



RENT STABILIZATION BOARD
Special Meeting
Monday, December 4, 2023 – 6:00 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/89093764549?pwd=YJ5MBrEiHbEES6TWfBzG0Zzx2Shb3nw.80d2HZZ0p8BYbrh4>. 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 1-669-900-6833 and enter Webinar ID: 890 9376 4549 and Passcode: 459707. 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 amueller@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 3:30 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

Special Meeting

Monday, December 4, 2023

6:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley

AGENDA

*Times allotted for each item are approximate and may be changed at the Board's discretion during the course of this meeting.

1. **Roll call** – 1 min.*
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. – 2 min.*
3. **Approval of Agenda** – 1 min.*
4. **Public Comment** – As permitted by California Government Code Section 54954.3(a), public comment shall be limited to only specifically agendized items for this Special Meeting. The Chair shall have discretion to adjust time limits for the public to speak for items on the agenda.
5. **SPECIAL PRESENTATION on the nexus between the Board's work and the conflict in Gaza**
6. **ACTION ITEMS**
from Board Members, Committees, Executive Director or Staff
 - a. Recommendation to adopt Resolution 23-29 authorizing the Executive Director to initiate a contract with ACRO Services Corp. not to exceed \$15,000 for a temporary staff person to assist with administrative tasks related to processing eviction notices (Executive Director) – 5 min.*

- b. Recommendation to adopt Resolution 23-30 calling for an immediate ceasefire in Palestine and Israel (Vice-Chair Alpert, Chair Simon-Weisberg, Commissioners Walker and Martinac) – 10 min.*
- c. Recommendation to adopt Resolution 23-31 invoking Regulation 1017 to allow landlords to provide temporary, below-market rental housing in Berkeley for Palestinian, Israeli, and Ukrainian refugees fleeing conflict (Chair Simon-Weisberg) – 3 min.*

7. ADJOURNMENT

COMMUNICATIONS DISCLAIMER:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City’s electronic records, which are accessible through the City’s website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, 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, you may deliver communications via U.S. Postal Service to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.



Rent Stabilization Board
Office of the Executive Director

DATE: December 4, 2023

TO: Honorable Members of the Rent Stabilization Board

FROM: DéSeana Williams, Executive Director

SUBJECT: Recommendation to adopt Resolution 23-29 authorizing the Executive Director to initiate a contract with ACRO Services Corp. not to exceed \$15,000 for one (1) temporary staff person to assist with administrative tasks related to processing eviction notices

Recommendation

That the Board adopts Resolution 23-29 authorizing the Executive Director to initiate a contract with ACRO Services Corp. not to exceed \$15,000 for one (1) temporary staff person to assist with administrative tasks related to processing eviction notices.

Background:

On March 21, 2023, the City Council adopted changes to the COVID-19 Emergency Response Ordinance, otherwise known as the Eviction Moratorium. These changes implement a “transition period” from May 1, 2023 to August 31, 2023, and the end of the Moratorium on September 1, 2023.

Since the “transition period” from May 1, 2023 to August 31, 2023, and the end of the Moratorium on September 1, 2023, Rent Board staff have processed over 450 eviction-related notices and provided counseling services for hundreds of tenants facing eviction.

The agency anticipates a continued influx of eviction notices to be filed with the Rent Board through the first quarter of 2024. Housing Counselors will experience increased counseling sessions related to evictions, and the temporary staffing will allow for expeditious processing of eviction-related notices and other activities to support the operations of the Public Information Unit.

The temporary staffing will help to support the following tasks:

1. Receive copies of eviction notices from housing providers, upload them to our database system, and file copies in the property folders.
2. Quickly issue template response letters to tenants being served the eviction notice, informing them of their rights, counseling services, and external resources they may contact for guidance and assistance.
3. Provide documentation to parties regarding the receipt and processing dates of the eviction notice.
4. Schedule appointments for Housing Counselors for follow-up.

