



RENT STABILIZATION BOARD
Regular Meeting
Thursday, November 16, 2023 – 7:00 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/81315510979?pwd=LytGV2RZUDNrNVl4NHRJWkhHcVhSUT09>. 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 1-669-444-9171 and enter Webinar ID: 813 1551 0979 and Passcode: 101882. 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 oojigbo@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 5:00 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

Regular Meeting

Thursday, November 16, 2023

7:00 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** – 2 min. per speaker for *non*-agendized items*
5. **Public Comment** – 2 min. per speaker for items on the agenda*
6. **CONSENT ITEMS** – 1 min.*
 - a. Approval of the October 23rd special meeting minutes
 - b. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Executive Director/Registration Unit Manager)

Ministerial Waivers

Property Address

1609 BANCROFT WAY
3033 HARPER ST

3114-3120 MLK
1935 ADDISON
2425 EUNICE
3081 BUENA VISTA
1696 SACRAMENTO
1735 6TH
2240 ROSE
2311 ACTON
2207 BONAR
1619 HARMON
2236 8TH ST

Discretionary Waivers

<u>Waiver No.</u>	<u>Property Address</u>
W5093	2285 EUNICE
W5094	1530 BANCROFT
W5095	1507 HARMON
W5096	1120 CARLETON
W5097	1944 CURTIS
W5098	2632 WARRING #6
W5099	2911 LORINA
W5100	1110 & 1112 PARKER ST

7. ACTION ITEMS

from Board Members, Committees, Executive Director or Staff

Public comment will also be heard prior to the Board’s vote on each action item listed below – 1 min. per speaker

- a. Chair Update (Chair Simon-Weisberg) – 5 min.*
 1. Letter regarding the Alameda County Unlawful Detainer Calendar sent to The Honorable Charles Smiley on November 8, 2023
- b. Recommendation to adopt Resolution 23-28 authorizing the Executive Director to execute a contract with BMI Imaging Systems for digital conversion of Rent Board property files for an amount not to exceed \$99,100 for a contract term through June 30, 2024 (Executive Director) – 10 min.*

8. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

NOTE: The Board may vote to move Information Items to the Action calendar.

- a. Eviction Moratorium update – *Verbal* (Public Information Unit Manager) – 5 min.*
- b. Owner Move-in Eviction Tracking Report (July 2020 - June 2023) (Eviction/Section 8/Foreclosure Committee) – 3 min.*
- c. Summary of Ellis Act Evictions (1986 - June 30, 2023) (Eviction/Section 8/Foreclosure Committee) – 3 min.*
- d. Commissioner attendance at Board and Committee meetings updated through the third quarter of 2023 (Board Secretary) – 1 min.*
- e. November 8, 2023 *The Mercury News* article by Kate Talerico titled, “A ‘tsunami’ of eviction cases is hitting Alameda County. These elected officials are calling for a slowdown” (Chair Simon-Weisberg) – 1 min.*
<https://www.mercurynews.com/2023/11/08/a-tsunami-of-eviction-cases-is-hitting-alamedas-courts-these-elected-officials-are-calling-for-a-slowdown/>
- f. November 8, 2023 *NBCBayArea.com* article by Madison Fagundes titled, “Alameda County leaders raise alarm over rising eviction cases overwhelming court system” (Chair Simon-Weisberg) – 1 min.*
<https://www.nbcbayarea.com/news/local/alameda-county-over-rising-eviction-cases-overwhelming-court-system/3365861/>
- g. October 25, 2023 *Berkeleyside* article by Commissioner Marrero titled, “Opinion: CPUC’s upcoming consumer solar vote would hurt renters, schools and farmers” (Commissioner Marrero) – 1 min.*
<https://www.berkeleyside.org/2023/10/25/opinion-cpucs-consumer-solar-vote-hurt-renters-schools-farmers>
- h. Date to submit agenda topics/items for December’s regular Rent Board meeting: **Monday, December 11th by 5:00 p.m.** (Board Secretary)

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget & Personnel Committee (Commissioner Walker, Chair) – 5 min.*
Next regularly-scheduled meeting: To Be Announced (TBA)
- b. Environmental Sustainability Committee (Commissioner Martinac, Chair) – 5 min.*
Next regularly-scheduled meeting date: Wednesday, January 10th, 2024 at 6:00 p.m.

November 1st agenda

- c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair) – 5 min.*
Next regularly-scheduled meeting: Tuesday, November 14th at 6:00 p.m.

November 14th agenda

- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee)
(Commissioner Kelley, Chair) – 5 min.*
Next regularly-scheduled meeting: TBA
- e. Outreach Committee (Vice-Chair Alpert, Chair) – 5 min.*
Next regularly-scheduled meeting: Monday, November 13th at 6:00 p.m.

November 13th agenda

- f. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board – 5 min.*
(Mayor Arreguín and Chair Simon-Weisberg, Co-Chairs)
Next regularly-scheduled meeting: TBA
- g. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District
(Chair TBA) – 5 min.*
Next meeting date: Monday, December 18th at 5:30 p.m.
- h. Ad Hoc Committee to Consider Rent Ordinance Amendments at the 2024 November General Election (Commissioner Johnson, Chair) – 5 min.*
Next meeting date: Wednesday, November 15th at 5:30 p.m.

November 15th agenda

October 30th agenda

- i. Updates and Announcements – 5 min.*
- j. Discussion of items for possible placement on future agenda – 5 min.*

10. CLOSED SESSION – Pursuant to California Government Code Section 54957(b)(1), the Board will also convene in closed session for a Public Employee Evaluation of Performance:

Title: General Counsel

11. 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

Special Meeting

Monday, October 23, 2023 – 7:00 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/82871490734?pwd=4jtOMJ4pp8UVahOsRkEp9MS0vUGODA.MbFtwb9sN7nPkOEm>. 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 1-669-444-9171 and enter Webinar ID: 828 7149 0734 and Passcode: 208809. 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 5:00 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, October 23, 2023

7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley

Minutes - *Unapproved*

- 1. Roll call** – Chair Simon-Weisberg called the meeting to order at 7:02 p.m.
Aimee Mueller called roll.
Commissioners present: Alpert, Elgstrand, Marrero, Martinac, Mizell, Walker, Simon-Weisberg
Commissioners absent: Johnson, Kelley
Staff present: Brown, Dahl, Mueller, Williams
- 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.

The Land Acknowledgement Statement was read aloud.
- 3. Approval of Agenda**

M/S/C (Alpert/Walker) APPROVE THE AGENDA WITH THE FOLLOWING CHANGES: ADJOURN THE MEETING IN HONOR OF THE PALESTINIAN AND ISRAELI VICTIMS OF THE ONGOING CONFLICT; AND MOVE THE CLOSED SESSION TO THE NEXT MEETING. Roll call vote. YES: Alpert, Elgstrand, Marrero, Martinac, Mizell, Walter, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Johnson, Kelley. Carried: 7-0-0-2.
- 4. Public Comment** – *non*-agendized items. There was one public comment submitted via email and included in the agenda packet. No speakers.
- 5. Public Comment** – items on the agenda. No speakers.

6. CONSENT ITEMS

- a. Approval of the September 21st regular meeting minutes
- b. Recommendation to authorize staff to restore Vice-Chair Alpert's stipend deduction for a committee meeting absence on September 11, 2023 (Chair Simon-Weisberg)
- c. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Executive Director/Registration Unit Manager)

Ministerial Waivers

Property Address

1109 THE ALAMEDA
2223 WARD
1522 HARMON
2231 SHATTUCK
2330 HASTE
1014 MARIPOSA
2228 MCKINLEY
1825 ASHBY
1818 SONOMA
2615 TELEGRAPH #301
2512 9TH ST
1422 OXFORD
1767 EUCLID #1
66 POPPY LANE
1561 EUCLID #3
2705 WALKER
856 THE ALAMEDA

Discretionary Waivers

Waiver No. Property Address

W5088	3053 DOHR
W5089	2122 DWIGHT
W5090	2043-2045 EMERSON
W5091	1237 RUSSELL
W5092	2315-2315A ASHBY

M/S/C (Elgstrand/Martinac) APPROVE THE CONSENT ITEMS AS WRITTEN.
Roll call vote. YES: Alpert, Elgstrand, Marrero, Martinac, Mizell, Walker,
Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Johnson, Kelley.
Carried: 7-0-0-2.

7. **APPEAL – Case No. T-6014 (2425 Fulton Street, Unit 4)**

M/S/C (Martinac/Walker) CONTINUE THE APPEAL TO A LATER DATE. Roll call vote. YES: Alpert, Elgstrand, Marrero, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Johnson, Kelley. Carried: 7-0-0-2.

8. **ACTION ITEMS**

from Board Members, Committees, Executive Director or Staff

Public comment will also be heard prior to the Board’s vote on each action item listed below – 1 min. per speaker

- a. Chair Update (Chair Simon-Weisberg) – No updates.
- b. Recommendation to adopt Resolution 23-25 confirming the 2024 Annual General Adjustment (AGA) of 1.9 percent and ordering that the 2024 AGA be published as Regulation 1146 (General Counsel)

M/S/C (Mizell/Elgstrand) ADOPT RESOLUTION 23-25 AS WRITTEN. Voice vote. Carried: 7-0-0-2. ABSENT: Johnson, Kelley.

- c. Recommendation to adopt Resolution 23-26 confirming that the 2024 relocation assistance payments for Owner Move-in and Ellis Act evictions shall increase by 2.9 percent effective January 1, 2024, and publishing the 2024 relocation payment amounts (General Counsel)

M/S/C (Mizell/Martinac) ADOPT RESOLUTION 23-26 AS WRITTEN. Voice vote. Carried: 7-0-0-2. ABSENT: Johnson, Kelley.

- d. Recommendation to adopt Resolution 23-27 authorizing the Executive Director to modify the contract with QuickCaption, Inc. for real-time remote closed captioning through June 30, 2024 (Executive Director/Board Secretary)

M/S/C (Elgstrand/Mizell) ADOPT RESOLUTION 23-27 AS WRITTEN. Voice vote. Carried: 7-0-0-2. ABSENT: Johnson, Kelley.

9. **INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA**

from Board Members, Committees, Executive Director or Staff

**ALL ITEMS BELOW WERE BRIEFLY MENTIONED OR DISCUSSED.
UNDERLINED ITEMS HAVE ADDITIONAL COMMENTS.**

- a. Eviction Moratorium update – *Verbal* (Public Information Unit Manager)

- b. Date to submit agenda topics/items for November's regular Rent Board meeting:
Friday, November 3rd by 5:00 p.m. (Board Secretary)

10. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget & Personnel Committee (Commissioner Walker, Chair) – Committee Chair Walker reported that the Committee received an update on recruitment for the Finance Unit, the office relocation, and the property file scanning project. Next regularly-scheduled meeting: Thursday, November 2nd at 5:30 p.m.

October 5th agenda

- b. Environmental Sustainability Committee (Commissioner Martinac, Chair) – Committee Chair Martinac reported that the Committee did not meet due to lack of a quorum. Next regularly-scheduled meeting date: To Be Announced (TBA)

- c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair) – Committee Chair Elgstrand reported that the Committee reviewed the latest Owner Move-in and Ellis eviction reports, and gave an update on the eviction notices filed by Satellite Affordable Housing Associates. Next regularly-scheduled meeting: Tuesday, November 14th at 6:00 p.m.

September 26th agenda

- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Commissioner Kelley, Chair) Next regularly-scheduled meeting: Tuesday, November 7th at 5:45 p.m.

October 3rd agenda

- e. Outreach Committee (Vice-Chair Alpert, Chair) – Committee Chair Alpert reported that the Committee focused on how to promote the tenant survey results and data. Next regularly-scheduled meeting: Monday, November 13th at 6:00 p.m.

October 16th agenda

- f. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board – Chair Simon-Weisberg reported that the Committee will focus on proposed changes to the Demolition Ordinance at its next meeting. (Mayor Arreguín and Chair Simon-Weisberg, Co-Chairs) Next regularly-scheduled meeting: Tuesday, October 24th at 3:00 p.m.

October 24th agenda packet

September 27th agenda packet (Updated)

- g. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Chair TBA) – Commissioner Marrero reported that the Committee is finalizing a meeting date.
Next meeting date: TBA
- h. Ad Hoc Committee to Consider Rent Ordinance Amendments at the 2024 November General Election (Commissioner Johnson, Chair) – Commissioner Alpert reported that the Committee has an initial draft of proposed amendments and discussed the legal restrictions around the ballot measure process.
Next meeting date: Monday, October 30th at 5:30 p.m.

October 2nd agenda

- i. Updates and Announcements – Commissioner Elgstrand announced that on October 26, 2023 from 5:00 – 7:00 p.m. at the Ed Robert’s Campus, Supervisor Keith Carson is hosting a community meeting to discuss a possible regional affordable housing bond for the 2024 ballot.
- j. Discussion of items for possible placement on future agenda

11. CLOSED SESSION – Pursuant to California Government Code Section 54957(b)(1), the Board will also convene in closed session for a Public Employee Evaluation of Performance:

Title: General Counsel

THE CLOSED SESSION WAS MOVED TO A FUTURE MEETING BY A PRIOR VOTE OF THE BOARD.

12. ADJOURNMENT

M/S/C (Alpert/Mizell) ADJOURN THE MEETING IN HONOR OF THE PALESTINIAN AND ISRAELI VICTIMS OF THE ONGOING CONFLICT. Voice vote. Carried: 7-0-0-2. ABSENT: Johnson, Kelley.



