



Rent Stabilization Board

## **RENT STABILIZATION BOARD**

DATE: September 21, 2023  
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

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### **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).

**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
	2916 NEWBURY	FRANK BROWN	2,334.00	2,334.00	
	2801 COLLEGE	HISHAM & MAHA JOUDI	231.00	231.00	
	2443 WOOLSEY	DAMON NIM C/O CATHY NASON	2,500.00	2,500.00	
	1205 PERALTA	DAMON NIM C/O CATHY NASON	2,000.00	2,000.00	
	1601 CHANNING	NILOUFER GREWE	778.00	466.80	311.20
	2000 PRINCE ST	NILOUFER GREWE	778.00	778.00	
	2137 PARKER	JASON LEE	2,000.00	2,000.00	
<b>TOTAL</b>			10,621.00	10,309.80	311.20

**Financial Impact: Ministerial Waivers**

Approval of the Executive Director’s recommendations will decrease the Board’s current accounts receivable by **\$10,309.80**.

**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
W5087	2020 KITTREDGE	CALIFORNIA CMNTY HSNB AGCY	136,928.00		136,928.00
<b>TOTAL</b>			136,928		136,928

**Financial Impact: Discretionary Waivers**

Approval of the Executive Director’s recommendations will decrease the Board’s current accounts receivable by **\$0.00**.

**Name and Telephone Number of Contact Person:**

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

## September Ministerial Waiver Analysis

Address	Details
2916 Newbury	The Property located at 2916 Newbury is a fully covered duplex. In the last five fiscal years, the property owner has not made any late registration payments. In their waiver request the property owner states the fees were due to an incorrect move-in date that has since been corrected. A search of Rent Board records will show that the penalties charged by the incorrect move n date were removed in March 2023. No staff action is necessary at this time.
2801 College	The Property located at 2801 College is a fully covered multi-residential property. In the last five fiscal years, the property owner has not made any late registration payments. In their waiver request the property owner states the two units that were charged penalty fees were not available for rent until August 2022 of the 22-23 registration cycle. A search of Rent Board records will show that for unit 21, the property was only charged \$210 which was the pro-rated registration fee for the 22-23 cycle. No penalties were charged for that unit. The Rent Registry Records will also show for unit 20, the owner was charged \$462. \$231 in pro-rated registration feed and a \$231 penalty charge. On March 9, 2023, the property owner paid only the registration fee. On March 24 <sup>th</sup> staff removed the penalties for unit 21 that were added in error. No staff action is necessary at this time.
2443 Woolsey	The Property located at 2443 Woolsey is a fully covered multi-residential property. In the last five fiscal years, the property owner has not made any late registration payments. In their waiver request the property owner states that they made an address change for three properties they own in 2022 and only one property was changed, while the billing statements for the other two properties were sent to the wrong address. A search of Rent Board records will show that on 2/9/2023 damon@nasonpropertymanagement.com emailed the rent registry requesting the change of address. Unfortunately, the staffer assigned to update the address has since retired. Per regulation 883 G, this property qualifies to have 100% of its penalty waived per the ordinance. Staff recommends waiving 100% of the penalty.
1205 Peralta	The Property located at 1205 Peralta is a fully covered multi-residential property. In the last five fiscal years, the property owner has not made any late registration payments. In their waiver request the property owner states that they made an address change for three properties they own in 2022 and only one property was changed, while the billing statements for the other two properties were sent to the wrong address. A search of Rent Board records will show that on 2/9/2023 damon@nasonpropertymanagement.com emailed the rent registry requesting the change of address. Unfortunately, the staffer assigned to update the address has since retired. Per regulation 883 G, this property qualifies to have 100% of its penalty waived per the ordinance. Staff recommends waiving 100% of the penalty.