5. Provide administrative support for agency-wide special projects as needed.

Having additional temporary for two months, through February 5, 2024, will create sufficient staff capacity to receive and process eviction notices and promptly issue letters to tenants informing them of their rights and resources that they may be eligible to receive to help them through the eviction process.

Financial Impact

Staff project that adding one (1) proposed full-time temporary worker for two (2) months will cost the agency an additional \$15,000.

Name and Telephone Number of Contact Person:

DéSeana Williams, Executive Director (510) 981-7368

RESOLUTION 23-29

AUTHORIZING THE EXECUTIVE DIRECTOR TO INITIATE A CONTRACT WITH ACRO SERVICES CORPORATION NOT TO EXCEED \$15,000 FOR A TEMPORARY WORKER TO PROVIDE FULL-TIME ASSISTANCE WITH ADMINISTRATIVE TASKS RELATED TO CHANGES TO THE EVICTION MORATORIUM

BE IT RESOLVED by the Rent Stabilization Board of the City of Berkeley as follows:

WHEREAS, On March 21, 2023, the City Council adopted changes to the COVID-19 Emergency Response Ordinance that established a “Transition Period” May 1, 2023 to August 31, 2023, and an eventual end to the Eviction Moratorium on September 1, 2023; and

WHEREAS, the Public Information Unit, which processes eviction notices and response letters to tenants, has experienced an influx of eviction notices during this period that need timely processing; and

WHEREAS, the current staff capacity in the Public Information Unit is not sufficient to complete the administrative tasks associated with processing eviction notices, tenant response letters, and an increased volume of appointments for Housing Counselors; and

WHEREAS, the hiring of temporary staff for a period not to exceed two months will allow the agency to process and respond to the increased volume of eviction notices in a timely manner;

WHEREAS, the City of Berkeley currently utilizes ACRO Services Corporation to provide temporary personnel when needed;

NOW, THEREFORE, BE IT RESOLVED that the City of Berkeley Rent Stabilization Board hereby authorizes the Executive Director to initiate a contract with ACRO Services Corporation for \$15,000 to allow for one full-time temporary worker to support the agency with eviction notice processing.

Dated: December 4, 2023

Adopted by the Rent Stabilization Board of the City of Berkeley by the following vote:

YES:

NO:

ABSTAIN:

ABSENT:

Leah Simon-Weisberg, Chair
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director



Rent Stabilization Board

DATE: December 4, 2023

TO: Honorable Members of the Rent Stabilization Board

FROM: Vice Chair Soli Alpert, Chair Leah Simon-Weisberg, Commissioner Dominique Walker, and Commissioner Ida Martinac

SUBJECT: Resolution Calling for an Immediate Ceasefire and End to Forced Displacement in Palestine and Israel and Honoring United Against Hate Week

Recommendation:

That the Berkeley Rent Stabilization Board adopt the attached resolution calling for an immediate ceasefire and end to forced displacement in Palestine and Israel and honoring United Against Hate Week.

Background:

See attached Resolution.

Financial Impact:

None.

Name and Email Address of Contact Person:

Vice Chair Soli Alpert, RSBAlpert@cityofberkeley.info

RESOLUTION 23-30

CALLING FOR AN IMMEDIATE CEASEFIRE AND END TO FORCED DISPLACEMENT IN PALESTINE AND ISRAEL AND HONORING UNITED AGAINST HATE WEEK

BE IT RESOLVED by the Rent Stabilization Board of the City of Berkeley as follows:

WHEREAS, November 12th to 18th was United Against Hate Week, an event started in Berkeley in 2017;¹ and

WHEREAS, on October 7th, Hamas launched an attack that killed approximately 1,200 people in southern Israel,² including hundreds of civilians, and took over 200 hostage;³ and

WHEREAS, in the weeks since October 7th, over 14,000 Palestinians have been killed by Israeli armed forces in Gaza,⁴ amounting to 1 in 200 Gazans,⁵ the vast majority civilians;⁶ and

