

REC. ONLY

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**CITY OF BERKELEY**  
**RENT STABILIZATION PROGRAM**  
**2000 Center Street, Suite 400, Berkeley, CA 94704**  
**PHONE: (510) 981-7368 • FAX: (510) 809-3921**  
**WEB: <https://rentboard.berkeleyca.gov>**

### Request for Waiver of Late Registration Penalties

Please read the important disclosures below. **Areas marked with an asterisk (\*) MUST BE FILLED OUT.** Incomplete applications will be returned to the sender.

- 1) **Before submitting a waiver request, you must pay all outstanding registration fees and file all registration forms.**

\_\_\_\_\_ \*Initial Here

- 2) 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\*).

\_\_\_\_\_ \*Initial Here

- 3) 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.

\_\_\_\_\_ \*Initial Here

- 4) **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 or credited, 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Partial waiver is granted: **The denied amount must be resolved within 30 days or the waiver may be rescinded and the full amount of penalties reinstated.** While any penalties remain outstanding, the property is considered not registered.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.

\_\_\_\_\_ \*Initial Here

- 5) For questions about waivers please call Basil Lecky at (510) 981-4902 or email at [blecky@berkeleyca.gov](mailto:blecky@berkeleyca.gov).

- 6) **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 or email [RentRegistry@cityofberkeley.info](mailto:RentRegistry@cityofberkeley.info) to make that request.

\_\_\_\_\_ \*Initial Here

- 7) The referenced regulations can be found at: [Chapter 8: Rent Registration](#)

**Please complete the Request for Waiver Form on the Back of this page**

**\*Property Address:** \_\_\_\_\_

**\*Owner:** \_\_\_\_\_

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

**\*Name & relationship of person filing request, if not owner:** \_\_\_\_\_

If, after reading the information on Page 1, 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. All Board decisions are final.**

**Please print or type clearly.** Attach an additional sheet of paper if needed.

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

**\*Date:** \_\_\_\_\_ **\* 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: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_