## Ministerial Waiver Analysis

<p>1601 Channing</p>	<p>The single-family home located at 1601 Channing has been owned by the current owner since 2011. A search of Rent Board Records will show, the property owner did not register this property by the Measure MM deadline. The Rent Board records will also show the property failed to pay the 21/22, 22/23, and 23/24 registration fees on time. The first time the owner reached out the Rent Board to register their property was March 2023. The property owner states in their waiver that, “they were under the impression the registration fee was paid so they told their daughter to wait to pay the fee”. The owner also states in their waiver that, “her husband was hospitalized twice due to a stent infection and this was an oversight due to the calendar date of June 30<sup>th</sup>”. Unfortunately, the property owner submitted no additional documentation for the Board review and consideration. Per Rent Board regulation 884 C, this property qualifies to have 60% of their penalties waived because this is the properties third late payment in the last 6 registration cycles. Staff recommends waving 60% of the penalties per the regulation.</p>
<p>2000 Prince St</p>	<p>The single-family home located at 2000 Prince has been owned by the current owner since 1987. The property owner states in their waiver that the Registration Statement was mailed to the 2000 Prince street address when the correct address is a New York address. A search of Rent Board records will show the 2000 Prince St address matches the address that is listed on the Real Quest records. Staff notes, that it is common practice to send correspondence to the address on Real Quest. That address usually corresponds to the County records. Per Rent Board regulation 883 C, this property qualifies to have 100% of their penalties waived. Staff recommends waving 100% of the penalties per the ordinance.</p>
<p>2137 Parker</p>	<p>The four-plex located at 2137 Parker St. has been owned by the current owner since 2021. The owner states in their waiver that, “they paid the 21/22 registration fees on time.” A search of Rent Board records will show the property owner paid the 21/22 registration fees on June 30, 2021. Unfortunately, the migration of data to our new Rent Registry platform did not capture the payment and incorrectly charged the property penalties. Per Regulation 883 G, this property qualifies to have 100% of the penalty waived due to staff error. Staff recommends that 100% of the penalty be waived.</p>

**City Of Berkeley  
Rent Stabilization Board**

**Recommendation on Requested Waiver of Registration Penalties**

<b>Waiver No:</b> W5087	<b>Property address:</b> 2020 KITTREDGE ST	<b>Transferred:</b> 06/08/2007
<b>Exempt units (as of February 2021):</b> None		
<b>Owner(s):</b> CALIFORNIA CMNTY HSNB	<b>Waiver filed by:</b> PROPERTY MANAGER	<b># of Units:</b> 176
<b>Other Berkeley rental property owned:</b> 2020 KITTREDGE ST, BERKELEY, CA` 94704		

**Late payment/penalty history:** Staff notes that although this is a Measure MM property and there are not 5 years of financial history to review, the property has paid registration fees late in the 21/22, 22/23, and 23/24 registration cycles.

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

**Penalties Currently Under Consideration**

**Reason for Penalties:** Owns or manages more than 11 units

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
2023-24	176	\$31,328.00	07/10/2023	\$31,328.00	\$0.00	\$31,328.00
2022-23	176	\$26,400.00	01/17/2023	\$52,800.00	\$0.00	\$52,800.00
2021-22	176	\$26,400.00	04/28/2022	\$52,800.00	\$0.00	\$52,800.00
<b>Totals</b>				<b>\$136,928.00</b>	<b>\$0.00</b>	<b>\$136,928.00</b>

**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 new property management company did not receive an invoice or notification regarding the Measure MM fees due.

**Recommendation:** Staff recommends denying the waiver based on the totality of the circumstances, the three late payments, and the amount of the penalties on the account.

**Staff Analysis:** The 176 multi-residential property located at 2022 Kittridge has been owned by the

current owner since October 2021 and is partially covered under Measure MM. The initial waiver submitted in October 2022 was by the former property manager/owner of Peak Made Reality, they state that they received the billing statement with the due date of October 31, 2021, for the initial Measure MM billing due date. At the time the 21/22 Measure MM fees were due, the property was in the process of being sold and the registration fees for the 21/22 registration cycle remained unpaid because both property management companies believed the other company paid the fee. In April 2022 the former property manager was made aware the 21/22 registration fee was still outstanding and on 4/28/2022 the former property manager paid the 21/22 outstanding registration fees. When the 22/23 registration cycle began, the Rent Board had still not been notified of the change in ownership, and the statement was mailed to the prior owner and property manager. After receiving the January penalty 22/23 registration statement, the former property manager reached out to the Registration Unit Manager in February 2023 to inform her the property was no longer under their purview, they asked for instructions to submit a waiver for the penalties and included an email documenting they notified the new property manager of the registration fees. A search of Rent Board Records will show that as of September 5, 2023, the account has an outstanding balance of \$136,928 in penalties. In March 2023, the Registration Manager reached out to the new property owners based on the email provided by the former manager and was able to update the property info and complete registration for the 22/23 registration fees. Also, at this time, the new property owner submitted a waiver for the outstanding penalties. In the waiver submitted by the new property manager they state, that during the property transition, they did not receive an invoice or notification regarding the MM registration fees. Unfortunately, the documentation submitted by the former property manager notifying the Rent Board of the ownership change included an email notifying the new manager of the MM registration fees. One of the emails listed on that documentation is from the same property manager who submitted the current waiver under review for the Board. Staff notes that although this is a Measure MM property and there are not 5 years of financial history to review, the property has paid registration fees late in the 21/22, 22/23, and 23/24 registration cycles. Per Rent Board Regulation 884(6) this waiver qualifies as Discretionary and is to be heard by the Board as the property manager requesting the waiver owns more than 11 rental units. Staff recommends denying the waiver based on the totality of the circumstances, the three late payments, and the amount of the penalties on the account.