Rent Stabilization Board

RENT STABILIZATION BOARD

DATE: November 16, 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

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
	1609 BANCROFT WAY	DAVID JENKINS	500.00	500.00	
	3033 HARPER ST	KENT UCHIYAMA	794.00	794.00	
	3114-3120 MLK	CINDY ZHANG	2,000.00	1,000.00	1,000.00
	1935 ADDISON	LEE NEVO	20,944.00	10,472.00	10,472.00
	2425 EUNICE	GHAZALA ANWAR	210.00		210.00
	3081 BUENA VISTA	ELIZABETH B STARK POWERS	1,200.00	1,200.00	
	1696 SACRAMENTO	JUNKO & ROBERT KENMOTSU	84.00		84.00
	1735 6TH	J. ZERFAS & P. CORNELIUS	605.00	605.00	
	2240 ROSE	ALAN & ALEYDA SWAIN	750.00		750.00
	2311 ACTON	YUEN GORLAN	250.00	200.00	50.00
	2207 BONAR	ALEXIS JACKSON	6,320.00	3,160.00	3,160.00
	1619 HARMON	SMC EAST BAY	600.00	600.00	
	2236 8TH ST	CLARE WOAKES & MARYAN SNOWBER	624.00		624.00
TOTAL			34,881.00	18,531.00	16,350

Financial Impact: Ministerial Waivers

Approval of the Executive Director’s recommendations will decrease the Board’s current accounts receivable by **\$18,531.00**.

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
W5093	2285 EUNICE	DIANE & VICTOR PEINADO	300.00	300.00	
W5094	1530 BANCROFT	MOLLY & COLE, LLOYD, MARTIN	1,000.00	1,000.00	
W5095	1507 HARMON	RICHARD JOHNSON	1,000.00	500.00	500.00
W5096	1120 CARLETON	STEPHANI LESH	542.00		542.00
W5097	1944 CURTIS	FRANNIE MOK	11,802.00	5,901.00	5,901.00
W5098	2632 WARRING #6	FERNANDO & DIANA ORONOS	300.00	300.00	
W5099	2911 LORINA	BCP PROPERTIES LLC	3,714.00		3,714.00
W5100	1110 & 1112 PARKER ST	XIN JIN	1,000.00		1,000.00
TOTAL			19,658.00	8,001.00	11,657.00

Financial Impact: Discretionary Waivers

Approval of the Executive Director’s recommendations will decrease the Board’s current accounts receivable by **\$8,001.00**.

Name and Telephone Number of Contact Person:

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

Ministerial Waiver Analysis and Recommendation

Address	Details
1609 BANCROFT WAY	The duplex located at 1609 Bancroft Way has been owned by the current owner since 199n. In the last five fiscal years the owner has made one late registration payment in the 22/23 registration cycle. Per Rent Board regulation 884 C, this property qualifies to have 100% of their penalties waived for only one late payment in the last five fiscal years. Staff recommends waving 100% of the penalties.
3033 HARPER ST	The two-unit residential property located at 3033 Harper St is fully covered and has been owned by the current owner since 2009. Unfortunately, there are not five years of financial history to review, as this property registered for the first time in May 2022. The owner states in their waiver that, “they lived in the upper unit until 2022 when they began to rent it out”. The owner also stated in their waiver that they didn’t realize the units needed to be registered. A search of Rent Board Records will show that the property owner was charged \$584 in prorated penalties for the late tenancy registration of Unit A, and \$210 in prorated penalties for late tenancy registration of Unit B. Per Rent Board regulation 884 C, this property qualifies to have 100% of their penalties waived for only one late payment in the last five fiscal years. Staff recommends waving 100% of the penalties.
3114-3120 MLK	The four-unit property located at 3114-3120 MLK Jr Way is a fully covered property that has been owned by the current owner since 2021. The owner states in their waiver “They are new property owners and the letter dated April 10, 2023, is the first time we were informed about the required annual payments to the Rent Board”. They also stated in their waiver, “We feel strongly that we should not be penalized for the previous owner’s negligence and failure to pay.” Unfortunately, the property owner submitted no additional documentation for the Board to review to confirm their statements. A search of current and historical Rent Board records will show the current property owner paid the 19/20, 20/21, and 21/22 registration fees all on time. A review of the payment history will show, that the Rent Board received no payment for the 22/23 registration cycle. Also, the historical Rent Registry will show the current ownership has remained unchanged and is the same in the new Rent Registry portal. The records will also show that this property’s billing information was sent to a property manager whose billing code was “TONDAN”. This is reflected in both databases. The new Rent registry will show the property manager’s contact information was updated to reflect the owner’s information in May 2023. The Rent Board records will also show that billing code “TONDAN” was listed under the 22/23 collections project for properties with an outstanding balance with the Rent Board (Please see attached collections letter and bill). During the collections project, the Registration Unit offered to waive 50% of the penalties so that properties could comply with the Registration Requirement of the Rent Ordinance. Unfortunately, the owner did not want to take the settlement offer at that time. Per regulation 883 J, properties that have been identified for Collections are offered the same settlement waiver with the Board. This property qualifies to have 50% of the penalty waived. Staff recommends waiving 50% of the penalty.

Ministerial Waiver Analysis and Recommendation

1935 ADDISION	<p>The Multi-residential property located at 1935 Addison is a partially covered property owned by the current owner since 1998. The owner states in their waiver that, "they attempted to complete Measure MM registration on the website however, the site had several inaccuracies". They also state, "All the unit information was updated in June 2022, but the pay now button was greyed out" The property owner is also asserting in their waiver that, "They were advised by Rent Board staff to not to pay their registration fees until the Rent Board was able to update the information." Unfortunately that is not the advice any Registration Administrator would give a property owner regarding the registration requirement of the ordinance. A review of the attached emails sent in April by the property manager will show a request to pay registration fees before the portal was opened, a request to update the site address after the building was merged, and a request for a site address to be deleted. The emails will also show that in June, they submitted additional requests for data updates like the smoking prohibition and initial rents, units to be moved to a different site address and units to be removed. Staff notes, that the issues outlined by the property manager might have delayed payment through the Rent Registry Portal, however, property managers were notified at the beginning of the registration cycle that they could pay online through our portal, send a postmarked check or they could come into the Rent Board office to pay fees using our internal credit card machine. It is unclear why a property manager located in Berkeley did not pursue any other available payment options with the Rent Board. Also, during the 22/23 registration cycle, the Rent Board offered a Covid Amnesty Waiver for property owners still impacted by Covid, and the Board also offered an Administrative Correction period for property owners that did experience difficulty with the Rent Registry Portal. It is unclear to staff, why this option was also not taken advantage of. A search of Rent Board records will show that the billing code "NEVLEE" was listed under the 22/23 collections project for properties with an outstanding balance with the Rent Board (Please see attached collections letter and bill). During the collections project, the Registration Unit offered to waive 50% of the penalties so that properties could comply with the Registration Requirement of the Rent Ordinance. Unfortunately, the property manager also did not want to take the settlement offer then. Per regulation 883 J, properties that have been identified for Collections are offered the same settlement waiver with the Board. This property qualifies to have 50% of the penalty waived. Staff recommends waiving 50% of the penalty.</p>
------------------	--

Ministerial Waiver Analysis and Recommendation

<p>2425 Eunice</p>	<p>The duplex located at 2425 Eunice has been owed by the current owner since 2008. In the last five fiscal years, this property owner has paid the registration fee late in the 17/18 registration cycle. In that cycle, the property owner was given a 90% automatic waiver for paying the registration fee by August 30th. The property also paid late in the 18/19 cycle and the 21/22 cycle. The Board waived 60% of the penalties for the property in the 21/22 registration cycle in the January 2023 Board meeting. The owner states in their waiver that, "They came into the Rent Board office to pay registration fees, they thought they completed registration but realized only one of the two units on the property was registered". Staff notes, the property did pay the 23/24 registration fees on time. A search of Rent Board records will show the penalties incurred on the account were for late tenancy registration. On May 15, 2023, the property owner informed the Rent Board that a new tenancy had started at 2425 Eunice St. Rent Board records will show this unit had been Owner-Occupied and exempt from the registration requirement of the ordinance since 2012. The Ordinance instructs property owners to update the Rent Board on any change in status to the property within 60 days to avoid penalties. In this case, the new tenancy that started at 2425 Eunice had a start date of 8/31/2022. In order for the property to not incur registration fees, this new tenancy would have had to register with the Rent Board no later than 10/31/2022. Unfortunately, this unit was registered in May of 2023. The property was charged \$210 in pro-rated penalties for the late registration of 2425 Eunice. Regrettably, the penalties assessed to the account are accurate based on the tenancy start date. Staff recommends denying the penalty waiver.</p>
<p>3081 BUENA VISTA</p>	<p>The single-family home located at 3081 Buena Vista has been owned by the current owner since September 2005. In May of 2021, the property owner emailed her Rent Registry forms to the Rent Board to register her Measure MM unit. Unfortunately, registration staff missed the email, and the property was not registered or billed in the 21/22 or the 22/23 cycle. The property was registered for the first time in April 2023. Unfortunately, due to the staff delay in processing the registration, the account was incorrectly charged \$1200 in prior year penalties. Per regulation 883 (D) This property qualifies to have 100% of the penalties waived because a previously registered property was not billed as a result of staff error. Staff recommends waiving 100% of the penalties.</p>
<p>1696 SACRAME NTO</p>	<p>The Single-family home located at 1696 Sacramento has been owed by the current owner since 2001. In the last five fiscal years, this property owner has not paid registration fees since the 15/16 registration cycle because all three of their units were exempt from the registration ordinance. The owner states in their waiver that, "They completely forgot about registering the unit. The last time they changed the status was in 2015". A search of Rent Board records will show the penalties incurred on the account were for late tenancy registration. On May 10, 2023, the property owner informed the Rent Board that a new tenancy had started at 1696 Sacramento #1. Rent Board records will show this unit had a rent-free occupant and has been exempt from the registration requirement of the ordinance since 2015. The Ordinance instructs property owners to update the Rent Board on any change in status to the property within 60 days to avoid penalties. In this case, the new tenancy that started at 1696 Sacramento #1 had a start date of 2/5/2023. In order for the property to not incur registration fees, this new tenancy would have had to register with the Rent Board no later than 4/5/2023. Unfortunately, this unit was registered on May 10, 2023. The property was charged \$84 in pro-rated registration fees and \$84 in pro-rated penalties for the late registration of unit 1. Regrettably, the penalties assessed to the account are accurate based on the tenancy start date. Staff recommends denying the penalty waiver.</p>

Ministerial Waiver Analysis and Recommendation

1735 6TH	<p>The Single-family home located at 1735 6th St has been owed by the current owner since 2009. In the last five fiscal years, this property owner has paid the 17/18 registration fee late and in that cycle received a 100% automatic administrative waiver. They also paid the 20/21 registration fee late and in that cycle had their penalties removed by taking advantage of the Covid Amnesty offered by the Board. The owner states in their waiver that, "The paperwork from the original filing was not correctly applied, as explained by Rent Board representative Moni Law". Unfortunately, that is incorrect. A search of Rent Board records will show the penalties incurred on the account were for late tenancy registration of Unit B. On February 14, 2022, the property owner submitted a Vacancy Registration Form (VR) for a new tenancy in unit B. Rent Board records will show this unit had been owner-occupied and has been exempt from the registration requirement of the ordinance since 2016. The Ordinance instructs property owners to update the Rent Board on any change in status to the property within 60 days to avoid penalties. In this case, the new tenancy that started in unit B had a start date of 1/14/21. In order for the property to not incur registration fees, this new tenancy would have had to register with the Rent Board no later than 3/14/2021. The Registration Unit Manager checked both the RentRegistry@berkeleyca.gov and the Rent@berkeleyca.gov email inboxes to see if the Vacancy Registration Form was sent in 2021. Unfortunately, the first email we received from the property owner about unit B is 2/4/2022. In this email, they informed the Rent Board that updates were not made to unit B and that they submitted information back in January 2021. There were no attachments or copies of a VR or email that was submitted with the email to show the documentation was submitted in 2021. Our records show Registration Admins emailed a VR to the property owner on 2/7/2022. The property owner emailed the form back to us on 2/14/2022. The property was charged \$605 in pro-rated registration fees and \$1920 in pro-rated penalties for the late registration of unit B. Regrettably, the penalties assessed to the account are accurate based on the tenancy start date. The Registration Supervisor notes, that the VR for unit B was entered into the Rent Registry Portal as we were preparing for the 23/24 cycle. The change in registration cycles caused the property owner to incur an additional penalty of \$605. Per Regulation 883 G, this property qualifies for a credit of \$605 because other errors in billing or reconciling accounts are directly attributable to the Rent Board or City Staff. Staff recommends crediting the account \$605</p>
2240 ROSE	<p>The single-family home located at 2240 Rose is a partially covered property owned by the current owner since 1993. The property owner states in their waiver that, "Because of the long holiday this registration cycle, the check was postmarked after the deadline". A search of Rent Board records will show this property made its 21/22 payment during the automatic administrative waiver. Unfortunately, the Rent Registry portal had just rolled out and the automatic waiver was not applied to the property. This caused the property to carry an outstanding balance of \$750. Per regulation 884 G, this property qualifies to have 100% of the penalties waived because other errors in billing or reconciling accounts are directly attributable to the Rent Board or City Staff. Staff recommends waiving 100% of the penalties.</p>