WHEREAS, more than 6,100 of those killed in Gaza have been children,⁷ or one child killed every ten minutes according to the World Health Organization,⁸ leading Save the Children to declare that in just three weeks the number of children killed in Gaza surpassed the annual number of children killed in global conflict zones since 2019;⁹ and

WHEREAS, in addition to the thousands dead, over 1.5 million Gazans face forced displacement and homelessness;¹⁰ and

WHEREAS, as many as 200,000 Israelis have fled or evacuated towns bordering Gaza and Lebanon;¹¹ and

WHEREAS, Israel has cut off electricity, water, food, medicine, and aid to Gaza, leading Oxfam to conclude Israel is using starvation as a weapon of war;¹² and

WHEREAS, attacks by the Israeli army and settlers armed by the Israeli government against Palestinians in the West Bank have skyrocketed,¹³ including the forcible depopulation of entire villages;¹⁴ and

¹unitedagainsthateweek.org/history

²npr.org/2023/11/11/1212458974/israel-revises-death-toll-hamas-attacks-oct-7

³amnesty.org/en/latest/news/2023/11/israel-opt-hamas-and-other-armed-groups-must-release-civilian-hostages-and-treat-all-captives-humanely/

⁴axios.com/2023/11/27/gaza-civilian-deaths-israel-conflict-zones

⁵washingtonpost.com/world/interactive/2023/gaza-rising-death-toll-civilians/

⁶ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-39

⁷ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-53

⁸reuters.com/world/middle-east/child-killed-average-every-10-minutes-gaza-says-who-chief-2023-11-10/

⁹savethechildren.net/news/gaza-3195-children-killed-three-weeks-surpasses-annual-number-children-killed-conflict-zones

¹⁰ochaopt.org/content/hostilities-gaza-strip-and-israel-reported-impact-day-33

¹¹timesofisrael.com/about-200000-israelis-internally-displaced-amid-ongoing-gaza-war-tensions-in-north/

¹²oxfam.org/en/press-releases/starvation-weapon-war-being-used-against-gaza-civilians-oxfam

¹³news.un.org/en/story/2023/11/1143087

¹⁴theintercept.com/2023/10/13/israel-settlers-gaza-palestinians-west-bank/

RESOLUTION 23-30

CALLING FOR AN IMMEDIATE CEASEFIRE AND END TO FORCED DISPLACEMENT IN PALESTINE AND ISRAEL AND HONORING UNITED AGAINST HATE WEEK (Page 2)

WHEREAS, the mass killing of civilians in Gaza,¹⁵ the restriction on water, food, medicine, fuel, and aid to Gaza,¹⁶ and the targeted violence and displacement of Palestinians in the West Bank¹⁷ amount to a clear and ongoing campaign of collective punishment by Israel against the Palestinian people, a war crime wherein a group of people is punished for a crime committed by individual members of the group;^{18,19} and

WHEREAS, UN officials have said that the totality of the violence being committed in Gaza and the “discernibly genocidal and dehumanizing rhetoric coming from senior Israeli government officials” “point to a genocide in the making;”²⁰ and

WHEREAS, the conflict occurring today did not begin on October 7th, but rather is a continuation of the dispossession, oppression, occupation, and apartheid that the Palestinian people have been subject to by the state of Israel for decades;²¹ and

WHEREAS, the Gaza Strip, one of the most densely populated places on Earth, has been repeatedly referred to by human rights groups as “the world’s largest open-air prison” even prior to this conflict due to ongoing, unbearable living conditions imposed by the state of Israel,²² including a 16-year full air, land and sea blockade, the strict prohibition of Palestinians from leaving and entering the territory freely, and severe limitations on the availability of drinking water, electricity, and medicine;²³ and

WHEREAS, on June 17, 2021 the Berkeley Rent Stabilization Board adopted Resolution 21-12, becoming the first public elected body in the nation to recognize Israeli apartheid against Palestinians as documented by myriad human rights groups and call for an end to American financial and political support for the dispossession and occupation of the Palestinian people;²⁴ and