RECEIVED

MAR 29 2023

Public  
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>

Initial: \_\_\_\_\_  
Berkeley Rent Board

**Request for Waiver of Late Registration Penalties**

*Please Read Important Information on Page 2*

Property Address: 2020 Kittredge Street, Ste D, Berkeley, CA, 94704

Owner: California Community Housing Agency

Date of acquisition, if new owner: \_\_\_\_\_

Name & relationship of person filing request, if not owner: Sequoia Equities

If, after reading the information on Page 2, 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. **Please print or type clearly.** Attach an additional sheet of paper if needed.

In October 2021, the property management company changed from BlackRock to Sequoia Equities. During the transition, Sequoia Equities did not receive an invoice or notification regarding the MM Registration Fee. After a months have gone by, BlackRock notified Sequoia Equities of the past due invoices. Upon notification, Sequoia Equities immediately issued payment to Berkeley's Rent Stabilization Program. As the new management company for California Community Housing Agency, we will ensure payment will be submitted timely every year. As part of the confusion during transitioning managment company, may we please have the full late fee penalty amount waiver as a one time courtesy?

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

Date: 2/17/2022 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: lphan@sequoiaequities.com

Mailing Address: 1777 Botelho Drive Suite 300, Walnut Creek, CA 94596

Phone Number: 925-945-0900 Fax Number: \_\_\_\_\_

Please see Communications Disclaimer on Page 2 that applies to any personal information you provide.



**Request for Waiver of Late Registration Penalties – Information**  
**Please Read Before Completing the Waiver Request**

**Note: Before submitting a waiver request, you must pay all outstanding registration fees and file all registration forms**

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\*). But 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.

Examples of good cause for a full or partial waiver of penalties include: • *you had a death or illness in the family* • *you are a new owner with no other Berkeley residential rental property* • *you didn't receive the original billing statement* • *you thought that the property or unit was exempt from registration* • *you didn't know about the requirement to pay a prorated registration fee on a previously exempt unit.*

**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, 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.

For questions about waivers please call Amanda Eberhart at (510) 981-4904.

**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 to make that request.

\* The referenced regulations can be found at: Chapter 8: Rent Registration

PAST DUE

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

REGISTRATION YEAR

07/01/2022 - 06/30/2023

BILLING CODE

FLAK S

DUE DATE

07/01/2022

K STREET FLATS  
 2020 KITTREDGE ST  
 BERKELEY, CA 94704

ASSESSOR PARCEL NUMBER : 057202801402 PIN : 913838  
 PROPERTY ADDRESS : 2020 KITTREDGE ST, BERKELEY, CA 94704

FEE STRUCTURE	Annual Fee Per Unit	Number of Units	Total
Fully Covered Units - (\$21/Month Prorated Fee)	\$ 250.00	0	\$ 0.00
Partially Covered (Measure MM) Units - (\$12/Month Prorated Fee)	\$ 150.00	176	\$ 26,400.00
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 past due. If payment is not made by the due date, a penalty will be assessed.	<b>Current Fees</b>		\$0.00
	<b>Previous Fees</b>		\$0.00
	<b>Penalties</b>		\$105,600.00
	<b>Total Due</b>		<b>\$105,600.00</b>

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>

Registration Year: 07/01/2022 - 06/30/2023 Due Date: PAST DUE

Mail To:  
 Berkeley Rent Board  
 2125 Milvia Street  
 Berkeley, CA 94704

PROPERTY ADDRESS : 2020 KITTREDGE ST, BERKELEY, CA 94704  
 APN : 057202801402  
 BILLING CONTACT: K STREET FLATS  
 CURRENT FEES : \$0.00  
 PREVIOUS FEES: \$0.00  
 PENALTIES : \$105,600.00  
 TOTAL DUE : \$105,600.00

# Units Paid For:

Amount Enclosed (Checks Only):