Ministerial Waiver Analysis and Recommendation

<p>2311 ACTON</p>	<p>The two-three or four single-family home located at 2311 Acton has been owned by the current owner since September 2021. Unfortunately, there are not five fiscal years to review. A review of the payment history of this property will show the property owner paid the 21/22 and 22/23 registration fees late. The owner states in their waiver that, “they paid the fee late in 21/22. Then the Rent Board sent the property owner the July Penalty statement for the 22.23 registration fees”. The letter from the Rent Board instructed property owners to disregard the bill if they had already paid the registration fee. The property mixed up the two bills and thought the 22/23 registration fees had been paid. Per regulation 884 (C) This property qualifies to have 80% of the penalties waived because this is the property’s second late payment in the last five years. Staff recommends waiving 80% of the penalties.</p>
<p>2207 BONAR</p>	<p>The multi-residential property located at 2207 Bonar has been owned by the current owner since 1998. The property manager states in their waiver that, “The property went through a property management company change and that there were clerical errors in obtaining the APN and PIN to register the property, submitting a request to change the mailing address to register the property online”. The property manager also states, “All of the information went to the previous property manager and owner”. Lastly the property manager state, “the owner never received information on an outstanding invoice until March 2023”. Please note, that the ordinance instructs all property owners to notify the Rent Board of any change in status to the property within 60 days to avoid incurring penalties on the account. A search of the Historical Database will show the current owner is the same owner listed in the new Rent Registry and that the property manager is also the same. The historical database indicated billing statements should go to the property manager on file. This information was also transferred to the Rent Registry. The Registration Unit Supervisor reviewed all of the email communication received from this property owner. On 12/9/2022, we received an email from the property manager indicating they were the new manager for the property, that they had questions about the rent ceilings, and to update the initial rent for a unit. On 12/13/2022, a registration administrator followed up via email after speaking with the property manager. In that email, staff sent over the Amended Registration Form and a VR for updating the initial rent on a tenancy. Unfortunately, the forms were emailed back to the Rent Board on 3/14/2023. The property manager emailed again on 3/16/23 stating she had not heard back from her previous email and also at this time was requesting PINS and APNS to register the property. Regrettably, the property manager did not include any additional evidence to show that there was a Rent Board staff delay that prevented the property from registering. The records will also show that this property’s billing information was sent to a property manager whose billing code was “MYNPRO”. This is reflected in both databases. The new Rent registry will show the property manager’s contact information was updated to reflect the owner’s information in March 2023. The Rent Board records will also show that billing code “MYNPRO” was listed under the 22/23 collections project for properties with an outstanding balance with the Rent Board (Please see attached collections letter and bill). During the collections project, the Registration Unit offered to waive 50% of the penalties so that properties could comply with the Registration Requirement of the Rent Ordinance. Unfortunately, the owner did not want to take the settlement offer at that time. Per regulation 883 J, properties that have been identified for Collections are offered the same settlement waiver with the Board. This property qualifies to have 50% of the penalty waived. Staff recommends waiving 50% of the penalty.</p>

Ministerial Waiver Analysis and Recommendation

1619 HARMON	<p>The single-family home located at 1619 Harmon was transferred to the current owners in December 2022. The property manager states in their waiver, "They were not aware this property had not been registered. All the other units under their purview are registered". A search of the Historical Rent Board Records will show the property was exempt under Costa Hawkins and not required to register with the Rent Board. The historical database also indicates that the property ownership may have changed since the exemption was claimed and the passage of Measure MM. Lastly, the Registration Unit Supervisor can confirm the Measure MM notification packets were sent to the former owner. Per Rent Board regulation 884 D, this property qualifies to have 100% of their penalties waived because a previously registered property was not billed as a result of staff error. Staff recommends waiving 100% of the penalties per the regulation.</p>
2236 8TH ST	<p>The Triplex located at 2236 8th St has been owned by the current owners since 1999. The owner states in their waiver, "They were unaware that our ADU was under different regulations than their golden duplex". A search of the Historical Rent Board Records will show the property was exempt under the golden duplex exemption and not required to register with the Rent Board. The Registration Unit Supervisor can confirm that this property was not on the Measure MM notification outreach list. Per Rent Board regulation 884 D, this property qualifies to have 100% of its penalties waived because a previously registered property was not billed as a result of staff error. Staff recommends waiving 100% of the penalties per the regulation.</p>



March 6, 2023

Re: Past Due Registration Fees/Penalties

Current or Former Property Owner:

As the owner of a residential rental property that appears to be covered by the local rent control Ordinance, **your property is delinquent, and an outstanding balance is due.**

Enclosed you will find a registration bill and other materials pertaining to your property. The bill reflects outstanding registration fees and/or currently owed penalties. Our office has recently begun the process for collection proceedings for failure to pay past registration fees and/or penalties on the rental units at your property address.

We would appreciate your assistance in resolving this matter as soon as possible. As of today, you have yet to respond to our bills, notices of nonpayment, and/or other correspondence regarding your account. If we do not hear from you **by March 31, 2023**, we will file a lawsuit with the court to collect the monies due to the Rent Board.

Please note that the subject of this letter and the collection proceedings mentioned only refer to past years' registration fees and/or penalties and not to the upcoming 2023/2024 registration fee that will be due July 1, 2023.

Please be advised that landlords of units not in compliance with the registration requirements of the City of Berkeley's Rent Ordinance are not allowed to take the Annual General Adjustment (AGA) rent increases or initiate any eviction proceedings against a tenant. In addition, tenants in units that are out of compliance may initiate a petition to withhold rent based on the landlord's noncompliance with the Ordinance.

If you wish to settle your account or believe that you do not owe any money to our Agency, please contact the Registration Unit at 510-981-7368, Ext. 2 or at rentregistry@cityofberkeley.info.

Sincerely,

DéSeana Williams
Executive Director

Enclosures

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

TONDAN

DUE DATE

07/01/2022

TON DANG-MANAGER
1534 PLAZA LN #354
BURLINGAME, CA 94010

ASSESSOR PARCEL NUMBER : 052155000901 **PIN :** 631260
PROPERTY ADDRESS : 3110 MLK JR WAY BERKELEY CA 94703

FEE STRUCTURE	Annual Fee Per Unit	Number of Units	Total
Fully Covered Units - (\$21/Month Prorated Fee)	\$ 250.00	3	\$ 750.00
Partially Covered (Measure MM) Units - (\$12/Month Prorated Fee)	\$ 150.00	0	\$ 0.00
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.

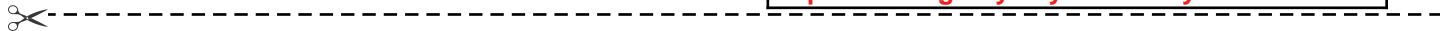
Current Fees	\$750.00
Previous Fees	\$0.00
Penalties	\$1,500.00
Total Due	\$2,250.00

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>



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

Berkeley Rent Board
2125 Milvia Street
Berkeley, CA 94704

PROPERTY ADDRESS : 3110 MLK JR WAY BERKELEY CA 94703
APN : 052155000901
BILLING CONTACT: TON DANG-MANAGER
CURRENT FEES : \$750.00
PREVIOUS FEES: \$0.00
PENALTIES : \$1,500.00
TOTAL DUE : \$2,250.00

Units Paid For:

Amount Enclosed (Checks Only):



UNIT STATUS FORM

Rent Stabilization Board

3110 MLK JR WAY

03/03/2023

TON DANG-MANAGER

1534 PLAZA LN #354

BURLINGAME, CA 94010

TON DANG-MANAGER

1434 PLAZA LANE #227

BURLINGAME, CA 94010

UNIT STATUS: 3 UNITS 0 EXEMPT

CHANGE OF ADDRESS:

Phone : _____

E-mail : _____

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
3110 MLK JR WAY BERKELEY CA	A	RENTED	03/09/2014	03/09/2014
3110 MLK JR WAY BERKELEY CA	B	RENTED	10/01/2013	09/15/2017
3110 MLK JR WAY BERKELEY CA	C	RENTED	07/01/2013	07/01/2013

The 'Status Last Changed' indicates when the status of the unit last changed not necessarily the beginning of the current tenancy. Please make corrections to information directly on this form. If you make changes, return this form with your payment. If a unit listed here as exempt is now rented, a pro-rated registration fee is due. Please contact our Registration Unit at 510-981-7368 (981-Rent) for calculation of additional amount due.

I declare under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge and belief.

Signed: _____

Date: _____

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

TONDAN

DUE DATE

07/01/2022

TON DANG-MANAGER
1534 PLAZA LN #354
BURLINGAME, CA 94010

ASSESSOR PARCEL NUMBER : 052155000902 PIN : 519769
PROPERTY ADDRESS : 3114 MLK JR WAY BERKELEY CA 94703

FEE STRUCTURE	Annual Fee Per Unit	Number of Units	Total
Fully Covered Units - (\$21/Month Prorated Fee)	\$ 250.00	4	\$ 1,000.00
Partially Covered (Measure MM) Units - (\$12/Month Prorated Fee)	\$ 150.00	0	\$ 0.00
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.

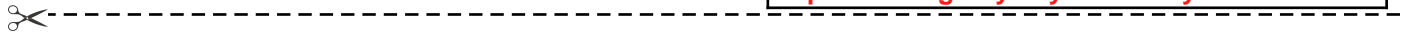
Current Fees	\$1,000.00
Previous Fees	\$0.00
Penalties	\$2,000.00
Total Due	\$3,000.00

This bill is past due. If payment is not made by the due date, a penalty will be assessed.

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>



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

Berkeley Rent Board
2125 Milvia Street
Berkeley, CA 94704

PROPERTY ADDRESS :	3114 MLK JR WAY BERKELEY CA 94703
APN :	052155000902
BILLING CONTACT:	TON DANG-MANAGER
CURRENT FEES :	\$1,000.00
PREVIOUS FEES:	\$0.00
PENALTIES :	\$2,000.00
TOTAL DUE :	\$3,000.00

Units Paid For:

Amount Enclosed (Checks Only):



UNIT STATUS FORM

Rent Stabilization Board

3114 MLK JR WAY

03/03/2023

TON DANG-MANAGER

1534 PLAZA LN #354
BURLINGAME, CA 94010

TON DANG-MANAGER

1434 PLAZA LANE #227
BURLINGAME, CA 94010

UNIT STATUS: 4 UNITS 0 EXEMPT

CHANGE OF ADDRESS:

Phone : _____

E-mail : _____

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
3116 MLK JR WAY BERKELEY CA	NA	RENTED	09/01/2011	09/01/2011
3114 MLK JR WAY BERKELEY CA	NA	RENTED	09/01/2013	01/01/2015
3120 MLK JR WAY BERKELEY CA	NA	RENTED	04/01/2008	05/25/2013
3118 MLK JR WAY BERKELEY CA	NA	RENTED	09/01/2013	03/21/2015

The 'Status Last Changed' indicates when the status of the unit last changed not necessarily the beginning of the current tenancy. Please make corrections to information directly on this form. If you make changes, return this form with your payment. If a unit listed here as exempt is now rented, a pro-rated registration fee is due. Please contact our Registration Unit at 510-981-7368 (981-Rent) for calculation of additional amount due.

I declare under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge and belief.

Signed: _____

Date: _____



March 6, 2023

Re: Past Due Registration Fees/Penalties

Current or Former Property Owner:

As the owner of a residential rental property that appears to be covered by the local rent control Ordinance, **your property is delinquent, and an outstanding balance is due.**

Enclosed you will find a registration bill and other materials pertaining to your property. The bill reflects outstanding registration fees and/or currently owed penalties. Our office has recently begun the process for collection proceedings for failure to pay past registration fees and/or penalties on the rental units at your property address.

We would appreciate your assistance in resolving this matter as soon as possible. As of today, you have yet to respond to our bills, notices of nonpayment, and/or other correspondence regarding your account. If we do not hear from you **by March 31, 2023**, we will file a lawsuit with the court to collect the monies due to the Rent Board.

Please note that the subject of this letter and the collection proceedings mentioned only refer to past years' registration fees and/or penalties and not to the upcoming 2023/2024 registration fee that will be due July 1, 2023.

Please be advised that landlords of units not in compliance with the registration requirements of the City of Berkeley's Rent Ordinance are not allowed to take the Annual General Adjustment (AGA) rent increases or initiate any eviction proceedings against a tenant. In addition, tenants in units that are out of compliance may initiate a petition to withhold rent based on the landlord's noncompliance with the Ordinance.

If you wish to settle your account or believe that you do not owe any money to our Agency, please contact the Registration Unit at 510-981-7368, Ext. 2 or at rentregistry@cityofberkeley.info.

Sincerely,

DéSeana Williams
Executive Director

Enclosures

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

NEVLEE

DUE DATE

07/01/2022

1935 Addison LLC
2071 Addison St.
Berkeley, CA 94704

ASSESSOR PARCEL NUMBER : 057202400701
PROPERTY ADDRESS : 1933 ADDISON ST BERKELEY CA 94704

PIN : 309143

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	70	\$ 10,500.00
Exempt Units	\$ 0.00	1	\$ 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.

