mail the check for the registration fee. This is the second late payment on the account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
1169 Miller Ave	This property is a single-family home that is currently exempt. The owner has owned this property since 1994. The owner stated that the property is usually owner-occupied and is rented only when they go elsewhere. There is no history of late payment on the account. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2853 Sacramento St	This property is a single-family home that is currently exempt. The owner has owned this property since 2019. The owner is asking that the Rent Board make an exception for the penalties because they were not aware of the registration requirements. The owner states their finances are tight as they are caring for their elderly mother. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1320 Ordway St A	This property is a rented condo covered by Measure MM. The owner has owned this property since 2001. The owner states they were unaware of the Measure MM registration requirements. They became aware of this obligation in mid-July 2024 when they received the Rent Board notice from their tenants. The owner stated that all communication from the Rent Board was being mailed to the rental property and not their mailing address. Once they became aware of the outstanding balance, they took immediate action to register the property through the Rent Board's portal. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1321 Bonita Ave A	This property consists of 2 units with 1 rented and the other exempt. The owner has owned this property since 1995. The owner stated when the property was assumed by the trust, it was transferred with a tenant residing on the property. The tenancy was not registered when an exemption was made for the main house. This is the second late payment on the account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.

Public

2908 Deakin St. C	This is a rented condo covered by Measure MM. The owner has owned this property since 2013. The owner stated that the first invoice they received was for the 2024/2025 registration year. They never received the invoice for the previous year. The owner stated they immediately contacted the Rent Board when they received the invoice and did what was required by paying the outstanding registration fees. There is no history of late payments on the account. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1531 Alcatraz Ave	This property consists of 9 rented units. The agent for the owner stated that the registration was not complete due to them thinking the property was vacant at the time of registration. They believe this was an error due to their agent being new to the team. There is no history of late payments on the account. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2615 Telegraph Ave #307	This property is a rented condo covered by Measure MM. The owner has owned this property since 2011. The owner stated they were filing a divorce and did not live at their primary residence. They did not receive the invoice since they were moving. This is the second late payment on the account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
2615 Telegraph Ave #306	This property is a rented condo covered by Measure MM. The owner has owned this property since 2011. The owner stated they were filing a divorce and did not live at their primary residence. They did not receive the invoice since they were moving. This is the second late payment on the account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
1900 7th St	This property consists of 8 units, 2 of which are rented and 6 exempt. The owner has owned this property since 2005. The owner stated they received the notice late. They said they came to the Rent Board office on Wednesday, but it was closed. This is the third late payment from the owner. Staff recommends waiving 60% of the penalties because this is the third late payment within the prior five years per regulation 884 C.
2709 McGee Ave	This property consists of 4 rented units. The owner has owned this property since 2023. The owner stated they did not receive the invoice for the registration fee. The owner confirmed that the mailing address on file is correct. This is the current 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 regulation 884 C.
3218 Ellis St	This property consists of 4 rented units. The owner has owned this property since 2021. The owner claims they did not receive the notice from the Rent Board. They believe it may have been lost. When the current owner inherited the property after their parent's death, they thought the trust attorney would update the ownership information. This is the second late payment on the account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.

Discretionary

Address	Details
2431 Ellsworth St	The owner did not give an explanation for the late payment. Staff recommends the waiver be denied.
2008 Shattuck Ave	Property manager states that the owner inadvertently failed to register unit #25, which led to the penalties due. The property owner is obligated to notify the Rent Board within 60 days of a unit being rented. Given the owner's long tenure since 2015, they should be familiar with the registration requirements outlined in the rent ordinance. Staff recommends the waiver be denied
3000 San Pablo	Greystar, the third-party management company for Aquatic Shattuck and Aquatic Ashby, failed to timely pay 2023/24 Measure MM fees due to a series of miscommunications, system limitations, and lack of awareness. The primary point of contact, Angela Johnson, Regional Property Manager for Greystar, encountered difficulties registering the properties with the City of Berkeley, hindering the generation of invoices necessary for payment processing. Additionally, internal staffing changes and a lack of clear communication within Greystar, including Angela Johnson's failure to inform senior management of the ongoing issues before leaving the company, contributed to the delay. As a result, substantial penalty fees were incurred. Property owners/managers are responsible for understanding and complying with the registration requirements of Measure MM. Staff recommends waiving 50% of the penalties
1797 Shattuck Ave	This property consists of 65 units that are covered by Measure MM. The owner has owned this property since 2022. The property manager stated that an error occurred on both ends, preventing them from receiving both the documentation and the invoice for this property. They have since paid the registration fees and penalties. However, they are requesting a waiver of the penalties. While the owner/manager of multiple properties should have been aware of the registration fee deadline, as they received invoices for their other property, this error warrants a partial penalty waiver. Staff recommends waiving 50% of the penalties.
2628 Shattuck Ave	Greystar, the third-party management company for Aquatic Shattuck and Aquatic Ashby, failed to timely pay 2023/24 Measure MM fees due to a series of miscommunications, system limitations, and lack of awareness. The primary point of contact, Angela Johnson, Regional Property Manager for Greystar, encountered difficulties registering the properties with the City of Berkeley, hindering the generation of invoices necessary for payment processing. Additionally, internal staffing changes and a lack of clear communication within Greystar, including Angela Johnson's failure to inform senior management of the ongoing issues before leaving the company, contributed to the delay. As a result, substantial penalty fees were incurred, highlighting the importance of effective property management and timely fee payment. Property owners/managers are responsible for understanding and complying with the registration requirements of Measure MM. Recommendation: Staff recommends waiving 50% of the penalties.
2001 Allston	The director stated that the notices were addressed and sent to a former employee. The current director came onboard in the middle of May. The owner has owned this property since 1988 and should be familiar with the registration requirements outlined in the rent ordinance. Staff recommends waiving 50% of the penalties.