Fiscal Year	Date/Time	Payment Received Date	Transaction Type	Reference	Description	Amount	Current Year Fees	Current Year Penalties	Previous Year's Fees	Previous Year's Penalties	Unallocated / Account Credit	Balance	Owner Name
FY2022-23	01/17/2023 09:19 AM	01/17/2023	Payment	Check - 651	CK #651: 22/73 REG FEE \$26,400	26400.0	26400.0	0.0	0.0	0.0	0.0	105600.0	LoanPhan
FY2022-23	01/05/2023 11:13 AM		bill	RR2022-23-324257	bill	0.0	0.0	0.0	0.0	0.0	0.0	132000.0	LoanPhan

**PROPERTY MANAGEMENT AND LEASING AGREEMENT**  
**for**  
**K STREET FLATS**  
**BERKELEY, CA**

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This PROPERTY MANAGEMENT AND LEASING AGREEMENT (“*Agreement*”), is made and entered into as of October 1, 2021 (the “*Effective Date*”), by and between California Community Housing Agency, a public entity organized and existing under the laws of the State of California (“*Owner*”), and Sequoia Equities Incorporated, a California corporation (“*Manager*”), with reference to the following facts, which the parties agree are accurate:

WHEREAS, Owner owns that certain property described in Section 1.01 (the “*Project*”) and desires to engage Manager as its exclusive agent, to manage, to obtain leases for, operate, collect rents from, and maintain the Project, and Manager desires to accept such responsibilities as described herein; and

WHEREAS, Owner and Manager desire to enter into this Agreement to provide for the leasing and management by Manager of the Project.

NOW, THEREFORE, in consideration of the foregoing and the covenants contained in this Agreement and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

**ARTICLE I THE PROJECT; APPOINTMENT AND ACCEPTANCE;  
INTRODUCTORY PROVISIONS**

**Section 1.01. The Project.** The Project is a 176-unit multifamily rental housing development containing approximately 2,885 ft<sup>2</sup> of commercial space, including the land, buildings furniture, fixtures, machinery, equipment and related facilities, presently known as “K Street Flats,” located at 2020 Kittredge Street in the City of Berkeley, California.

**Section 1.02. Appointment and Acceptance; Commencement Date.** Owner appoints Manager as manager of the Project for the term of this Agreement, subject to the supervision and control of the Administrator as provided herein, and Manager accepts such appointment. The appointment shall be exclusive as relating to the duties described in this Agreement. Manager shall begin providing services under this Agreement on October 7, 2021 (the “*Commencement Date*”).

**Section 1.03. Project Administrator.** Owner has entered into a Project Administration Agreement (the “*Project Administration Agreement*”) with HCF Development, LLC (the “*Administrator*”), pursuant to which the Administrator will supervise, coordinate, analyze and report to Owner with respect to the management and operation of the Project. Pursuant to the Project Administration Agreement, the Administrator is authorized to give or withhold any consents or approvals required by Owner under this Agreement and Manager shall be entitled to rely on any written consents, approvals, or direction given by the Administrator

Sequoia Equities, Inc. as Trustee for Clients Trust Account

K Street Flats

1777 Botelho Dr., #300  
Walnut Creek, CA 94596

7375

First Republic Bank  
111 Pine Street  
San Francisco, CA 94111  
321081869

651

01/10/2023

VOID AFTER 180 DAYS

\*\*\*\* TWENTY SIX THOUSAND FOUR HUNDRED AND 00/100 DOLLARS

\$26,400.00\*\*

PAY TO THE  
ORDER OF

BERKELEY RENT BOARD  
2125 MILVIA STREET  
BERKELEY, CA 94704

Authorized Signature





**From:** [Keitha Bradford](#)  
**To:** [Eberhart, Amanda](#)  
**Subject:** RE: [EXT]2022 Kittredge  
**Date:** Monday, February 6, 2023 8:12:34 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

**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.

Hi Amanda,

Below was the last discussion we had about the waiver for 2021 and 2022 fees. The conversation is with the representative for the former owner, Diana Cohen with BlackRock (Granite Library Gardens), myself, and the new management company for the new owners called Sequoia. It was from 12/7 and a few days prior.



I found this link with info:

<https://rentboard.berkeleyca.gov/elected-rent-board/news/registration-fees-are-due-friday-july-1>

Maybe you can get a copy from somewhere on this link?

They are called MM Registration Fees. Once you get ahold of the invoice, if there are any penalties listed on it, they advised us to pay the annual fees and not include the penalties in the payment and then they told us to file a waiver. That is what we did, but here we are a year later and it is a struggle to get these penalties waived. This was the first positive communication I have had with them so it does sound like they will waive the penalties if the current fees get paid. The penalties follow the current owner so they will show up on your invoice more than likely.