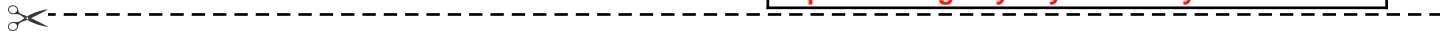
Current Fees	\$0.00
Previous Fees	\$0.00
Penalties	\$21,000.00
Total Due	\$21,000.00

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>



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

Berkeley Rent Board
2125 Milvia Street
Berkeley, CA 94704

PROPERTY ADDRESS : 1933 ADDISON ST BERKELEY CA 94704
APN : 057202400701
BILLING CONTACT: 1935 Addison LLC
CURRENT FEES : \$0.00
PREVIOUS FEES: \$0.00
PENALTIES : \$21,000.00
TOTAL DUE : \$21,000.00

Units Paid For:

Amount Enclosed (Checks Only):



UNIT STATUS FORM

Rent Stabilization Board

1933 ADDISON ST
03/03/2023

1935 Addison LLC
2071 Addison St.
Berkeley, CA 94704

1935 Addison LLC
2071 ADDISON ST
BERKELEY, CA 94704

UNIT STATUS: 71 UNITS 1 EXEMPT

CHANGE OF ADDRESS:

Phone : _____

E-mail : _____

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
1933 ADDISON ST BERKELEY CA	201	NEW	07/01/2016	06/01/2021
1933 ADDISON ST BERKELEY CA	202	NEW	07/01/2016	06/01/2021
1935 ADDISON ST BERKELEY CA	203	NEW	07/01/2016	06/01/2020
1935 ADDISON ST BERKELEY CA	204	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	205	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	206	NEW	07/01/2016	06/01/2020
1935 ADDISON ST BERKELEY CA	207	NEW	07/01/2016	01/08/2021
1935 ADDISON ST BERKELEY CA	208	NEW	07/01/2016	08/01/2020
1935 ADDISON ST BERKELEY CA	209	NEW	06/22/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	210	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	211	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	212	NEW	07/01/2016	01/12/2021

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
1935 ADDISON ST BERKELEY CA	213	NEW	N/A	08/01/2020
1935 ADDISON ST BERKELEY CA	214	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	301	NEW	06/23/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	302	NEW	07/01/2016	11/01/2016
1935 ADDISON ST BERKELEY CA	303	NEW	06/23/2022	06/01/2021
1935 ADDISON ST BERKELEY CA	304	NEW	06/23/2022	N/A
1935 ADDISON ST BERKELEY CA	305	NEW	07/01/2016	08/19/2020
1935 ADDISON ST BERKELEY CA	306	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	307	NEW	06/23/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	308	NEW	07/01/2016	01/01/2021
1935 ADDISON ST BERKELEY CA	309	NEW	07/01/2016	01/11/2021
1935 ADDISON ST BERKELEY CA	310	NEW	07/01/2016	10/03/2020
1935 ADDISON ST BERKELEY CA	311	NEW	06/23/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	312	NEW	06/23/2022	N/A
1935 ADDISON ST BERKELEY CA	313	NEW	06/23/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	314	NEW	07/01/2016	06/01/2021
1935 ADDISON ST BERKELEY CA	401	NEW	07/01/2016	01/08/2021
1935 ADDISON ST BERKELEY CA	402	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	403	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	404	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	405	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	406	NEW	07/01/2016	06/01/2021
1935 ADDISON ST BERKELEY CA	407	NEW	06/23/2022	N/A
1935 ADDISON ST BERKELEY CA	408	NEW	06/23/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	409	NEW	N/A	01/08/2021

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
1935 ADDISON ST BERKELEY CA	410	NEW	07/01/2016	07/01/2021
1935 ADDISON ST BERKELEY CA	411	NEW	N/A	10/10/2020
1935 ADDISON ST BERKELEY CA	412	NEW	06/23/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	413	NEW	07/01/2016	06/01/2021
1935 ADDISON ST BERKELEY CA	414	NEW	06/23/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	501	NEW	07/01/2016	N/A
1935 ADDISON ST BERKELEY CA	502	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	503	NEW	N/A	08/22/2020
1935 ADDISON ST BERKELEY CA	504	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	505	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	506	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	507	NEW	07/01/2016	N/A
1935 ADDISON ST BERKELEY CA	508	NEW	07/01/2016	N/A
1935 ADDISON ST BERKELEY CA	509	NEW	07/01/2016	N/A
1935 ADDISON ST BERKELEY CA	510	NEW	06/23/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	511	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	512	NEW	06/23/2022	08/01/2021
1935 ADDISON ST BERKELEY CA	513	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	514	NEW	06/23/2022	06/01/2021
1935 ADDISON ST BERKELEY CA	601	MGTU	06/23/2022	N/A
1935 ADDISON ST BERKELEY CA	602	NEW	06/23/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	603	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	604	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	605	NEW	07/01/2016	06/01/2022
1935 ADDISON ST BERKELEY CA	606	NEW	07/01/2016	06/01/2022

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
1935 ADDISON ST BERKELEY CA	607	NEW	06/23/2022	06/01/2021
1935 ADDISON ST BERKELEY CA	608	NEW	07/01/2016	08/01/2021
1935 ADDISON ST BERKELEY CA	609	NEW	06/23/2022	06/01/2022
1935 ADDISON ST BERKELEY CA	611	NEW	N/A	09/26/2020
1935 ADDISON ST BERKELEY CA	612	NEW	N/A	12/14/2020
1935 ADDISON ST BERKELEY CA	613	NEW	06/23/2022	N/A
1935 ADDISON ST BERKELEY CA	614	NEW	07/01/2016	10/17/2020
1934 ADDISON ST BERKELEY CA	N/A	NEW	N/A	N/A
1933 ADDISON ST BERKELEY CA	N/A	RENTED	11/03/2022	N/A

The 'Status Last Changed' indicates when the status of the unit last changed not necessarily the beginning of the current tenancy. Please make corrections to information directly on this form. If you make changes, return this form with your payment. If a unit listed here as exempt is now rented, a pro-rated registration fee is due. Please contact our Registration Unit at 510-981-7368 (981-Rent) for calculation of additional amount due.

I declare under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge and belief.

Signed: _____

Date: _____



March 6, 2023

Re: Past Due Registration Fees/Penalties

Current or Former Property Owner:

As the owner of a residential rental property that appears to be covered by the local rent control Ordinance, **your property is delinquent, and an outstanding balance is due.**

Enclosed you will find a registration bill and other materials pertaining to your property. The bill reflects outstanding registration fees and/or currently owed penalties. Our office has recently begun the process for collection proceedings for failure to pay past registration fees and/or penalties on the rental units at your property address.

We would appreciate your assistance in resolving this matter as soon as possible. As of today, you have yet to respond to our bills, notices of nonpayment, and/or other correspondence regarding your account. If we do not hear from you **by March 31, 2023**, we will file a lawsuit with the court to collect the monies due to the Rent Board.

Please note that the subject of this letter and the collection proceedings mentioned only refer to past years' registration fees and/or penalties and not to the upcoming 2023/2024 registration fee that will be due July 1, 2023.

Please be advised that landlords of units not in compliance with the registration requirements of the City of Berkeley's Rent Ordinance are not allowed to take the Annual General Adjustment (AGA) rent increases or initiate any eviction proceedings against a tenant. In addition, tenants in units that are out of compliance may initiate a petition to withhold rent based on the landlord's noncompliance with the Ordinance.

If you wish to settle your account or believe that you do not owe any money to our Agency, please contact the Registration Unit at 510-981-7368, Ext. 2 or at rentregistry@cityofberkeley.info.

Sincerely,

DéSeana Williams
Executive Director

Enclosures

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

MYNPRO

DUE DATE

07/01/2022

MYND PROPERTY MANAGEMENT
1611 TELEGRAPH AVE #1200
OAKLAND, CA 94612

ASSESSOR PARCEL NUMBER : 056199100111
PROPERTY ADDRESS : 2207 BONAR ST BERKELEY CA 94702

PIN : 920103

FEE STRUCTURE	Annual Fee Per Unit	Number of Units	Total
Fully Covered Units - (\$21/Month Prorated Fee)	\$ 250.00	8	\$ 2,000.00
Partially Covered (Measure MM) Units - (\$12/Month Prorated Fee)	\$ 150.00	0	\$ 0.00
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.

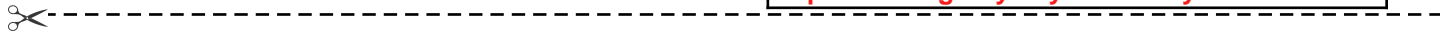
Current Fees	\$2,000.00
Previous Fees	\$0.00
Penalties	\$4,000.00
Total Due	\$6,000.00

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>



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

Berkeley Rent Board
2125 Milvia Street
Berkeley, CA 94704

PROPERTY ADDRESS : 2207 BONAR ST BERKELEY CA 94702
APN : 056199100111
BILLING CONTACT: MYND PROPERTY MANAGEMENT
CURRENT FEES : \$2,000.00
PREVIOUS FEES: \$0.00
PENALTIES : \$4,000.00
TOTAL DUE : \$6,000.00

Units Paid For:

Amount Enclosed (Checks Only):



UNIT STATUS FORM

Rent Stabilization Board

2207 BONAR ST
01/06/2023

UNIT STATUS: 8 UNITS 0 EXEMPT

CHANGE OF ADDRESS:

MYND PROPERTY MANAGEMENT
1611 TELEGRAPH AVE #1200
OAKLAND, CA 94612

MYND PROPERTY MANAGEMENT
1299 WEST ST
HAYWARD, CA 94545

Phone : _____

E-mail : _____

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
2207 BONAR ST BERKELEY CA	A	RENTED	01/09/2014	01/09/2014
2207 BONAR ST BERKELEY CA	B	RENTED	06/05/1998	05/31/1980
2207 BONAR ST BERKELEY CA	C	RENTED	06/30/1997	06/27/2013
2207 BONAR ST BERKELEY CA	D	RENTED	05/01/2014	05/01/2014
2207 BONAR ST BERKELEY CA	E	RENTED	01/01/2013	03/01/2019
2207 BONAR ST BERKELEY CA	F	RENTED	11/21/1999	12/21/2016
2207 BONAR ST BERKELEY CA	G	RENTED	02/15/2010	02/01/2010
2207 BONAR ST BERKELEY CA	H	RENTED	02/01/2009	03/01/2014

The 'Status Last Changed' indicates when the status of the unit last changed not necessarily the beginning of the current tenancy. Please make corrections to information directly on this form. If you make changes, return this form with your payment. If a unit listed here as exempt is now rented, a pro-rated registration fee is due. Please contact our Registration Unit at 510-981-7368 (981-Rent) for calculation of additional amount due.

I declare under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge and belief.

Signed: _____

Date: _____



Rent Stabilization Board

RENT STABILIZATION BOARD RENT REGISTRY NOTICE

PROPERTY ADDRESS: 2207 BONAR ST BERKELEY CA 94702
ASSESSOR PARCEL NUMBER: 056199100111
PIN: 920103

MYND PROPERTY MANAGEMENT
1611 TELEGRAPH AVE #1200
OAKLAND, CA 94612

This notice is for owners who have **NOT** yet created an online account at the City of Berkeley's Rent Board Rent Registry at <https://rentregistry.cityofberkeley.info> and who wish to register their unit, claim an exemption, and/or pay registration fees online.

If you have not already created an account at the Rent Board's Rent Registry and wish to register online:

- Go to <https://rentregistry.cityofberkeley.info>. Create a user account by entering your email address and making a password.
- After your email address has been verified, you will be able to add the above-referenced property to your profile, using the APN and PIN information above. You will then be able to provide tenancy data, claim an exemption, and/or pay registration fees.

If you have already created an account at the Rent Registry and wish to register online:

- Go to <https://rentregistry.cityofberkeley.info> and log in using the email and password that you have already created. The above-referenced property should already be associated with your profile.

If you have any questions, please contact our Registration Unit at (510) 981-7368, Ext. 2, or via email at rentregistry@cityofberkeley.info. Staff is available Mondays, Tuesdays, Thursdays and Fridays from 9a.m - 2p.m. to answer your questions by phone or email. We are closed on Wednesdays.

Sincerely,

A handwritten signature in blue ink, appearing to read "DeSeana Williams".

DeSeana Williams
Executive Director

2125 Milvia Street, Berkeley, CA 94704
• TEL: (510) 981-7368 (981-RENT) • TDD: (510) 981-6903 • FAX: (510) 981-4910
EMAIL: rent@cityofberkeley.info • WEB: www.cityofberkeley.info/rent

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5093	Property address: 2285 EUNICE ST BERKELEY	Transferred: 09/07/2022
Exempt units (as of February 2021): Unit # 2285 EUNICE ST BERKELEY CA 94709 - OCCC - Owner		
Owner(s): DIANE & VICTOR PEINADO	Waiver filed by: OWNER	# of Units: 1
Other Berkeley rental property owned: None		

Late payment/penalty history: Property owner did not own property when penalties were assessed.

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

Penalties Currently Under Consideration

Reason for Penalties: Property owner did not own property prior to the penalties being assessed.

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 22/23	0	-	-	\$300.00	-	\$300.00
Totals				\$300.00	\$0.00	\$300.00

Grounds under Regulation 884(B): (7) The landlord requesting the waiver was not the owner of the property when the penalty first accrued

Good cause claimed by owner: Property owner was unaware the unit was previously a rental and is now owner-occupied.