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5128	Property address: 2431 ELLSWORTH ST	Transferred: 10/29/1992
Exempt units (as of February 2021): None		
Owner(s): RAJ PROPERTIES	Waiver filed by: PROPERTY MANAGER	# of Units: 35
Other Berkeley rental property owned: None		

Late payment/penalty history: 2023/2024 REGISTRATION YEAR

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
FY2023-24	ALL	\$10,150.00	07/17/2023	\$10,150.00	\$0.00	\$10,150.00
Totals (penalties previously assessed)				\$10,150.00	\$0.00	\$10,150.00

Penalties Currently Under Consideration

Reason for Penalties: LATE PAYMENT OF REGISTRATION FEES

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2023-24	35	\$10,150.00	03/18/2024	\$10,150.00	\$0.00	\$0.00
Totals				\$10,150.00	\$0.00	\$0.00

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

Good cause claimed by owner: OWNS AND/OR MANAGES 11 OR MORE UNITS

Recommendation: STAFF RECOMMENDS THE WAIVER BE DENIED

Staff Analysis: THE OWNER DID NOT GIVE AN EXPLANATION FOR THE LATE PAYMENT

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5129	Property address: 1797 SHATTUCK AVE	Transferred: 01/21/2022
Exempt units (as of February 2021): None		
Owner(s): Sydnie Kelly	Waiver filed by: PROPERTY MANAGER	# of Units: 65
Other Berkeley rental property owned: 1801 SHATTUCK AVE BERKELEY CA 94709, 1797 SHATTUCK AVE BERKELEY CA 94709		

Late payment/penalty history: 2022/2023 Registration Fee

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
FY2023-24	ALL	\$9,750.00	05/30/2023	\$19,500.00	\$0.00	\$19,500.00
Totals (penalties previously assessed)				\$19,500.00	\$0.00	\$19,500.00

Penalties Currently Under Consideration

Reason for Penalties: LATE PAYMENT OF REGISTRATION FEES						
Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2022-23	65	\$9,750.00	05/30/2023	\$19,500.00	\$0.00	\$19,500.00
Totals				\$19,500.00	\$0.00	\$19,500.00

Grounds under Regulation 884(B): (6) The landlord requesting the waiver owns or manages 11 or more rental units
Good cause claimed by owner: Ownes and/or manages 11 or more units

Recommendation: Staff recommends waiving 50% of the penalties

Staff Analysis: This property consists of 65 units that are covered by Measure MM. The owner has owned this property since 2022. The property manager stated that an error occurred on both ends, preventing them from receiving both the documentation and the invoice for this property. They have since paid the registration fees and penalties. However, they are requesting a waiver of the penalties.

Staff recommends waiving 50% of the penalties. While the owner/manager of multiple properties should have been aware of the registration fee deadline, as they received invoices for their other property, this error warrants a partial penalty waiver.

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5130	Property address: 2008 SHATTUCK AVE	Transferred: 08/28/2015
Exempt units (as of February 2021): Unit # 35 - OWNUSE - Owner, Unit # 33 - OWNUSE - Owner, Unit # 36 - OWNUSE - Owner, Unit # 31 - OWNUSE - Owner		
Owner(s): 2008 SHATTUCK AVE LLC	Waiver filed by: PROPERTY OWNER	# of Units: 35
Other Berkeley rental property owned: None		

Late payment/penalty history: 2023/2024 registration year

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
FY2023-2024	31	\$8,750.00	08/26/2024	\$960.00	\$0.00	\$960.00
Totals (penalties previously assessed)				\$960.00	\$0.00	\$960.00

Penalties Currently Under Consideration

Reason for Penalties: LATE PAYMENT OF REGISTRATION FEES						
Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2023-24	31	\$8,750.00	08/26/2024	\$960.00	\$0.00	\$0.00
Totals				\$960.00	\$0.00	\$0.00

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

Good cause claimed by owner: Property manager states that the owner inadvertently failed to register unit #25, which led to the penalties due.

Recommendation: Staff recommends the waiver be denied

Staff Analysis: The property owner is obligated to notify the Rent Board within 60 days of a unit being rented. Given the owner's long tenure since 2015, they should be familiar with the registration requirements outlined in the rent ordinance.