WHEREAS, despite this ongoing oppression, the United States has sent more than \$130 billion in military aid to Israel to date, currently \$3.8 billion annually,²⁵ with virtually no

¹⁵[reuters.com/world/un-experts-say-israels-strikes-gaza-amount-collective-punishment-2023-10-12/](https://www.reuters.com/world/un-experts-say-israels-strikes-gaza-amount-collective-punishment-2023-10-12/)

¹⁶[amnesty.org/en/latest/news/2023/10/israel-opt-israel-must-lift-illegal-and-inhumane-blockade-on-gaza-as-power-plant-runs-out-of-fuel/](https://www.amnesty.org/en/latest/news/2023/10/israel-opt-israel-must-lift-illegal-and-inhumane-blockade-on-gaza-as-power-plant-runs-out-of-fuel/)

¹⁷[972mag.com/west-bank-gaza-war-protests/](https://www.972mag.com/west-bank-gaza-war-protests/)

¹⁸[guide-humanitarian-law.org/content/article/3/collective-punishment/](https://www.guide-humanitarian-law.org/content/article/3/collective-punishment/)

¹⁹[casebook.icrc.org/a_to_z/glossary/collective-punishments](https://www.casebook.icrc.org/a_to_z/glossary/collective-punishments)

²⁰[ohchr.org/en/press-releases/2023/11/gaza-un-experts-call-international-community-prevent-genocide-against](https://www.ohchr.org/en/press-releases/2023/11/gaza-un-experts-call-international-community-prevent-genocide-against)

²¹[hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution](https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution)

²²[nrc.no/news/2018/april/gaza-the-worlds-largest-open-air-prison/](https://www.nrc.no/news/2018/april/gaza-the-worlds-largest-open-air-prison/)

²³[hrw.org/news/2023/10/18/israel-unlawful-gaza-blockade-deadly-children](https://www.hrw.org/news/2023/10/18/israel-unlawful-gaza-blockade-deadly-children)

²⁴records.cityofberkeley.info/PublicAccess/api/Document/AUv4r2CMIz8xcP1F6A3SalofAgnG39DpH6wJIK%C3%81CbiRfy8EqXmFOGLP2hIHZhyktOUDSyLx9qjjiTSvwwkIjKEsG%3D/

²⁵[time.com/6331133/israel-gaza-biden-military-support/](https://www.time.com/6331133/israel-gaza-biden-military-support/)

RESOLUTION 23-30

CALLING FOR AN IMMEDIATE CEASEFIRE AND END TO FORCED DISPLACEMENT IN PALESTINE AND ISRAEL AND HONORING UNITED AGAINST HATE WEEK (Page 3)

conditions or accountability,²⁶ and has increased the transfer of lethal aid during Israel's assault on Gaza;²⁷ and

WHEREAS, Islamophobic, antisemitic, and anti-Palestinian hate crimes have increased sharply in frequency since October 7th,²⁸ including the violent assault of tenant Hanaan Shahin and the murder of her six-year-old son Wadea al-Fayoume by their landlord in Chicago;²⁹ and

WHEREAS, on November the 24th, Israel and Hamas began a temporary ceasefire to allow for the exchange of some hostages and entrance of some humanitarian aid;³⁰ and

WHEREAS, truly Uniting Against Hate requires us to combat hate both at home and abroad.

NOW, THEREFORE, BE IT RESOLVED, that the Berkeley Rent Stabilization Board honors United Against Hate Week and recognizes and upholds the dignity and equality of all people, regardless of religion, ethnicity, race, or heritage and opposes racism, antisemitism, Islamophobia, colonialism, and ethno-nationalism in all their forms; and

BE IT FURTHER RESOLVED, that the Berkeley Rent Stabilization Board mourns the death of all civilians on October 7th and in the weeks since, Palestinian and Israeli, and opposes the forced displacement that has resulted from this conflict; and