Recommendation: Staff recommends waiving 100% of the penalty fee.

Staff Analysis: The single-family home located at 2285 Eunice has been owned by the current owner since September 2022. Unfortunately, due to the timing of the purchase, the new owner would have most likely missed the notifications to register the property. Staff notes, that the property is no longer a rental and is owner-occupied. Per regulation 884 B (7) This property qualifies to have 100% of the penalties waived because the current owner did not own the property when the penalties were assessed.

RECEIVED

MAY 01 2023

Initial: K.P.
Berkeley Rent Board

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>

Request for Waiver of Late Registration Penalties

Please Read Important Information on Page 2

Property Address: 2285 Eunice Street

Owner: Victor + Diane Peinado

Date of acquisition, if new owner: 9/7/2022

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

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.

We viewed the house in June & bought in Sept. we had no knowledge this house was a rental. Paying this fee would be a financial hardship for us as we had to sudden replace roof in Feb with heavy rains. We please ask you waive this fee. Respectfully Diana + Victor

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

Date: 5/12/2023 Signature: [Handwritten 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: DPeinado76@gmail.com

Mailing Address: 2285 Eunice Street Berkeley CA 94709

Phone Number: 415 940 0517 Fax Number: _____

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

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5094	Property address: 1530 BANCROFT WAY	Transferred: 07/25/1994
Exempt units (as of February 2021): Unit # NA - SEC8-V - Rent Subsidized Tenant		
Owner(s): MOLLY & COLE, LLOYD, MARTIN	Waiver filed by: OWNERS DAUGHTER	# of Units: 3
Other Berkeley rental property owned: None		

Late payment/penalty history: No late payments in the last five fiscal years.

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

Penalties Currently Under Consideration

Reason for Penalties: Death or Illness

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2022-23	3	\$0.00	-	\$1,000.00	\$0.00	\$1,000.00
Totals				\$1,000.00	\$0.00	\$1,000.00

Grounds under Regulation 884(B): (1) The good cause asserted in the waiver request is a death or illness in the landlord's family.

Good cause claimed by owner: The property owner passed away and her father was hospitalized due to covid-19 complications.

Recommendation: Staff recommends waiving 100% of the penalty fee.

Staff Analysis: The triplex located at 1530 Bancroft is a fully covered property that has been owned by the current owner since 1999. In the last five fiscal years, this property owner has not made any late registration payments. The owner states in their waiver "Her mother passed away in January 2022 and her 90-year-old father contracted COVID-19 and had to be hospitalized." Per regulation 884 B (1) This property qualifies to have 100% of the penalties waived because the good cause asserted in the waiver request is a death or illness in the landlord's family.

RECEIVED

MAY 04 2023

Initial: MB
Berkeley Rent Board

Public

CITY OF BERKELEY
RENT STABILIZATION PROGRAM
2125 Milvia Street, Berkeley, CA 94704
PHONE: (510) 981-7368 • FAX: (510) 981-4910
WEB:

Request for Waiver of Late Registration Penalties

Please Read Important Information on Page 2

Property Address: 1530 Bancroft Way, Berkeley, CA 94703

Owner: Donald Martin

Date of acquisition, if new owner: _____

Name & relationship of person filing request, if not owner: Nedra Martin - Chambers

(Daughter of owner)

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.

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

Date: 05/04/2023 Signature: Nedra Martin - Chambers

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: chambersna@yahoo.com

Mailing Address: 2222 Adler Dr. NE

Phone Number: 770-862-8042 Fax Number: _____

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

RECEIVED

MAY 04 2023

Bethany, Kaleia

From: Nedra Chambers <chambersna@yahoo.com>
Sent: Thursday, May 4, 2023 2:40 PM
To: Bethany, Kaleia
Subject: Request for Waiver of Late Registration Penalties for property located at: 1530 Bancroft Way, Berkeley, CA 94803

Initial: NC
Berkeley Rent Board

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.

To The Rent Stabilization Board,

I am writing this letter to request you waive the \$1000.00 late registration penalty fee. As you review the payment history of this account you will discover there has "never" been a late registration payment. However, due to the passing of our mother (Molly Martin) on January 5, 2022 and our father (Donald Martin) contracting Covid-19 three days after her passing, which has resulted in him being hospitalized, placed on a trachea/ventilator and dialysis, my siblings and I have been faced with unparalleled grief and responsibilities all at once. We are doing our best not only to assist our father with his acute medical condition but also help take care of his financial responsibilities. Somehow, to this very day I don't remember receiving a bill from the Rent Stabilization Department. Not until my brother recently sent me a copy of the past due bill, which I immediately called and paid the \$500.00 balanced owed. I can only assume the bill was lost in the mountain of paperwork received when a love one passes coupled with trying to handle our father's financial obligations. My father is a 90 year old man who takes great pride in paying his bills on time. It would cause him additional pain to know he was penalized for missing a payment. I am asking you to please, based his excellent payment history, the loss of his wife and his current compromised medical condition, not to penalize him for his being ill and not able to make sure this bill was paid on time, as he had done for the past several years. Thank you, in advance for your time, effort and consideration in waiving this one time penalty .

Sincerely,

Nedra Martin-Chambers
Daughter of Donald Martin/
Owner of property located at:
1530 Bancroft Way
Berkeley, CA 94703

****Proof of my mother's demise and father's current medical condition can be attained if needed****

On May 4, 2023, at 1:58 PM, Bethany, Kaleia <KBethany@cityofberkeley.info> wrote:

Best Regards,

<image001.png>

Kaleia Bethany | Office Specialist II
City of Berkeley | Rent Stabilization Board
2125 Milvia St., Berkeley, CA 94704
Ofc: (510) 981-4908 | Fax: (510) 981-4940
Email: KBethany@cityofberkeley.info | www.cityofberkeley.info/rent

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5095	Property address: 1507 HARMON ST	Transferred: 12/30/2013
Exempt units (as of February 2021): Unit # NA - SEC8-V - Rent Subsidized Tenant		
Owner(s): Richard Johnson	Waiver filed by: OWNER	# of Units: 3
Other Berkeley rental property owned: None		

Late payment/penalty history: In the last five fiscal years this property owner has paid the registration fee late one time during the 21/22 registration cycle. The property also received a 90% automatic waiver for paying the registration fee by August 30th.

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

Penalties Currently Under Consideration

Reason for Penalties: Illness						
Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2022-23	3	\$500.00	02/03/2023	\$1,000.00	\$0.00	\$1,000.00
Totals				\$1,000.00	\$0.00	\$1,000.00

Grounds under Regulation 884(B): (1) The good cause asserted in the waiver request is a death or illness in the landlord's family.
Good cause claimed by owner: The owner is suffering from Long Term Covid.

Recommendation: Staff recommends waiving 50% of the penalties.

Staff Analysis: The triplex located at 1507 Harmon is a fully covered property that has been owned by the current owner since 2013. In the last five fiscal years, this property owner has paid the registration fee late in the 21/22 registration cycle. In that cycle, the property owner was given a 90% automatic waiver for paying the registration fee by August 30th. The owner states in their waiver that, "They did not receive the billing statement and that they have also been suffering from long term covid which has resulted in memory loss and the loss of their employment". Staff notes, that in the 22/23 registration cycle, the Board approved a Covid Relief Waiver for property owners impacted by Covid. It is unclear at this time why the property owner did not take advantage of the COVID Waiver. A search of Rent Board records will show that billing

code "JOHRIC" was listed under the 22/23 collections project for properties with an outstanding balance with the Rent Board (Please see attached collections letter and bill). During the collections project, the Registration Unit offered to waive 50% of the penalties so that properties could comply with the Registration Requirement of the Rent Ordinance. Unfortunately, the owner did not want to take the settlement offer at that time. Per regulation 884 B (1), this waiver qualifies as discretionary because the good cause asserted in the waiver request is a death or illness in the landlord's family. Unfortunately, the property owner submitted no additional documentation for the Board to review to confirm the long-term COVID. Staff also notes, that this property owner was given two different opportunities to waive penalty fees on the account and chose not to do so. Per regulation 883 J, properties that have been identified for Collections are offered the same settlement waiver with the Board. This property qualifies to have 50% of the penalty waived.

RECEIVED

MAY 23 2023

Initial: _____
Berkeley Rent Board

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>

Request for Waiver of Late Registration Penalties

Please Read Important Information on Page 2

Property Address: 1507 HARMON ST. BERKELEY, CA 94703

Owner: RICHARD A JOHNSON

Date of acquisition, if new owner: _____

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

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.

I RESPECTFULLY ASK FOR A WAIVER OF THE PENALTY
ACCESSED TO MY ACCOUNT. I DIDN'T RECEIVE
THE BILLING STATEMENT. I'M ALSO SUFFERING
LONG-TERM COVID, RESULTING IN ISSUES WITH
MEMORY LOSS. THIS MEDICAL CONDITION HAS
RESULTED IN THE LOSS OF EMPLOYMENT SINCE JAN. 22.

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

Date: 5-23-23 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: ricksfjohnson@gmail.com

Mailing Address: 2136 CALIFORNIA ST. APT. 16 SF, CA 94115

Phone Number: 415-902-1828 Fax Number: N/A

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



March 6, 2023

Re: Past Due Registration Fees/Penalties

Current or Former Property Owner:

As the owner of a residential rental property that appears to be covered by the local rent control Ordinance, **your property is delinquent, and an outstanding balance is due.**

Enclosed you will find a registration bill and other materials pertaining to your property. The bill reflects outstanding registration fees and/or currently owed penalties. Our office has recently begun the process for collection proceedings for failure to pay past registration fees and/or penalties on the rental units at your property address.

We would appreciate your assistance in resolving this matter as soon as possible. As of today, you have yet to respond to our bills, notices of nonpayment, and/or other correspondence regarding your account. If we do not hear from you **by March 31, 2023**, we will file a lawsuit with the court to collect the monies due to the Rent Board.

Please note that the subject of this letter and the collection proceedings mentioned only refer to past years' registration fees and/or penalties and not to the upcoming 2023/2024 registration fee that will be due July 1, 2023.

Please be advised that landlords of units not in compliance with the registration requirements of the City of Berkeley's Rent Ordinance are not allowed to take the Annual General Adjustment (AGA) rent increases or initiate any eviction proceedings against a tenant. In addition, tenants in units that are out of compliance may initiate a petition to withhold rent based on the landlord's noncompliance with the Ordinance.

If you wish to settle your account or believe that you do not owe any money to our Agency, please contact the Registration Unit at 510-981-7368, Ext. 2 or at rentregistry@cityofberkeley.info.

Sincerely,

DéSeana Williams
Executive Director

Enclosures

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

JOHRIC

DUE DATE

07/01/2022

Richard Johnson
2136 California Street 16
San Francisco, CA 94115

ASSESSOR PARCEL NUMBER : 052153601200
PROPERTY ADDRESS : 1507 HARMON ST BERKELEY CA 94703

PIN : 787246

FEE STRUCTURE	Annual Fee Per Unit	Number of Units	Total
Fully Covered Units - (\$21/Month Prorated Fee)	\$ 250.00	2	\$ 500.00
Partially Covered (Measure MM) Units - (\$12/Month Prorated Fee)	\$ 150.00	0	\$ 0.00
Exempt Units	\$ 0.00	1	\$ 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.

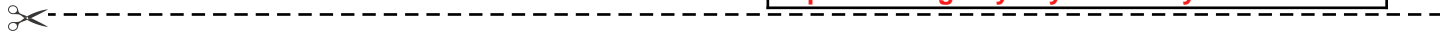
Current Fees	\$0.00
Previous Fees	\$0.00
Penalties	\$1,000.00
Total Due	\$1,000.00

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>



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

Berkeley Rent Board
2125 Milvia Street
Berkeley, CA 94704

PROPERTY ADDRESS : 1507 HARMON ST BERKELEY CA 94703
APN : 052153601200
BILLING CONTACT: Richard Johnson
CURRENT FEES : \$0.00
PREVIOUS FEES: \$0.00
PENALTIES : \$1,000.00
TOTAL DUE : \$1,000.00

Units Paid For:

Amount Enclosed (Checks Only):



UNIT STATUS FORM

Rent Stabilization Board

1507 HARMON ST

03/03/2023

Richard Johnson

2136 California Street 16

San Francisco, CA 94115

Richard Johnson

2136 California Street 16

San Francisco, CA 94115

UNIT STATUS: 3 UNITS 1 EXEMPT

CHANGE OF ADDRESS:

Phone : _____

E-mail : _____

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
1509 HARMON ST BERKELEY CA	NA	SEC8-V	02/01/2005	03/01/2001
1507 HARMON ST BERKELEY CA	NA	RENTED	05/14/2014	02/01/2017
1511 HARMON ST BERKELEY CA	NA	RENTED	03/29/2014	07/07/2018

The 'Status Last Changed' indicates when the status of the unit last changed not necessarily the beginning of the current tenancy. Please make corrections to information directly on this form. If you make changes, return this form with your payment. If a unit listed here as exempt is now rented, a pro-rated registration fee is due. Please contact our Registration Unit at 510-981-7368 (981-Rent) for calculation of additional amount due.

I declare under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge and belief.

Signed: _____

Date: _____

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5096	Property address: 1120 CARLETON ST,	Transferred: 07/28/1994
Exempt units (as of February 2021): Unit # 1120 CARLETON ST, BERKELEY, CA 94702 - OOC - Owner		
Owner(s): STEPHANI LESH	Waiver filed by: PROPERTY MANAGER	# of Units: 2
Other Berkeley rental property owned: None		

Late payment/penalty history: There is no payment history to review. This property registered for the first time in May 2023.

