



RENT STABILIZATION BOARD
Regular Meeting
Thursday, November 16, 2023 – 7:00 p.m.
School District Board Room – 1231 Addison Street, Berkeley

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.

To access this meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device by clicking on this URL: <https://us06web.zoom.us/j/81315510979?pwd=LytGV2RZUDNrNVl4NHRJWkhHcVhSUT09>. If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself to be anonymous. To request to speak, use the "Raise Hand" icon by rolling over the bottom of the screen.

To join by phone: Dial 1-669-444-9171 and enter Webinar ID: 813 1551 0979 and Passcode: 101882. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.

To submit a written communication for the Board's consideration and inclusion in the public record, please email oojigbo@berkeleyca.gov with the Subject line in this format: "RENT BOARD MEETING PUBLIC COMMENT ITEM." Please observe a 150-word limit. **Email comments must be submitted to the email address above by 5:00 p.m. on the day of the meeting in order to be included.**

Please be mindful that this will be a public meeting and all rules of procedure and decorum apply for both in-person attendees and those participating by teleconference or videoconference.

This meeting will be conducted in accordance with Government Code Section 54953 and all current state and local requirements allowing public participation in meetings of legislative bodies. Any member of the public may attend this meeting at the posted location(s). Questions regarding this matter may be addressed to DéSeana Williams, Executive Director, at (510) 981-7368 (981-RENT). The Rent Board may take action related to any subject listed on the Agenda.



COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at (510) 981-6418 (voice) or (510) 981-6347 (TDD) at least three (3) business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.

RENT STABILIZATION BOARD

Regular Meeting

Thursday, November 16, 2023

7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley

Minutes - *Unapproved*

1. **Roll call** – Chair Simon-Weisberg called the meeting to order at 7:06 p.m.
Jen Fabish called roll.
Commissioners Present: Alpert, Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Walker, Simon-Weisberg
Commissioners Absent: None
Staff present: Brown, Dahl, Eberhart, Ehlinger, Fabish, Williams
2. **Land Acknowledgment Statement:** The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun- (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley’s landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley’s incorporation in 1878 and since the Rent Stabilization Board’s creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.

The Land Acknowledgement statement was played aloud.

3. **Approval of Agenda** – M/S/C (Alpert/Johnson) APPROVE THE AGENDA WITH THE FOLLOWING CHANGES: MOVE ACTION ITEM 7.a. TO IMMEDIATELY FOLLOW PUBLIC COMMENT; CONTINUE THE WAVIER FOR 3144-3120 MLK TO A FUTURE MEETING. Voice vote. Carried: 9-0-0-0.
4. **Public Comment** – *non*-agendized items. There were 24 speakers requesting that the Board adopt a resolution in support of a ceasefire in the Israel/Palestine conflict: Aliza Mazmi, Nickan Fayyazi, Russell Bates, Jamileh Ghanem, Sumaya Alwatib, Hussein Hessein, Mariam Hassane, Misha, Jonah Gottlieb, Mara Van Tassell, Jay Maytorena, Lew Williams, Monica, screen name Zahra Hatim, Mimi Ana, Fatima Sarah Khalid, Whitney Sparkd, Amyrah Doty, Cindy Shamban, Negeene Mosaed, Harman, Sameena Usman, and “N.” Additionally, three email comments were read into the record on this topic.

5. **Public Comment** – items on the agenda. “FranMok 1944 Curtis” spoke about waiver W5097.

6. **CONSENT ITEMS**

- a. Approval of the October 23rd special meeting minutes
- b. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Executive Director/Registration Unit Manager)

Ministerial Waivers

Property Address

1609 BANCROFT WAY
3033 HARPER ST
3114-3120 MLK
1935 ADDISON
2425 EUNICE
3081 BUENA VISTA
1696 SACRAMENTO
1735 6TH
2240 ROSE
2311 ACTON
2207 BONAR
1619 HARMON
2236 8TH ST

Discretionary Waivers

Waiver No. Property Address

W5093	2285 EUNICE
W5094	1530 BANCROFT
W5095	1507 HARMON
W5096	1120 CARLETON
W5097	1944 CURTIS
W5098	2632 WARRING #6
W5099	2911 LORINA
W5100	1110 & 1112 PARKER ST

M/S/C (Alpert/Mizell) APPROVE ALL CONSENT ITEMS AS WRITTEN, EXCEPT FOR THE WAIVER FOR 3114-3120 MLK THAT WAS CONTINUED TO A FUTURE MEETING. Voice vote. Carried: 9-0-0-0.

7. **ACTION ITEMS**

from Board Members, Committees, Executive Director or Staff

Public comment will also be heard prior to the Board’s vote on each action item listed below – No speakers.