BE IT FURTHER RESOLVED, that the Berkeley Rent Board calls on all people to recognize that Hamas and the state of Israel are distinct from the Palestinian and Israeli people and Muslim, Arab, and Jewish people across the globe, and that everyday Jews and Palestinians in the United States are not responsible for the actions of Hamas and the state of Israel; and

BE IT FURTHER RESOLVED, that the Berkeley Rent Stabilization Board reiterates that discrimination in housing against tenants or applicants on the basis of race, religion, creed, heritage or national origin is illegal and will not be tolerated, and that harassment, intimidation, or violence against tenants or landlords on the basis of their identity or beliefs is reprehensible and illegal in the City of Berkeley; and

BE IT FURTHER RESOLVED, that the Berkeley Rent Stabilization Board welcomes the temporary ceasefire and limited exchange of hostages, but finds that it is entirely insufficient to restore peace, and so calls for Berkeley's elected representatives to demand:

- an immediate and permanent ceasefire and respect for international law;
- the unrestricted entry of humanitarian aid and emergency medical assistance into Gaza;

²⁶[reuters.com/world/no-us-conditions-security-assistance-israel-austin-says-2023-10-12/](https://www.reuters.com/world/no-us-conditions-security-assistance-israel-austin-says-2023-10-12/)

²⁷[wsj.com/world/middle-east/u-s-plans-320-million-weapons-transfer-to-israel-as-gaza-toll-mounts-7c50afd9](https://www.wsj.com/world/middle-east/u-s-plans-320-million-weapons-transfer-to-israel-as-gaza-toll-mounts-7c50afd9)

²⁸[reuters.com/world/us/us-antisemitic-islamophobic-incidents-surge-with-war-advocates-say-2023-10-25/](https://www.reuters.com/world/us/us-antisemitic-islamophobic-incidents-surge-with-war-advocates-say-2023-10-25/)

²⁹[chicagotribune.com/news/breaking/ct-czuba-indicted-wadea-al-fayoume-slaying-20231026-20231026-ak57i5xyi5ekpjvmxgvqgmbqba-story.html](https://www.chicagotribune.com/news/breaking/ct-czuba-indicted-wadea-al-fayoume-slaying-20231026-20231026-ak57i5xyi5ekpjvmxgvqgmbqba-story.html)

³⁰[reuters.com/world/middle-east/israelhamas-war-hostage-deal-ceasefire-gaza-2023-11-22/](https://www.reuters.com/world/middle-east/israelhamas-war-hostage-deal-ceasefire-gaza-2023-11-22/)

RESOLUTION 23-30

CALLING FOR AN IMMEDIATE CEASEFIRE AND END TO FORCED DISPLACEMENT IN PALESTINE AND ISRAEL AND HONORING UNITED AGAINST HATE WEEK (Page 4)

- the restoration of food, water, fuel, and electricity to Gaza;
- the release of all hostages held by Hamas & Israel, including the thousands of Palestinians being indefinitely detained in Israeli prisons without trial;³¹
- an end to all U.S. military aid to Israel;
- the development of a lasting peace that addresses the root causes of the current conflict which lie in decades of institutionalized oppression, occupation, and apartheid; and

BE IT FURTHER RESOLVED, that the Berkeley Rent Stabilization Board endorses the Ceasefire Now Resolution submitted by Representative Cori Bush and others,³² and thanks our Congresswoman Barbara Lee for cosponsoring that vital statement;³³ and

BE IT FURTHER RESOLVED, that the Berkeley Rent Stabilization Board stands in solidarity with the Palestinian people as they face the war crime of collective punishment and the looming threat of expulsion from Gaza, an act of ethnic cleansing; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Assemblymember Buffy Wicks, State Senator Nancy Skinner, Governor Gavin Newsom, Congresswoman Barbara Lee, Senators Laphonza Butler and Alex Padilla, President Joe Biden, and Vice President Kamala Harris.