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

Penalties Currently Under Consideration

Reason for Penalties: Illness and Mental Health Issues

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 22/23	2	-	-	\$128,559.00	\$128,017.00	\$542.00
Totals				\$128,559.00	\$128,017.00	\$542.00

Grounds under Regulation 884(B): None

Good cause claimed by owner: The owner though the property was exempt as a golden duplex, unfortunately it was not. The property owner also had mental health issues at the time the rented the unit.

Recommendation: Staff recommends denying an additional credit of \$542 in penalties because the account was correctly charged pro-rated fees and penalties for one registration cycle.

Staff Analysis: The Single-family home located at 1120 Carelton is a fully covered property owned by the current owners since 1994. The property owner states in their waiver submitted in May 2023 that, "She was told she was exempt under the Golden Duplex Exemption, but recently found out that exemption does not apply to her property because the property was not owner-occupied in December 1979". The owner also states that she is 78 years old and didn't find this information until this year. Then, in September 2023 the property owner emailed the Registration Supervisor additional information about their waiver. In their email, they state, "I was hasty and omitted the fact that they had mental health issues at the time they rented the property. Unfortunately, no additional supporting documentation was provided by the property owner. A

search of Rent Board records will show that upon the property's registration, the Rent Board was also made aware of one tenancy on the property. Once the property was registered with the Rent Board, the property had a total outstanding balance of \$134,479. Instead of applying the Statute of Limitations, the Registration Supervisor charged the property owner 23/24 fees for one unit and pro-rated fees and penalties for the 22/23 registration cycle. This removed \$133,666 in outstanding fees and penalties from the account. The updated balance breakdown is as follows: \$290 for the current 23/24 registration fee, \$271 in previous registration fees, and \$542 in prior year penalties. The owner paid a total of \$1,103 on 5/22/2023 to bring the account into compliance with the registration requirement of the Ordinance. Per regulation 884 B (1), this waiver qualifies as discretionary because the good cause asserted in the waiver request is a death or illness in the landlord's family. Regrettably, the penalties assessed to the account are accurate based on the tenancy information the Rent Board received. Please note, that the property owner paid the outstanding penalties in May 2023, and the account is now in compliance with the registration requirement of the ordinance.

RECEIVED

MAY 22 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: 1120 Carleton St Berkeley 94702

Owner: Stephani Lash

Date of acquisition, if new owner: _____

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

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.

I was told I was under the golden, duplex exemption clause because I have only one in-law apartment I'm renting. But recently found out that doesn't apply because the property was not owner occupied December 1979. →

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

Date: 5/27/23 Signature: Stephani Lash

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: stefle1@icloud.com

Mailing Address: 1120 Carleton St Berkeley 94702

Phone Number: 510 290 0668 Fax Number: N/A

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

From: [stephani lesh](#)
To: [Eberhart, Amanda](#)
Subject: Form to contest late fee
Date: Friday, September 1, 2023 2:04:04 PM

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.

Hello,

A couple months ago I registered my in-law apartment and had to pay a \$1000 late fee. I was told I could write a note to explain my circumstances for your consideration to waive that fee. I was hasty and omitted the fact that I'm bipolar and was sunk in a deep depression at the time I rented the apartment. I'm a Kaiser patient and was hospitalized for a week while I received electro convulsive therapy. This is in my medical records if you need me to verify my request for the waiver. I am also 79 yrs old and not totally up to speed. I hope you will take this into consideration when you review my situation.

Stephani Lesh
1120 Carleton St
94702

Thank you.

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5097	Property address: 1944 CURTIS ST BERKELEY	Transferred: 10/30/2002
Exempt units (as of February 2021): Unit # 1 - OWNUSE - Vacant		
Owner(s): FRANNIE MOK	Waiver filed by: OWNER	# of Units: 17
Other Berkeley rental property owned: None		

Late payment/penalty history: The owner of this property has paid the registration late in the 18/19 registration cycle. In that cycle, the property owner was granted a 100% automatic waiver. This property owner also did not make a registration payment in the 22/23 registration cycles.

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

Penalties Currently Under Consideration

Reason for Penalties: Property owner claims Rent Board Staff are at fault for Penalties.

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 22/23	17	-	-	\$11,802.00	-	\$11,802.00
Totals				\$11,802.00	\$0.00	\$11,802.00

Grounds under Regulation 884(B): (11) The Executive Director, or his or her designee, recommends that the interests of justice require that a greater or lesser amount be waived

Good cause claimed by owner: The property owner claims they paid \$750 in registration fees for the 22/23 cycle for a 17-unit property and Rent Board staff are the reason the property incurred penalties.

Recommendation: Staff recommends waiving 50% of the penalties

Staff Analysis: The multi-residential property located at 1944 Curtis is a fully covered property owned by the current owners since 2002. In the waiver request submitted by the property owner, they list several reasons why the Rent Board is at fault for the penalties incurred on the account. Issue #1 noted by the property owner is that the property owner was not aware waivers would not be heard by the Board unless all registration fees were paid. Staff notes, that this is not a new policy. It is and has currently been written in bold text on all waiver forms the Rent Board has used. Unfortunately, the property owner submitted just a written statement and evidence packet. If the property owner had submitted the Request for Waiver Form,

that was sent back to the owner for unpaid registration fees, they would have been notified in advance of this policy. Issue #2 as outlined by the property owner, is that the Rent Board sent all of their correspondence to a property manager that had not been employed by the owner in over a decade. A search of the Historical Rent Board records will show that this property owner and property manager information listed in the historical database is the same owner and property manager who transferred over to the New Rent Registry portal. Staff notes, that the Rent Registry portal currently asks the property owner which contact should receive mailed notices and billing statements. As of 11/6/2023, the property owner has not selected which contact should receive billing statements. Staff notes, that on 4/28/23 this property owner updated their contact information to reflect themselves as both owner and property manager. Also, in the evidence packet submitted by the property owner, there is no documentation before June 2022 where the property owner informed the Rent Board the property manager was no longer active. Please note, that the Ordinance instructs property owners to update the Rent Board within 60 days of a status change to avoid incurring penalties. Issue #3 as documented by the property owner states in their waiver, " On 6/26 I logged on to my online portal and paid all of the balance online. After I paid the online account showed a zero balance." The owner also states that they followed up on 6/26/22 to see if anything else was owed. To address this issue, the Registration Supervisor completed a 10-year review of the transaction history to confirm the penalties on the account are correct. What was found is that in the 21/22 registration cycle, the property owner was charged \$4,250 for 17 units. On 6/29/21 the property owner paid \$3500. This left a balance of \$750 on the account. The property owner then applied for 3 exemptions for units 14, 6, and 12. Units that are exempt from the registration requirement do not owe registration fees and the remaining balance of \$750 was removed from the account and the account had a zero balance. In February 2023 a \$750 fee was applied to the account "per mediation request, unit rented as of 7/1/2021". This is where the property owner's confusion lies. In the 22/23 registration, we informed all property owners via constant contact and in the payment packet sent to each property owner that they must submit the property for registration for their current fees to be listed in the Pay Now section on the portal. A search of Rent Board records will show that on 6/26/22 the only fee available for the property owner to pay was the \$750 fee charged back to the account for mediation. Also, In the documentation submitted by the property owner is a screenshot of their account that shows the current fees on the property at \$4250. It is unclear why a property owner who has paid registration fees to the Rent Board for a multi-residential property since the 03/04 registration cycle would presume that a registration fee of \$750 would cover 17 fully covered units. Staff notes, that the Rent Registry portal allows all property owners to view their Transaction History. The property owner could see that the \$750 chargeback was for an incorrect exemption and was not the registration fee. Rent Board records will show the property owner has paid registration fees for 17 units that range from \$2312 in the 03/04 cycle to 4250 in the 22/23 registration cycle. Our records will also show that the property owner never submitted registration for the 22/23 registration cycle so the fees could be finalized for payment. Rent Board records will also show that we sent the property owner a penalty bill in July 2022, the Admin Correction, and the Covid Amnesty. In the evidence packet submitted by the property owner is the July Penalty letter sent by the Rent Board. The July penalty letter clearly states, that "in order to receive this waiver, you must fill out and sign this declaration and return it along with your registration fee payment no later than 10/30/22." The billing statement and waiver sent to the property owner showed a balance with the Rent Board of \$7,000 at the time. This breaks down to \$3500 in registration fees, and \$3500 for one penalty payment because the registration fees were not paid by July 1st. Unfortunately, registration admins could not apply the waiver to the property because we never received a registration payment for the 22/23 registration fees. Our record will also show we sent the property owner a January penalty bill to inform the property of the outstanding balance. As noted in the analysis above, the property owner still has not designated in the Rent Registry who should receive billing statements. Staff notes, that the ordinance instructs property owners to notify the Rent Board of any change of status on the property within 60 days to avoid incurring penalties. The historical database matched the contact information we had in the Rent Registry and unfortunately billing code "WANGCL" was listed under the 22/23 collections project for properties with an outstanding balance with the Rent Board (Please see attached collections letter and bill). During the collections project, the Registration Unit offered to waive 50% of the penalties so that properties could comply with the Registration Requirement of the Rent Ordinance. Unfortunately, the owner did not want to take the settlement offer then. Lastly, the property owner states in their waiver that, "due to old age (60 years old), physical disability (severe foot pain for four years, and lack of business from Covid in March 2020, I have no employment income. This rental property is their major income and respectfully request a waiver for financial hardship". Staff notes, that there is no documentation in the packet to support the claim of a physical disability or financial hardship. The evidence in the waiver packet supports the property owner's earlier claim that Rent Board staff were at fault for the penalties. Staff also notes that the Board had approved a COVID Amnesty since the 20/21 registration cycle for any property owner who was

2125 Milvia Street, Berkeley, California 94704

TEL: (510) 981-7368 (981-RENT), TDD: (510) 981-6903, FAX: (510) 981-4910

E-MAIL: rent@cityofberkeley.info, INTERNET: www.cityofberkeley.info/rent/

facing financial hardship due to COVID-19. It is unclear why the property owner did not take advantage of the COVID relief that was previously offered. Per regulation 884 B (11), this waiver qualifies as discretionary because the Executive Director, or her designee, recommends that the interest of justice requires that a greater or lesser amount be waived. Also, Per regulation 883 J, properties that have been identified for Collections are offered the same settlement waiver with the Board. This property qualifies to have 50% of the penalty waived.

that I did not receive any annual fee bills. From late May to mid-June, 2022, I emailed to the City to sign up for online account and requested a PIN so I could log on and see my bills. On 6/21/22 after I got the pin from Ms. Amenda Eberhart, I logged on and found that the bill was mistakenly sent to unit 8 at my building, and not sent to me. I requested Ms. Eberhart to update my address. [Exhibit A]

3. ALL BALANCES PAID IN FULL ONLINE & RENT PROGRAM FAILED TO RESPOND THE PROBLEM IN A TIMELY MANNER.

On 6/26/22 I logged on to my online account and promptly paid the ALL o the balance online. [Exhibit B] I had never received any physical invoice, I could only pay what was allowed to pay online. Berkeley has different fees which I paid periodically (license fee, reg fee etc.) , relying on what I could see online, I paid everything in full online and it showed Zero Balance after I paid. I also updated my contact online to reflect only my cell phone number (deleted my office no.)

On the safe side on 6/26/22 at 5:45 pm, I emailed to the city (rent@cityofberkeley.info & rentregistry@cityofberkeley.info) attaching the zero balance on screen statement and requested that "if any balances due, please let me know ASAP". [Exhibit C] I received an automatic message from Ms. Eberhard that my email was received.

On 6/27/2022 at 5:45 pm, Ms. Eberhart responded that she has made updates on my account, which I requested for the update on 6/26. [Exhibit D]. There was no message that I owed any balances.

On 6/28/22 I logged on the online account again, and it indicated Zero balance. At 4:29 p.m. I again emailed the city (rent@cityofberkeley.info) confirming that "I logged in and paid it in full" and asked that if I owe any balance, please "help me to pay it online." [Exhibit E] I did not receive any response to my multiple emails. So I thought everything was good.

Unexpectedly in November of 2022, I received a letter from the City dated September 15 giving a "Covid-19 Penalty Waiver" form which alleged that I owed \$3500 with penalties totaling \$7,000. I promptly completed and returned the waiver form to the city on November 5, 2022 which I again attached the print

As follows in historical database Same in RP on what Berkeley listed

Never closed registration

lower 2312

out showing Zero balance. [Exhibit F]. On the waiver form, I stated that the waiver was based on **“a material decrease in my business income caused by a reduction in hours or consumer demand including non-payment of rent for an existing tenancy,”** and that **“I did not receive billing statement in time.”** I also stated that **“on 6-26-22 I repaid in full. See attached email & see attached print out total owed \$0.”**

On or about 11/8/22 I received an email from Ms. Athena Addison that she wanted to discuss my payment. I did not get any voicemail message, I suspect that she called my old office number instead of my updated contact information in the system. At that time, the city's website had both my office number and my **cell phone (510) 463-4898** which no one ever called me. On 11/12/22, I emailed Ms. Addison to please return my call to discuss the account and gave her my cell phone number (510-463-4898) again since I worked from home from early 2020 due to Covid. **I did NOT get any response, no telephone call or email.** I waited patiently for the city's response.

