



City of Berkeley

Empty Homes Tax

Vacancy Exclusion Period Claim Form

For Office Use Only:

Date: _____

Initials: _____

2000 Center Street, Suite 400, Berkeley, CA 94704

Phone: (510) 981-RENT Fax: (510) 809-3921

Email: emptyhomes@berkeleyca.gov • Website: rentboard.berkeleyca.gov/empty-homes-tax

This form must be filed for each property and submitted annually for every calendar year that an exemption or vacancy exclusion period is being claimed. Read all instructions on the reverse side before completing this form. Please print legibly or type.

1. BERKELEY PROPERTY ADDRESS

Street #

Street Name

Unit #(s)

2. OWNER/AGENT INFORMATION

Owner	Agent/Manager
Name: _____	Name: _____
Address: _____	Address: _____
City, State, ZIP: _____	City, State, ZIP: _____
Phone: _____	Phone: _____
Email: _____	Email: _____

Send future correspondence regarding exemption to: OWNER ☐ AGENT/MANAGER ☐

3. VACANCY EXCLUSION PERIOD CLAIM

Check applicable vacancy exclusion period(s) that apply to one (1) or more units on the above-referenced property, list the applicable unit(s).

Vacancy Exclusion Periods	Applicable Unit(s)
☐ Building Permit Application Period	
☐ Rehabilitation Period	
☐ Disaster Period	
☐ Owner Death Period	
☐ Owner In Care Period	
☐ Homeowners' Exemption Period	
☐ Lease Period	

4. VACANCY EXCLUSION PERIOD ATTACHMENT FORM(S)

Complete the vacancy exclusion period attachment form specific to each vacancy exclusionary period that is being claimed. The vacancy exclusion period attachment form asks for the required information and necessary supporting documentation.

5. DECLARATION

I hereby declare under penalty of perjury that all the information in this Empty Homes Tax Exemption and Vacancy Exclusion Period Claim Form is true and correct to the best of my knowledge and belief.

Name

Signature

Date

Empty Homes Tax

Vacancy Exclusion Period Claim Form Instructions

INSTRUCTIONS

1. Berkeley Property Address

Write the complete physical address for the property. Provide the unit number(s) if there is a unit number for the property or if the claim is only specific to one individual unit.

2. Owner and Agent Information

Provide the contact information of the owner and the owner's authorized representative, if applicable. If both an owner and agent are listed, indicate who should receive future notices and correspondence regarding the Empty Homes Tax by checking the appropriate box.

3. Vacancy Exclusion Period Attachment Form

Complete a Vacancy Exclusion Period Claim Attachment for each vacancy exclusion period being claimed and provide the supporting documentation required for each vacancy exclusion period type. All the vacancy exclusion attachment forms can be found online at: rentboard.berkeleyca.gov/vacancy-exclusion-periods.

4. Declaration

The person completing the form should be the property owner or their authorized agent and they must certify under penalty of perjury that all information provided is true and correct to the best of their knowledge.

5. Vacancy Exclusion Period Claim Submittal

The completed Vacancy Exclusion Claim Form, the Claim Attachment Form for each vacancy exclusion period being claimed, and all required supporting documentation must be emailed to emptyhomes@berkeleyca.gov.

VACANCY EXCLUSION PERIOD CLAIM SUPPORTING DOCUMENTATION

Each vacancy exclusion period type has a specific attachment form, which provides details on required supporting information that must be submitted for each of the seven (7) vacancy exclusion period types. Please complete the attachment form and indicate any supporting documentation that you are submitting with your vacancy exclusion period claim(s). All the vacancy exclusion attachment forms can be found online at: rentboard.berkeleyca.gov/vacancy-exclusion-periods.

UNITS THAT ARE NOT VACANT

If a formerly vacant residential unit becomes rented*, the unit's occupancy status should be updated with the Berkeley Rent Board. Most rented residential units are fully or partially covered by the Rent Stabilization Ordinance and must be registered with the Berkeley Rent Board within 60 days from the start of the tenancy. If the residential unit is not rented but is occupied it is likely exempt from rent registration. Even if a unit is not rented owners should make sure that the unit status claimed with the Rent Board is accurate.

*A residential unit is in an occupied status such as rented by a tenant is exempt from the Empty Homes Tax. The unit status can be updated using the online rent registry portal: <https://rentregistry.cityofberkeley.info/>.



LEASE PERIOD CLAIM ATTACHMENT

The Lease Period is one of seven Vacancy Exclusion Periods for which a vacant unit could be excluded from taxation under the Empty Homes Tax.

7. Lease Period	<u>Required Supporting Information:</u>
Description: The period during which a residential unit is leased to one or more tenants under a bona fide lease intended for occupancy, but not including any lease or rental of the unit anyone affiliated or related to a current or former owner or co-owner, or to travelers, vacationers, or other transient occupants.	Residential Unit Address(es): _____ _____ _____ _____
	Is the Unit is not leased to anyone relate to a current or former owner or co-owner, or to travelers, vacations or other transient occupants? Check one: Yes: ☐ No: ☐
Please provide additional supporting documentation (check all that apply): ☐ Copy of Lease Agreement – A signed and dated lease agreement ☐ Records of rent payments, such as canceled checks, bank statements showing rent deposits, or digital payment receipts ☐ Records Tenant Communication such as letters or email between owners and tenants ☐ Property Management Records (if applicable) ☐ Other _____	

HOW TO MAKE A LEASE PERIOD VACANCY EXCLUSION CLAIM

Owners with vacant residential units that qualify for the lease period should complete and submit the Empty Homes Tax Vacancy Exclusion Period Claim Form (a copy of this form will also be mailed to owners of any property believed to have vacant units for 182+ day in a calendar year) and a completed copy of this lease period claim attachment with sufficient supporting information. Completed forms must be emailed to emptyhomes@berkeleyca.gov.