Dated: December 4, 2023

Adopted by the Rent Stabilization Board of the City of Berkeley by the following vote:

YES:

NO:

ABSTAIN:

ABSENT:

Leah Simon-Weisberg, Chairperson
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director

³¹[amnesty.org/en/latest/news/2023/11/israel-opt-horrifying-cases-of-torture-and-degrading-treatment-of-palestinian-detainees-amid-spike-in-arbitrary-arrests/](https://www.amnesty.org/en/latest/news/2023/11/israel-opt-horrifying-cases-of-torture-and-degrading-treatment-of-palestinian-detainees-amid-spike-in-arbitrary-arrests/)

³²bush.house.gov/media/press-releases/rep-bush-tlaib-carson-lee-ramirez-lead-colleagues-in-call-for-immediate-ceasefire

³³lee.house.gov/news/press-releases/lee-jayapal-casar-mcgovern-castro-escobar-garcia-release-statement-calling-for-ceasefire



Rent Stabilization Board

DATE: December 4, 2023

TO: Honorable Members of the Rent Stabilization Board

FROM: Chair Leah Simon-Weisberg

SUBJECT: Resolution 23-31 Invoking Regulation 1017 to Allow Landlords to Provide Temporary, Below-market Rental Housing in Berkeley for Palestinian, Israeli, and Ukrainian Refugees Fleeing Conflict

Recommendation:

That the Berkeley Rent Stabilization Board adopt the attached resolution invoking Regulation 1017 to allow landlords to provide temporary, below-market rental housing in Berkeley for Palestinian, Israeli, and Ukrainian refugees fleeing conflict.

Background:

See attached Resolution.

Financial Impact:

None.

Name and Email Address of Contact Person:

Chair Simon-Weisberg, RSBSimon-Weisberg@cityofberkeley.info

RESOLUTION 23-31

ALLOWING LANDLORDS TO INVOKE THE PROVISIONS OF REGULATION 1017 TO OFFER BELOW-MARKET RATE RENTAL HOUSING TO REFUGEES FLEEING POLITICAL UNREST IN PALESTINE, ISRAEL AND UKRAINE WITHOUT RISK OF SUFFERING LONG-TERM FINANCIAL DISADVANTAGE

BE IT RESOLVED by the Rent Stabilization Board of the City of Berkeley as follows:

WHEREAS, on October 7th, Hamas launched an attack that killed approximately 1,200 people in southern Israel,¹ including hundreds of civilians, and took over 200 hostage;² and

WHEREAS, in the weeks since October 7th over 14,000 Palestinians have been killed by Israeli armed forces in Gaza,³ amounting to 1 in 200 Gazans,⁴ the vast majority civilians;⁵ and

WHEREAS, in addition to the thousands dead, over 1.5 million Gazans face forced displacement and homelessness;⁶ and

WHEREAS, as many as 200,000 Israelis have fled or evacuated towns bordering Gaza and Lebanon;⁷ and

WHEREAS, Russia invaded Ukraine in February of 2022, resulting in the death over 10,000 civilians⁸ and causing over 6 million to flee the country,⁹ and armed conflict continues in the region; and

WHEREAS, in totality, the violence in Palestine, Israel, and Ukraine has caused millions of homeowners and tenants (“refugees”) to be displaced from their homes and regions; and

WHEREAS, many of the refugees are still homeless or marginally housed and in need of temporary housing while their communities are being rebuilt and/or remain in a state of conflict; and

WHEREAS, the Board adopted Regulation 1017 in the wake of Hurricane Katrina in 2005 to allow landlords to rent to displaced national disaster victims at below-market rents without risk of suffering long-term financial disadvantage; and

WHEREAS, the Board amended Regulation 1017 on February 22, 2016, to permit landlords to rent to refugees displaced by political unrest and be covered by the terms set forth therein; and

¹npr.org/2023/11/11/1212458974/israel-revises-death-toll-hamas-attacks-oct-7

²[amnesty.org/en/latest/news/2023/11/israel-opt-hamas-and-other-armed-groups-must-release-civilian-hostages-and-treat-all-captives-humanely/](https://www.amnesty.org/en/latest/news/2023/11/israel-opt-hamas-and-other-armed-groups-must-release-civilian-hostages-and-treat-all-captives-humanely/)