However, **no one got back to me for over 3 months.** After the holidays (Xmas, New Year and Chinese New Year), on 2/21/23, I emailed to Ms. Addison again to please call me to discuss. Around 2/24/23 I called and spoke with Ms. Addison who indicated that **she did not know how to update the website so that I could pay online since it was showing Zero balance.** She said she would speak with her Supervisor and get back to me and would figure it all out for me. But I did not hear back for almost a week. On 3/2/23, I emailed to Ms. Addison to follow up. On 3/23/23, I again emailed to Ms. Athena to follow up **since I did not receive any response for a month. [Exhibit G].** **I finally got missed phone calls on 3/31/23 from Ms. Athena at around 11:21 am to 11:23 a.m. see Attached screen shot.** I promptly called her back at 11:24 a.m. and scheduled a telephone conference to go over all details the following week.

On or about 4/4/23 I finally spoke with Supervisor Ms. Amanda Eberhart. **She advised me that if the online account really showed a Zero balance and if her staff really failed to respond to my inquiry in a timely fashion, I could write in to request for a review and waiver.** She told me to attach all facts, documents and email communications for consideration. Thereafter, I located all of the emails and

documentations and submitted for a Review on 4/28/23, which I am attaching here again.

If the city staff had gotten back to me of the \$3,500 remaining balance when I asked in June, 2022, I would have paid it BEFORE the deadline in July, 2023. I did not know what to do when the online balance was zero, yet no one gave me an explanation of what and why I owed the city any fees.

4. HARDSHIP

It has been very difficult to run a rental property in Berkeley. In 2017-2018 I have spent **over \$150,000 to upgrade the seismic for soft story.** Then we were hit by the Pandemic from early 2020. Majority of my tenants are UC Berkeley staff and students. Since the Pandemic from March of 2020, **I have lost over 60% of income.** All of the students vacated Berkeley and moved away when the college was shut down and then less students coming to Berkeley. None of the tenants were cooperative in applying for rental assistance. In the last three years, I had a record of 10 vacant units in the 17 unit building apartment. Our current rent has dropped about 20% from 2019 and **currently I have 4 out of 17 units vacant and 1 more unit has given notice to move out.** There is one studio unit with long term tenant which I am only renting for \$602 per month and have not raised their rents for many years because an elderly resided there.

In the meantime, all of the expenses have raised sharply. Due to the heavy rain last year, I have spent over \$10,000 in repairs (painting, roof and wood repairs) in about six months. **The Property Tax with license fees for 2022-2023 has gone up to \$44,257.34, a raise of over \$9,000 from the prior year of \$35,261.74,** up from \$29,017 in year 2017-2018. [Exhibit H]. The insurance has increased raise over 4 \$1,800/year in last five years.

Due to old age (I am 60 years old), physical disability (severe foot pain for four years) and lack of business from Covid in March 2020 , I have no employment income. This rental property is my major income. I respectfully request a Waiver due to Financial Hardship.

///
///
///

SUMMARY

The City mis-sent the annual fee invoice to the wrong address which I never received. Due to the City's website error, I was only allowed to pay \$750 online. I promptly and repeatedly emailed the city rent program to inquire and to ensure I didn't owe any balances or let me know how much I owed. During Covid, I was unable to meet in person to discuss the account and it was very difficult to get a telephone call or email response from the City Staff until April of 2023.

Despite my diligent efforts, I was not able to have a meaningful conversation with the rent program staff (supervisor) until 4/4/23 who told me to submit a Waiver Request which I promptly submitted. And unexpectedly the request was rejected in early August of 2023, that they now require me to pay the reg fees first before considering this Review Request, something that the Supervisor did not tell me in April of 2023.

The lack of response of the City Staff may be a combination of the limited work hours, vacation time and overload work [**Exhibit G**, emails from Rent Program staff showing multiple day offs].

A sharp decrease in rental income due to high vacancies, coupled with the sharp increase of expenses including property taxes, insurance, repairs, business license and registration fees, I am suffering big financial difficulties to maintain the rental property in Berkeley.

I respectfully request that ALL penalties be waived.

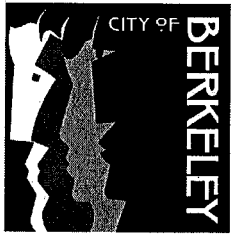
I don't have the financial means to pay the high penalties which was caused by the City's errors : (1) online account's error making it impossible for me to pay more than \$750 , (2) failed to send me the written invoice detailing the amounts I owed; (3) failed to timely respond to all of my inquiries for over eight (8) months from July 2022 to April 2023; (4) failed to inform me the procedure that I had to pay the original allegedly owed sum before I could submit this review.

Respectfully,

Date: 8/16/23

Frannie Mok


(510) 463-4898 cell / BerkeleyRent@yahoo.com



Berkeley Property Owner
1944 CURTIS ST
BERKELEY, CA 94702

1944 CURTIS ST
BERKELEY, CA 94702

*\$750 mediation
Put \$750
Back on
account*

Received On	Description	Check Number	Receipt Amount	Receipt No
08/17/2023	PRIOR YEAR FEE	2263	\$4,151.00	00013138

If not cash payment, attach check below

*PAID
owned since 2002
multi Residential
units*

*2022 - 2023
Reg fee*

*Billing
Code
wangal*

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

GRACUR

DUE DATE

07/01/2022

*Sent to
wrong
address*

←
 COLEMAN, SEAN, MGR
 1944 CURTIS ST #8
 BERKELEY, CA 94702

ASSESSOR PARCEL NUMBER : 057208500401
PROPERTY ADDRESS : 1944 CURTIS ST BERKELEY CA 94702

PIN : 749270

FEE STRUCTURE	Annual Fee Per Unit	Number of Units	Total
Fully Covered Units - (\$21/Month Prorated Fee)	\$ 250.00	17	\$ 4,250.00
Partially Covered (Measure MM) Units - (\$12/Month Prorated Fee)	\$ 150.00	0	\$ 0.00
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 due now. If payment is not made by the due date, a penalty will be assessed.	Current Fees		\$4,250.00
	Previous Fees		\$0.00
	Penalties		\$0.00
	Total Due		\$4,250.00

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>



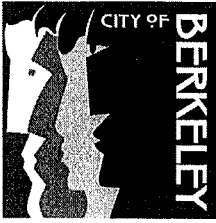
Registration Year: 07/01/2022 - 06/30/2023 Due Date: 07/01/2022

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

PROPERTY ADDRESS : 1944 CURTIS ST BERKELEY CA 94702
 APN : 057208500401
 BILLING CONTACT: COLEMAN, SEAN, MGR
 CURRENT FEES : \$4,250.00
 PREVIOUS FEES: \$0.00
 PENALTIES : \$0.00
TOTAL DUE : \$4,250.00

Units Paid For:

Amount Enclosed (Checks Only):



UNIT STATUS FORM

Rent Stabilization Board

1944 CURTIS ST

06/27/2022

COLEMAN, SEAN, MGR

1944 CURTIS ST #8

BERKELEY, CA 94702

COLEMAN, SEAN, MGR

324 10TH ST #128

OAKLAND, CA 94607

UNIT STATUS: 17 UNITS 0 EXEMPT

CHANGE OF ADDRESS:

Phone : _____

E-mail : _____

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
1944 CURTIS ST BERKELEY CA	1	RENTED	06/22/2013	08/11/2020
1944 CURTIS ST BERKELEY CA	10	RENTED	07/07/2012	09/25/2021
1944 CURTIS ST BERKELEY CA	11	RENTED	01/13/2014	03/01/2020
1944 CURTIS ST BERKELEY CA	12	RENTED	01/31/2021	07/28/2018
1944 CURTIS ST BERKELEY CA	13	RENTED	07/14/2013	07/28/2018
1944 CURTIS ST BERKELEY CA	14	RENTED	05/01/2021	09/10/2019
1944 CURTIS ST BERKELEY CA	15	RENTED	07/10/2013	08/15/2020
1944 CURTIS ST BERKELEY CA	16	RENTED	07/28/2013	08/05/2020
1944 CURTIS ST BERKELEY CA	17	RENTED	06/02/2013	08/01/2020
1944 CURTIS ST BERKELEY CA	2	RENTED	07/28/2013	07/01/2020
1944 CURTIS ST BERKELEY CA	3	RENTED	08/04/2013	02/01/2020
1944 CURTIS ST BERKELEY CA	4	RENTED	08/01/2013	08/02/2020

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
1944 CURTIS ST BERKELEY CA	5	RENTED	07/10/2012	04/28/2019
1944 CURTIS ST BERKELEY CA	6	RENTED	07/01/2020	08/07/2017
1944 CURTIS ST BERKELEY CA	7	RENTED	01/15/2001	01/15/2001
1944 CURTIS ST BERKELEY CA	8	RENTED	05/14/2012	08/01/2020
1944 CURTIS ST BERKELEY CA	9	RENTED	07/01/2013	08/22/2020

The 'Status Last Changed' indicates when the status of the unit last changed not necessarily the beginning of the current tenancy. Please make corrections to information directly on this form. If you make changes, return this form with your payment. If a unit listed here as exempt is now rented, a pro-rated registration fee is due. Please contact our Registration Unit at 510-981-7368 (981-Rent) for calculation of additional amount due.

I declare under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge and belief.

Signed: _____

Date: _____

From: Rental Manager <berkeleyrent@yahoo.com>
Sent: Sunday, June 19, 2022 6:06 PM
To: Rent Registry <rentregistry@cityofberkeley.info>; Rent Stabilization Board
<rent@cityofberkeley.info>
Subject: Fw: PIN

Please email me the new PIN number

I would like to do the rent registry online

thanks!

*Best regards,
Frannie Mok*

Owner

1944 Curtis

==

From: "rentboardonline@cityofberkeley.info" <rentboardonline@cityofberkeley.info>
To: "berkeleyrent@yahoo.com" <berkeleyrent@yahoo.com>
Sent: Tuesday, May 31, 2022 at 08:11:03 PM PDT
Subject: Account setup confirmation

Dear frannie mok,
Thank you for creating an account with Berkeley Rent Program.
Username: berkeleyrent@yahoo.com

Please click on the link below to activate your account.
<https://rentregistry.cityofberkeley.info/#/verifyUser/37129a73-0ddd-47c2-bff1-71b78534f6e8>

You can access Berkeley Rent Program Portal by:
Visiting <https://rentregistry.cityofberkeley.info/>

From: "rentboardonline@cityofberkeley.info" <rentboardonline@cityofberkeley.info>
To: "berkeleyrent@yahoo.com" <berkeleyrent@yahoo.com>
Sent: Tuesday, May 31, 2022 at 08:10:05 PM PDT
Subject: [CEP]: Account activated successfully

Dear frannie mok
Your account has been activated. You may access the portal using the following
link: <https://rentregistry.cityofberkeley.info/>

==

From: Eberhart, Amanda <aeberhart@cityofberkeley.info>

To: berkeleyrent@yahoo.com <berkeleyrent@yahoo.com>

Sent: Tuesday, June 21, 2022 at 09:18:04 AM PDT

Subject: RE: PIN

Hello,

Please see attached.

Thank you,

Amanda Eberhart

Registration Unit Manager

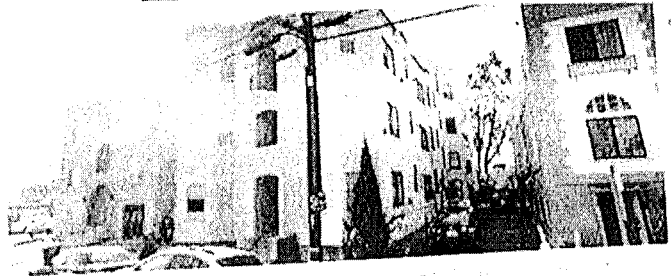
City of Berkeley | [Rent Stabilization Board](#)

510.981.4904

Thanks :-)

CP#: 051208500401 | Address: 1944 CURTIS ST BERKELEY CA 94702 | Total Units: 17

Contacts Geo View Transaction History



1944 CURTIS ST BERKELEY CA 94702

Rent Program Fees Owed

Current Year Fees	\$4,250.00
Current Year Penalties	\$0.00
Previous Year's Fees	\$0.00
Previous Year's Penalties	\$0.00
Account Credit	\$0.00
Waiver Amount	\$0.00
Total Owed	\$0.00

6/26/22

PAID ALL
Balance

To: Rental Manager <berkeleyrent@yahoo.com>
Sent: Sunday, June 26, 2022 at 05:32:54 PM PDT
Subject: Automatic reply: PIN

Thank you for contacting the Registration Unit. Currently we are experience a high volume of calls and emails. We apologize for the delay in getting back to you and will follow up at our earliest convenience. Thank you for your time and patience

APR 20 22 10:40:21 AM Address: 1944 CORNELL ST BERKELEY CA 94702 | Total Pages: 17

Addresses Contacts Geo View Transaction History

With Contact Tap should receive email notices and blog statements!

