



# Notice of Tenant Rights Partially Covered Units

## Berkeley Municipal Code (BMC) section 13.76.080.D

### Rent Stabilization Board

Your tenancy is partially covered by the Berkeley Rent Stabilization Ordinance. This means the price-control provisions of Berkeley's Ordinance do **NOT** apply to your tenancy. Your landlord claims exemption from full coverage under Berkeley's Ordinance because:

*(To be completed by the landlord)*

- This is a newly constructed rental unit. (BMC section 13.76.050.B.1)
- This is a separately alienable rental unit, such as a single-family home or condo. (BMC section 13.76.050.B.2)
- This unit is subject to a government subsidy or government ownership that pre-exempts local price control. (BMC section 13.76.050.B.3)

California's "rent cap" law, Civil Code section 1947.12, may or may not apply to your tenancy. If the state "rent cap" provisions do not apply to your tenancy, your landlord may raise your rent without limitation if they provide you with a valid written notice. If the state "rent cap" provisions do apply to your tenancy, your landlord may only raise your rent up to 5% plus the CPI (but no more than 10%) every year with a valid written notice.

*(To be completed by the landlord)*

*The terms of Civil Code section 1947.12 do/ do NOT apply.*

*If "do NOT" is marked above, I claim the following exemption from Civil Code section 1947.12:*

- (d)(1) Deed-restricted affordable housing;
- (d)(4) Housing with a certificate of occupancy issued within the previous 15 years;
- (d)(5) A rental unit alienable separate from the title of any other dwelling unit, where the tenants have received the required notice in Section 1947.12(d)(5)(B); or
- (d)(6) A unit in a "duplex" where an owner lives in the other unit as their principal residence.

Berkeley's Ordinance applies to your tenancy in the following ways:

1. Your landlord must register your tenancy with the Rent Stabilization Board. This includes providing information on your starting rent and the services included in your rent at the start of your tenancy, and paying an annual registration fee.
2. Your landlord must provide you an annual interest payment on your security deposit by the end of January each year of your tenancy. If you move out during the year, your landlord must provide a prorated security deposit interest payment.
3. Your landlord may not terminate your tenancy, unless they allege one of the "just causes for eviction" listed in the Rent Stabilization Ordinance. Your landlord must provide you with a written notice alleging a just cause and file a copy of this notice with the Rent Board prior to proceeding with an eviction.
4. If you live in a property with more than 10 units or in a rental unit managed by a property management company, you have the right to form a tenant association for the purposes of meeting with your landlord regarding issues affecting your tenancy.
5. More detailed information regarding your rights under the Rent Stabilization Ordinance is available at the Rent Board's website ([rentboard.berkeleyca.gov](http://rentboard.berkeleyca.gov)) or through an appointment with a Rent Board's housing counselor (510) 981-7368.