³[axios.com/2023/11/27/gaza-civilian-deaths-israel-conflict-zones](https://www.axios.com/2023/11/27/gaza-civilian-deaths-israel-conflict-zones)

⁴[washingtonpost.com/world/interactive/2023/gaza-rising-death-toll-civilians/](https://www.washingtonpost.com/world/interactive/2023/gaza-rising-death-toll-civilians/)

⁵ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-39

⁶ochaopt.org/content/hostilities-gaza-strip-and-israel-reported-impact-day-33

⁷[timesofisrael.com/about-200000-israelis-internally-displaced-amid-ongoing-gaza-war-tensions-in-north/](https://www.timesofisrael.com/about-200000-israelis-internally-displaced-amid-ongoing-gaza-war-tensions-in-north/)

⁸[ukraine.un.org/en/253322-civilian-deaths-ukraine-war-top-10000-un-says](https://www.ukraine.un.org/en/253322-civilian-deaths-ukraine-war-top-10000-un-says)

⁹[rescue.org/topic/ukraine-crisis](https://www.rescue.org/topic/ukraine-crisis)

RESOLUTION 23-31

ALLOWING LANDLORDS TO INVOKE THE PROVISIONS OF REGULATION 1017 TO OFFER BELOW-MARKET RATE RENTAL HOUSING TO REFUGEES FLEEING POLITICAL UNREST IN PALESTINE, ISRAEL AND UKRAINE WITHOUT RISK OF SUFFERING LONG-TERM FINANCIAL DISADVANTAGE (Page 2)

WHEREAS, Regulation 1017 permits landlords to craft written rental agreements for disaster victims that provide a period of reduced rent and then raise the rent to market; and

WHEREAS, Regulation 1017 provides that landlords must identify the temporary period of reduced rent and the amount of rent to which it will be increased should the tenants remain in the unit; and

WHEREAS, Regulation 1017 allows tenants to terminate the rental agreement with at least 30 days' notice; and

WHEREAS, the Board must invoke the provisions of Regulation 1017 for them to take effect; and

WHEREAS, there is currently an identifiable need for short-term, below-market housing to assist political refugees in the regions identified herein; and

WHEREAS, the Board has invoked the provisions of Regulation 1017 a number of times over the past several years under similar circumstances; and

WHEREAS, Regulation 1017 is entirely voluntary, and landlords may choose to offer temporary, below-market rental housing if they wish.

NOW, THEREFORE BE IT RESOLVED that the City of Berkeley Rent Stabilization Board hereby invokes the provisions of Regulation 1017 to allow landlords to rent to refugees fleeing political unrest in Gaza, Israel, and Ukraine at below-market rents without risk of suffering long-term financial disadvantage; and

BE IT FURTHER RESOLVED that the provisions of Regulation 1017 shall remain in effect for six months; and

BE IT FURTHER RESOLVED that the City of Berkeley Rent Stabilization Board may extend the invocation of Regulation 1017 at the end of this six-month period; and

BE IT FURTHER RESOLVED that the City of Berkeley Rent Stabilization encourages landlords to rent to refugees at temporarily reduced rates as they have suffered greatly by the effects of these tragedies, and many are still in search of homes.

RESOLUTION 23-31

ALLOWING LANDLORDS TO INVOKE THE PROVISIONS OF REGULATION 1017 TO OFFER BELOW-MARKET RATE RENTAL HOUSING TO REFUGEES FLEEING POLITICAL UNREST IN PALESTINE, ISRAEL AND UKRAINE WITHOUT RISK OF SUFFERING LONG-TERM FINANCIAL DISADVANTAGE (Page 3)

Dated: December 4, 2023

Adopted by the Rent Stabilization Board of the City of Berkeley by the following vote:

YES:

NO:

ABSTAIN:

ABSENT:

Leah Simon-Weisberg, Chairperson
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director