- a. Chair Update (Chair Simon-Weisberg) – Per a prior vote of the Board, this item was heard after public comment. Chair Simon-Weisberg read into the record a letter addressed from her to the US President and other elected officials wherein she urged the officials to demand an immediate ceasefire in the Israel/Palestine conflict. No action was taken.
 1. Letter regarding the Alameda County Unlawful Detainer Calendar sent to The Honorable Charles Smiley on November 8, 2023 – Chair Simon-Weisberg discussed the letter. No action was taken.
- b. Recommendation to adopt Resolution 23-28 authorizing the Executive Director to execute a contract with BMI Imaging Systems for digital conversion of Rent Board property files for an amount not to exceed \$99,100 for a contract term through June 30, 2024 (Executive Director)

M/S/C (Kelley/Johnson) APPROVE RESOLUTION 23-28 AS WRITTEN. Voice vote. Carried: 9-0-0-0.

8. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

**ALL ITEMS BELOW WERE BRIEFLY MENTIONED OR DISCUSSED.
UNDERLINED ITEMS HAVE ADDITIONAL COMMENTS.**

- a. Eviction Moratorium update – *Verbal* (Public Information Unit Manager)
- b. Owner Move-in Eviction Tracking Report (July 2020 - June 2023) (Eviction/Section 8/Foreclosure Committee)
- c. Summary of Ellis Act Evictions (1986 - June 30, 2023) (Eviction/Section 8/Foreclosure Committee)
- d. Commissioner attendance at Board and Committee meetings updated through the third quarter of 2023 (Board Secretary)
- e. November 8, 2023 *The Mercury News* article by Kate Talerico titled, “A ‘tsunami’ of eviction cases is hitting Alameda County. These elected officials are calling for a slowdown” (Chair Simon-Weisberg)
<https://www.mercurynews.com/2023/11/08/a-tsunami-of-eviction-cases-is-hitting-alamedas-courts-these-elected-officials-are-calling-for-a-slowdown/>
- f. November 8, 2023 *NBCBayArea.com* article by Madison Fagundes titled, “Alameda County leaders raise alarm over rising eviction cases overwhelming

court system” (Chair Simon-Weisberg)
<https://www.nbcbayarea.com/news/local/alameda-county-over-rising-eviction-cases-overwhelming-court-system/3365861/>

- g. October 25, 2023 *Berkeleyside* article by Commissioner Marrero titled, “Opinion: CPUC’s upcoming consumer solar vote would hurt renters, schools and farmers” (Commissioner Marrero)
<https://www.berkeleyside.org/2023/10/25/opinion-cpucs-consumer-solar-vote-hurt-renters-schools-farmers>
- h. Date to submit agenda topics/items for December’s regular Rent Board meeting:
Monday, December 11th by 5:00 p.m. (Board Secretary)

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget & Personnel Committee (Commissioner Walker, Chair) – Committee Chair Walker announced the next meeting will be in December.
Next regularly-scheduled meeting: To Be Announced (TBA)
- b. Environmental Sustainability Committee (Commissioner Martinac, Chair) – Committee Chair Martinac reported that the Committee is reviewing data gathered by staff, and exploring how to build relationships with community groups and other City departments.
Next regularly-scheduled meeting date: Wednesday, January 10th, 2024 at 6:00 p.m.

November 1st agenda

- c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair) – Committee Chair Elgstrand reported that the Committee continues to track eviction data, and is discussing potential changes to eviction notices.
Next regularly-scheduled meeting: Tuesday, November 14th at 6:00 p.m.

November 14th agenda

- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Commissioner Kelley, Chair) – Committee Chair Kelley reported that the Committee is currently in recess to avoid any conflicts with the Ad Hoc Committee considering amendments to the Rent Ordinance, and anticipates the Committee will reconvene in the new year.
Next regularly-scheduled meeting: TBA
- e. Outreach Committee (Vice-Chair Alpert, Chair) – Committee Chair Alpert reported that the Committee is discussing design standards for Rent Board Outreach materials, including language access and other accessibility considerations.

Next regularly-scheduled meeting: Monday, November 13th at 6:00 p.m.

November 13th agenda

- f. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board – Chair Simon-Weisberg reported that the Committee’s proposed amendments to the Demolition Ordinance will be considered by Council soon.
(Mayor Arreguín and Chair Simon-Weisberg, Co-Chairs)
Next regularly-scheduled meeting: TBA

- g. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Chair TBA) – Commissioner Marrero mentioned the upcoming meeting date.
Next meeting date: Monday, December 18th at 5:30 p.m.

- h. Ad Hoc Committee to Consider Rent Ordinance Amendments at the 2024 November General Election (Commissioner Johnson, Chair) – Committee Chair Johnson reported that the Committee is considering a number of potential amendments for the Rent Ordinance, some of which staff are researching.
Next meeting date: Wednesday, November 15th at 5:30 p.m.

November 15th agenda

October 30th agenda

- i. Updates and Announcements – Commissioner Marrero provided an update on her work on the Regional Advisory Committee for the West, including that the Committee has identified opportunity gaps that include housing access.
- j. Discussion of items for possible placement on future agenda

10. CLOSED SESSION – Pursuant to California Government Code Section 54957(b)(1), the Board convened in closed session for a Public Employee Evaluation of Performance:

Title: General Counsel

Upon return from closed session, the Chair announced that no reportable action was taken.

11. ADJOURNMENT – M/S/C (Kelley/Alpert) ADJOURN THE MEETING. Voice vote. Carried: 9-0-0-0. The meeting adjourned at 9:39 p.m.