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5131	Property address: 2001 ALLSTON WAY	Transferred: 12/14/1988
Exempt units (as of February 2021): Unit # 328 - OWNUSE - Owner, Unit # 421 - SPLUS - Rent Subsidized Tenant, Unit # 334 - SEC8-V - Rent Subsidized Tenant, Unit # 322 - SPLUS - Rent Subsidized Tenant, Unit # 331 - SEC8-V - Rent Subsidized Tenant, Unit # 317 - SEC8-V - Rent Subsidized Tenant, Unit # 337 - SEC8-V - Rent Subsidized Tenant		
Owner(s): YMCA OFFICE	Waiver filed by: OWNER REPRESENTATIVE	# of Units: 78
Other Berkeley rental property owned: None		

Late payment/penalty history: 2023/2024 registration year

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
FY2023-24	ALL	\$21,750.00	09/11/2023	\$23,830.00	\$0.00	\$0.00
Totals (penalties previously assessed)				\$23,830.00	\$0.00	\$0.00

Penalties Currently Under Consideration

Reason for Penalties: LATE PAYMENT OF REGISTRATION FEES

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2023-24	78	\$21,750.00	09/11/2023	\$23,830.00	\$0.00	\$2,380.00
Totals				\$23,830.00	\$0.00	\$2,380.00

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

Good cause claimed by owner: The director stated that the notices were addressed and sent to a former employee. The current director came onboard in the middle of May.

Recommendation: Staff recommends waiving 50% of the penalties

Staff Analysis: The owner has owned this property since 1988 and should be familiar with the registration requirements outlined in the rent ordinance.

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5132	Property address: 3000 SAN PABLO AVE,	Transferred: 09/08/2021
Exempt units (as of February 2021): None		
Owner(s): RI- WILLITS LLC	Waiver filed by: PROPERTY MANAGER	# of Units: 78
Other Berkeley rental property owned: 2628 SHATTUCK AVE BERKELEY CA 94704		

Late payment/penalty history: 2023/2024 Registration Year

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
FY2023-24	ALL	\$13,884.00	08/26/2024	\$27,888.00	\$0.00	\$0.00
Totals (penalties previously assessed)				\$27,888.00	\$0.00	\$0.00

Penalties Currently Under Consideration

Reason for Penalties: LATE PAYMENT OF REGISTRATION FEES

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2023-24	78	\$13,884.00	08/26/2024	\$27,888.00	\$0.00	\$27,888.00
Totals				\$27,888.00	\$0.00	\$27,888.00

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

Good cause claimed by owner: Greystar, the third-party management company for Aquatic Shattuck and Aquatic Ashby, failed to timely pay 2023/24 Measure MM fees due to a series of miscommunications, system limitations, and lack of awareness. The primary point of contact, Angela Johnson, Regional Property Manager for Greystar, encountered difficulties registering the properties with the City of Berkeley, hindering the generation of invoices necessary for payment processing. Additionally, internal staffing changes and a lack of clear communication within Greystar, including Angela Johnson's failure to inform senior management of the ongoing issues before leaving the company, contributed to the delay. As a result, substantial penalty fees were incurred.

Recommendation: Staff recommends waiving 50% of the penalties

Staff Analysis: Property owners/managers are responsible for understanding and complying with the registration requirements of Measure MM.

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5133	Property address: 2628 SHATTUCK AVE	Transferred: 12/29/2017
Exempt units (as of February 2021): None		
Owner(s): K & M SOUTH BERKELEY LLC	Waiver filed by: PROPERTY MANAGER	# of Units: 78
Other Berkeley rental property owned: 3000 SAN PABLO AVE, BERKELEY, CA 94702		

Late payment/penalty history: 2023/2024 Registration Year

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
FY2023-24	ALL	\$24,934.00	09/06/2024	\$74,823.00	\$0.00	\$0.00
Totals (penalties previously assessed)				\$74,823.00	\$0.00	\$0.00

Penalties Currently Under Consideration

Reason for Penalties: LATE PAYMENT OF REGISTRATION FEES

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2023-24	78	\$24,934.00	09/06/2024	\$74,823.00	\$0.00	\$74,823.00
Totals				\$74,823.00	\$0.00	\$74,823.00

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

Good cause claimed by owner: Greystar, the third-party management company for Aquatic Shattuck and Aquatic Ashby, failed to timely pay 2023/24 Measure MM fees due to a series of miscommunications, system limitations, and lack of awareness. The primary point of contact, Angela Johnson, Regional Property Manager for Greystar, encountered difficulties registering the properties with the City of Berkeley, hindering the generation of invoices necessary for payment processing. Additionally, internal staffing changes and a lack of clear communication within Greystar, including Angela Johnson's failure to inform senior management of the ongoing issues before leaving the company, contributed to the delay. As a result, substantial penalty fees were incurred, highlighting the importance of effective property management and timely fee payment.

Recommendation: Staff recommends waiving 50% of the penalties

Staff Analysis: Property owners/managers are responsible for understanding and complying with the registration requirements of Measure MM.