



Rent Stabilization Board

DATE: December 4, 2023

TO: Honorable Members of the Rent Stabilization Board

FROM: Chair Leah Simon-Weisberg

SUBJECT: Resolution 23-31 Invoking Regulation 1017 to Allow Landlords to Provide Temporary, Below-market Rental Housing in Berkeley for Palestinian, Israeli, and Ukrainian Refugees Fleeing Conflict

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**Recommendation:**

That the Berkeley Rent Stabilization Board adopt the attached resolution invoking Regulation 1017 to allow landlords to provide temporary, below-market rental housing in Berkeley for Palestinian, Israeli, and Ukrainian refugees fleeing conflict.

**Background:**

See attached Resolution.

**Financial Impact:**

None.

**Name and Email Address of Contact Person:**

Chair Simon-Weisberg, [RSBSimon-Weisberg@cityofberkeley.info](mailto:RSBSimon-Weisberg@cityofberkeley.info)

## RESOLUTION 23-31

### **ALLOWING LANDLORDS TO INVOKE THE PROVISIONS OF REGULATION 1017 TO OFFER BELOW-MARKET RATE RENTAL HOUSING TO REFUGEES FLEEING POLITICAL UNREST IN PALESTINE, ISRAEL AND UKRAINE WITHOUT RISK OF SUFFERING LONG-TERM FINANCIAL DISADVANTAGE**

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

**WHEREAS**, on October 7th, Hamas launched an attack that killed approximately 1,200 people in southern Israel,<sup>1</sup> including hundreds of civilians, and took over 200 hostage;<sup>2</sup> and

**WHEREAS**, in the weeks since October 7th over 14,000 Palestinians have been killed by Israeli armed forces in Gaza,<sup>3</sup> amounting to 1 in 200 Gazans,<sup>4</sup> the vast majority civilians;<sup>5</sup> and

**WHEREAS**, in addition to the thousands dead, over 1.5 million Gazans face forced displacement and homelessness;<sup>6</sup> and

**WHEREAS**, as many as 200,000 Israelis have fled or evacuated towns bordering Gaza and Lebanon;<sup>7</sup> and

**WHEREAS**, Russia invaded Ukraine in February of 2022, resulting in the death over 10,000 civilians<sup>8</sup> and causing over 6 million to flee the country,<sup>9</sup> and armed conflict continues in the region; and

**WHEREAS**, in totality, the violence in Palestine, Israel, and Ukraine has caused millions of homeowners and tenants (“refugees”) to be displaced from their homes and regions; and

**WHEREAS**, many of the refugees are still homeless or marginally housed and in need of temporary housing while their communities are being rebuilt and/or remain in a state of conflict; and

**WHEREAS**, the Board adopted Regulation 1017 in the wake of Hurricane Katrina in 2005 to allow landlords to rent to displaced national disaster victims at below-market rents without risk of suffering long-term financial disadvantage; and

**WHEREAS**, the Board amended Regulation 1017 on February 22, 2016, to permit landlords to rent to refugees displaced by political unrest and be covered by the terms set forth therein; and

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<sup>1</sup>[npr.org/2023/11/11/1212458974/israel-revises-death-toll-hamas-attacks-oct-7](https://npr.org/2023/11/11/1212458974/israel-revises-death-toll-hamas-attacks-oct-7)

<sup>2</sup>[amnesty.org/en/latest/news/2023/11/israel-opt-hamas-and-other-armed-groups-must-release-civilian-hostages-and-treat-all-captives-humanely/](https://www.amnesty.org/en/latest/news/2023/11/israel-opt-hamas-and-other-armed-groups-must-release-civilian-hostages-and-treat-all-captives-humanely/)

<sup>3</sup>[axios.com/2023/11/27/gaza-civilian-deaths-israel-conflict-zones](https://www.axios.com/2023/11/27/gaza-civilian-deaths-israel-conflict-zones)

<sup>4</sup>[washingtonpost.com/world/interactive/2023/gaza-rising-death-toll-civilians/](https://www.washingtonpost.com/world/interactive/2023/gaza-rising-death-toll-civilians/)

<sup>5</sup>[ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-39](https://ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-39)

<sup>6</sup>[ochaopt.org/content/hostilities-gaza-strip-and-israel-reported-impact-day-33](https://ochaopt.org/content/hostilities-gaza-strip-and-israel-reported-impact-day-33)

<sup>7</sup>[timesofisrael.com/about-200000-israelis-internally-displaced-amid-ongoing-gaza-war-tensions-in-north/](https://www.timesofisrael.com/about-200000-israelis-internally-displaced-amid-ongoing-gaza-war-tensions-in-north/)

<sup>8</sup>[ukraine.un.org/en/253322-civilian-deaths-ukraine-war-top-10000-un-says](https://www.ukraine.un.org/en/253322-civilian-deaths-ukraine-war-top-10000-un-says)

<sup>9</sup>[rescue.org/topic/ukraine-crisis](https://www.rescue.org/topic/ukraine-crisis)

## RESOLUTION 23-31

### **ALLOWING LANDLORDS TO INVOKE THE PROVISIONS OF REGULATION 1017 TO OFFER BELOW-MARKET RATE RENTAL HOUSING TO REFUGEES FLEEING POLITICAL UNREST IN PALESTINE, ISRAEL AND UKRAINE WITHOUT RISK OF SUFFERING LONG-TERM FINANCIAL DISADVANTAGE (Page 2)**

**WHEREAS**, Regulation 1017 permits landlords to craft written rental agreements for disaster victims that provide a period of reduced rent and then raise the rent to market; and

**WHEREAS**, Regulation 1017 provides that landlords must identify the temporary period of reduced rent and the amount of rent to which it will be increased should the tenants remain in the unit; and

**WHEREAS**, Regulation 1017 allows tenants to terminate the rental agreement with at least 30 days' notice; and

**WHEREAS**, the Board must invoke the provisions of Regulation 1017 for them to take effect; and

**WHEREAS**, there is currently an identifiable need for short-term, below-market housing to assist political refugees in the regions identified herein; and

**WHEREAS**, the Board has invoked the provisions of Regulation 1017 a number of times over the past several years under similar circumstances; and

**WHEREAS**, Regulation 1017 is entirely voluntary, and landlords may choose to offer temporary, below-market rental housing if they wish.

**NOW, THEREFORE BE IT RESOLVED** that the City of Berkeley Rent Stabilization Board hereby invokes the provisions of Regulation 1017 to allow landlords to rent to refugees fleeing political unrest in Gaza, Israel, and Ukraine at below-market rents without risk of suffering long-term financial disadvantage; and

**BE IT FURTHER RESOLVED** that the provisions of Regulation 1017 shall remain in effect for six months; and

**BE IT FURTHER RESOLVED** that the City of Berkeley Rent Stabilization Board may extend the invocation of Regulation 1017 at the end of this six-month period; and

**BE IT FURTHER RESOLVED** that the City of Berkeley Rent Stabilization encourages landlords to rent to refugees at temporarily reduced rates as they have suffered greatly by the effects of these tragedies, and many are still in search of homes.

**RESOLUTION 23-31**

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Dated: December 4, 2023

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

YES:

NO:

ABSTAIN:

ABSENT:

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Leah Simon-Weisberg, Chairperson  
Rent Stabilization Board

Attest: \_\_\_\_\_  
DéSeana Williams, Executive Director