Let me know if you have any other questions.

**Keitha Bradford**  
Regional Manager  
PeakMade Real Estate | [PeakMade.com](#)  
O: 404.920.5300  
C: 337.412.4932



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**From:** Chrissy McCulloch <[cmcculloch@sequoiaequities.com](mailto:cmcculloch@sequoiaequities.com)>  
**Sent:** Wednesday, December 7, 2022 12:39 PM  
**To:** Cohen, Diana <[diana.j.cohen@blackrock.com](mailto:diana.j.cohen@blackrock.com)>  
**Cc:** Loan Phan <[lphan@sequoiaequities.com](mailto:lphan@sequoiaequities.com)>; Keitha Bradford <[kbradford@peakmade.com](mailto:kbradford@peakmade.com)>  
**Subject:** [EXT]Re: True Up for K Street

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Diana/Keitha,

Can you let me know if this invoice has been sent to the site? I'm aware of the newly instituted annual BMR monitoring fee that we saw billed in July for \$15k+, but I don't recall seeing an invoice for this fee.

Thanks,

**Chrissy McCulloch**  
*Regional Portfolio Manager*



1777 Botelho Drive Suite 300 | Walnut Creek, CA 94596  
**phone:** (925) 945-0900 | **fax:** (925) 256-3780

[ElevateToSequoia.com](#)



On Wed, Dec 7, 2022 at 9:43 AM Cohen, Diana <[diana.j.cohen@blackrock.com](mailto:diana.j.cohen@blackrock.com)> wrote:  
Hi Loan,

I am adding Keitha Bradford from our former property management company, Peak, to this email to reduce the back and forth on this. Keitha has been working on this for months, trying to get to the bottom of the issue with Berkeley.

As you may recall, Berkeley implemented a new annual fee during our final year of ownership. We were unaware of the new annual fee, so we did not pay it, which then resulted in additional penalties being applied. Since then, the original fee has been paid, and Keitha has been working on having the penalties waived. However, as you can see from the email from the city in red below, current year fees must be paid by the new ownership for the current year in order for them to waive outstanding penalties from past years.

*I have received the attached waiver from you. In order for me to move this forward for the Board to hear, all outstanding registration fees have to be paid in full first. At this time, the account shows that the 22/23 registration fees have not been paid. Please submit a payment to our office for the 22/23 registration fees in the amount of \$26,400 before December 30<sup>th</sup> 2022, in order to have your waiver heard at the January Board meeting. If you have any questions or concerns, please feel free to contact me.*

Site Address	Rent Program Fees Owed
2020 KITTREDGE ST, BERKELEY, CA 94704	<p>You need to submit the Property for Registration before you can pay your fees for this fiscal year.</p> <p>Due by July 1, 2022</p> <p><b>Current Year Fees: \$26,400.00</b></p> <p>Current Year Penalties: \$26,400.00</p> <p>Previous Year's Fees: \$0.00</p> <p>Previous Year's Penalties: \$52,800.00</p> <p>Account Credit: \$0.00</p> <p>Waiver Amount: \$0.00</p> <p><b>*Total Owed: \$105,600.00</b></p>
2022 KITTREDGE ST BERKELEY CA 94704	

  

Total Units	Property Status	Primary Owner	Property Manager
176	Registration Completed	California Empty Home	

Please let us know if you have any questions or follow-up.

Best,

**Diana Cohen**  
 Vice President | BlackRock Real Assets | Real Estate  
 Phone 415.670.4368 | Mobile 646.530.0206

**From:** Loan Phan <lphan@sequoiaequities.com>  
**Sent:** Monday, December 5, 2022 2:41 PM  
**To:** Cohen, Diana <diana.j.cohen@blackrock.com>  
**Cc:** Chrissy McCulloch <cmcculloch@sequoiaequities.com>  
**Subject:** Re: True Up for K Street

**External Email: Use caution with links and attachments**

Hello Diana,

I hope you are doing well. My apologies for not responding sooner, I was on a long vacation. Has there been any progress on the fees waivers? I am hoping we can complete K-Street's true-up

**From:** Eberhart, Amanda <AEberhart@berkeleyca.gov>  
**Sent:** Monday, February 6, 2023 5:58 PM  
**To:** Keitha Bradford <kbradford@peakmade.com>  
**Subject:** [EXT]2022 Kittredge

**\*\*\* CAUTION \*\*\*** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **\*\*\* CAUTION \*\*\***

Hi Keitha,

Thank you for speaking with me today. If you could forward any information to help me close out this waiver that would be great.

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