Primary Owner

Name	FRANCO MOE	Business Name	FRANCO MOE
Telephone Number	(510) 450-4800	Date of Property Acquisition	12/20/2002
Email Address	BERKELEYRENT@YAHOO.COM	Owner Type	Individual
Mailing Address	324 10TH ST #128 BERKELEY CA 94702		

Property Manager

Name	FRANCO MOE	Business Name	FRANCO MOE
Telephone Number	(510) 450-4800		
Email Address	BERKELEYRENT@YAHOO.COM		
Mailing Address	324 10TH ST #128 BERKELEY CA 94702		

==

From: Rental Manager <berkeleyrent@yahoo.com>
Sent: Sunday, June 26, 2022 5:32 PM
To: Eberhart, Amanda <amanda@cityofberkeley.info>; BerkeleyRent <berkeleyrent@yahoo.com>
Subject: Fw: [REDACTED]

to help me to update the info

Mr. Sean Coleman is no longer our manager. He was manager there only for couple years over a decade ago

Pls update to:

From: Rental Manager <berkeleyrent@yahoo.com>
To: Berkeley Rent Stabilization Board <rent@cityofberkeley.info>; rentregistry@cityofberkeley.info
<rentregistry@cityofberkeley.info>; BerkeleyRent <berkeleyrent@yahoo.com>
Sent: Sunday, June 26, 2022 at 05:46:07 PM PDT
Subject: 1944 curtis Reg fee

6/26/22 5:45 pm

Dear Sirs,

I have paid the fee in full via echeck. See attached receipt and screen shot.
if any other balances due, please let me know ASAP

Thanks!

*Best regards,
Frannie Mok
Rental Manager*

This has been updated.

Thanks,

Amanda Eberhart

Registration Unit Manager

City of Berkeley | Rent Stabilization Board

510.981.4904

==

On Monday, June 27, 2022 at 03:11:35 PM PDT, Rent Stabilization Board
<rent@cityofberkeley.info> wrote:

Amanda Eberhart

Registration Unit Manager

City of Berkeley | Rent Stabilization Board

510.981.4904

==

From: Rental Manager <berkeleyrent@yahoo.com>
To: Berkeley Rent Stabilization Board <rent@cityofberkeley.info>, rentregistry@cityofberkeley.info
<rentregistry@cityofberkeley.info>, BerkeleyRent <berkeleyrent@yahoo.com>
Sent: Sunday, June 26, 2022 at 05:46:07 PM PDT
Subject: 1944 curtis Reg fee

6/26/22 5:45 pm

Dear Sirs,

I have paid the fee in full via echeck. See attached receipt and screen shot
if any other balances due, please let me know ASAP

Thanks!

*Best regards,
Frannie Mok
Rental Manager*

===

From: Rental Manager <berkeleyrent@yahoo.com>
To: Rent Stabilization Board <rent@cityofberkeley.info>
Sent: Tuesday, June 28, 2022 at 04:29:43 PM PDT
Subject: Re: 1944 Curtis Street statement?

can you help me to pay this online?

I logged in and paid it in full.

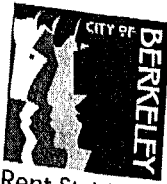
It only showed \$750

Best regards,

Rental Manager

From: Eberhart, Amanda <aeberhart@cityofberkeley.info>
To: Rental Manager <berkeleyrent@yahoo.com>
Sent: Monday, June 27, 2022 at 05:46:59 PM PDT
Subject: RE: PIN

Hello,



Rent Stabilization Board

September 15, 2022

Dear Property Owner,

According to our records, the 2022/2023 registration fee of \$250 per unit noted on the enclosed bill, which was due on July 1, has not yet been paid. Consequently, as required by the Berkeley Rent Stabilization Ordinance, a late penalty of 100% of the outstanding fee has been assessed on the account.

Regulation 883 and 884 of the Rent Stabilization Ordinance, offer a two-tiered waiver process for property owners to have penalty fees forgiven. At the July 2022 Board meeting, the Board passed Resolution 22-21: If your late payment is due to financial impacts caused by COVID-19, or you encountered a technical error with the Rent Registry Portal then you are eligible to receive a full waiver of the penalty. In order to receive this waiver, you must fill out and sign the declaration at the bottom of this letter (or on the back), and return it along with your registration fee payment no later than October 30, 2022. A self-addressed envelope is enclosed.

If your late payment is NOT due to financial impacts of COVID-19, then you can take advantage of the administrative penalty waiver offer that is listed on the enclosed billing statement.

We encourage you to take advantage of this opportunity to bring your property into compliance with the registration requirements of the Rent Ordinance. Further penalties will be assessed if this account remains delinquent. If you have any questions, please contact our office at (510) 981-7368 (RENT), Ext. 2, or at rentregistry@cityofberkeley.info.

Sincerely,

DeSeana Williams
Executive Director

To receive a COVID-19 penalty waiver: Please complete and return this declaration along with your registration fee payment no later than October 30, 2022.

I hereby declare under penalty of perjury that the 2022/2023 annual registration fee was paid after the July 1, 2022, due date as a result of the following financial impact(s) caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, including (check all that apply):

- A material decrease in my business income caused by a reduction in hours or consumer demand (including non-payment of rent for an existing tenancy).
- A material decrease in my household income caused by layoffs or a reduction in the number of compensable hours of work.
- A material decrease in my household income caused by caregiving responsibilities.



March 6, 2023

Re: Past Due Registration Fees/Penalties

Current or Former Property Owner:

As the owner of a residential rental property that appears to be covered by the local rent control Ordinance, **your property is delinquent, and an outstanding balance is due.**

Enclosed you will find a registration bill and other materials pertaining to your property. The bill reflects outstanding registration fees and/or currently owed penalties. Our office has recently begun the process for collection proceedings for failure to pay past registration fees and/or penalties on the rental units at your property address.

We would appreciate your assistance in resolving this matter as soon as possible. As of today, you have yet to respond to our bills, notices of nonpayment, and/or other correspondence regarding your account. If we do not hear from you **by March 31, 2023**, we will file a lawsuit with the court to collect the monies due to the Rent Board.

Please note that the subject of this letter and the collection proceedings mentioned only refer to past years' registration fees and/or penalties and not to the upcoming 2023/2024 registration fee that will be due July 1, 2023.

Please be advised that landlords of units not in compliance with the registration requirements of the City of Berkeley's Rent Ordinance are not allowed to take the Annual General Adjustment (AGA) rent increases or initiate any eviction proceedings against a tenant. In addition, tenants in units that are out of compliance may initiate a petition to withhold rent based on the landlord's noncompliance with the Ordinance.

If you wish to settle your account or believe that you do not owe any money to our Agency, please contact the Registration Unit at 510-981-7368, Ext. 2 or at rentregistry@cityofberkeley.info.

Sincerely,

DéSeana Williams
Executive Director

Enclosures

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

WANGCL

DUE DATE

07/01/2022

COLEMAN, SEAN, MGR
324 10TH ST #128
OAKLAND, CA 94607

ASSESSOR PARCEL NUMBER : 057208500401 PIN : 749270
PROPERTY ADDRESS : 1944 CURTIS ST BERKELEY CA 94702

FEE STRUCTURE	Annual Fee Per Unit	Number of Units	Total
Fully Covered Units - (\$21/Month Prorated Fee)	\$ 250.00	14	\$ 3,500.00
Partially Covered (Measure MM) Units - (\$12/Month Prorated Fee)	\$ 150.00	0	\$ 0.00
Exempt Units	\$ 0.00	3	\$ 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.

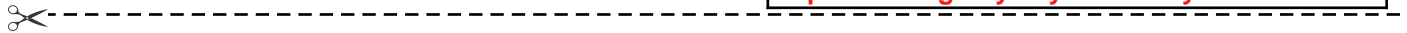
Current Fees	\$3,500.00
Previous Fees	\$0.00
Penalties	\$7,000.00
Total Due	\$10,500.00

This bill is past due. If payment is not made by the due date, a penalty will be assessed.

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>



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

Berkeley Rent Board
2125 Milvia Street
Berkeley, CA 94704

PROPERTY ADDRESS : 1944 CURTIS ST BERKELEY CA 94702
APN : 057208500401
BILLING CONTACT: COLEMAN, SEAN, MGR
CURRENT FEES : \$3,500.00
PREVIOUS FEES: \$0.00
PENALTIES : \$7,000.00
TOTAL DUE : \$10,500.00

Units Paid For:

Amount Enclosed (Checks Only):



UNIT STATUS FORM

Rent Stabilization Board

1944 CURTIS ST
01/06/2023

COLEMAN, SEAN, MGR
324 10TH ST #128
OAKLAND, CA 94607

COLEMAN, SEAN, MGR
324 10TH ST #128
OAKLAND, CA 94607

UNIT STATUS: 17 UNITS 3 EXEMPT

CHANGE OF ADDRESS:

Phone : _____

E-mail : _____

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
1944 CURTIS ST BERKELEY CA	1	RENTED	06/22/2013	08/11/2020
1944 CURTIS ST BERKELEY CA	10	RENTED	07/07/2012	09/25/2021
1944 CURTIS ST BERKELEY CA	11	RENTED	01/13/2014	03/01/2020
1944 CURTIS ST BERKELEY CA	12	OCC	01/31/2021	07/28/2018
1944 CURTIS ST BERKELEY CA	13	RENTED	07/14/2013	07/28/2018
1944 CURTIS ST BERKELEY CA	14	OCC	05/01/2021	09/10/2019
1944 CURTIS ST BERKELEY CA	15	RENTED	07/10/2013	08/15/2020
1944 CURTIS ST BERKELEY CA	16	RENTED	07/28/2013	08/05/2020
1944 CURTIS ST BERKELEY CA	17	RENTED	06/02/2013	08/01/2020
1944 CURTIS ST BERKELEY CA	2	RENTED	07/28/2013	07/01/2020
1944 CURTIS ST BERKELEY CA	3	RENTED	08/04/2013	02/01/2020
1944 CURTIS ST BERKELEY CA	4	RENTED	08/01/2013	08/02/2020

Unit Address	Unit No.	Current Status	Status Last Changed	Current Tenancy Started
1944 CURTIS ST BERKELEY CA	5	RENTED	07/10/2012	04/28/2019
1944 CURTIS ST BERKELEY CA	6	OCCC	07/01/2020	08/07/2017
1944 CURTIS ST BERKELEY CA	7	RENTED	01/15/2001	01/15/2001
1944 CURTIS ST BERKELEY CA	8	RENTED	05/14/2012	08/01/2020
1944 CURTIS ST BERKELEY CA	9	RENTED	07/01/2013	08/22/2020

The 'Status Last Changed' indicates when the status of the unit last changed not necessarily the beginning of the current tenancy. Please make corrections to information directly on this form. If you make changes, return this form with your payment. If a unit listed here as exempt is now rented, a pro-rated registration fee is due. Please contact our Registration Unit at 510-981-7368 (981-Rent) for calculation of additional amount due.

I declare under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge and belief.

Signed: _____

Date: _____



Rent Stabilization Board

RENT STABILIZATION BOARD RENT REGISTRY NOTICE

PROPERTY ADDRESS: 1944 CURTIS ST BERKELEY CA
94702
ASSESSOR PARCEL NUMBER: 057208500401
PIN: 749270

Berkeley Property Owner
1944 CURTIS ST
BERKELEY, CA 94702

This notice is for owners who have **NOT** yet created an online account at the City of Berkeley's Rent Board Rent Registry at <https://rentregistry.cityofberkeley.info> and who wish to register their unit, claim an exemption, and/or pay registration fees online.

If you have not already created an account at the Rent Board's Rent Registry and wish to register online:

- Go to <https://rentregistry.cityofberkeley.info>. Create a user account by entering your email address and making a password.
- After your email address has been verified, you will be able to add the above-referenced property to your profile, using the APN and PIN information above. You will then be able to provide tenancy data, claim an exemption, and/or pay registration fees.

If you have already created an account at the Rent Registry and wish to register online:

- Go to <https://rentregistry.cityofberkeley.info> and log in using the email and password that you have already created. The above-referenced property should already be associated with your profile.

If you have any questions, please contact our Registration Unit at (510) 981-7368, Ext. 2, or via email at rentregistry@cityofberkeley.info. Staff is available Mondays, Tuesdays, Thursdays and Fridays from 9a.m - 2p.m. to answer your questions by phone or email. We are closed on Wednesdays.

Sincerely,

A handwritten signature in blue ink, appearing to read "DeSeana Williams".

DeSeana Williams
Executive Director

2125 Milvia Street, Berkeley, CA 94704

- TEL: (510) 981-7368 (981-RENT) • TDD: (510) 981-6903 • FAX: (510) 981-4910
EMAIL: rent@cityofberkeley.info • WEB: www.cityofberkeley.info/rent

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5098	Property address: 2632 WARRING ST #6,	Transferred: None
Exempt units (as of February 2021): None		
Owner(s): FERNANDO & DIANA ORONOS	Waiver filed by: OWNER	# of Units: 1
Other Berkeley rental property owned: None		

Late payment/penalty history: This property owner has not made any late payments since Measure MM was passed.

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

Penalties Currently Under Consideration

Reason for Penalties: Illness						
Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 22/23	1	-	-	\$300.00	-	\$300.00
Totals				\$300.00	\$0.00	\$300.00

Grounds under Regulation 884(B): (1) The good cause asserted in the waiver request is a death or illness in the landlord's family.

Good cause claimed by owner: The owner was taking care of a terminally ill family member.

Recommendation: Staff recommends waiving 100% of the penalty fee.

Staff Analysis: The condo located at 2632 Warring #6 is a partially covered property owned by the current owner since 2006. The property owner states in their waiver that, "They were taking care of a terminally ill family member and honestly overlooked the registration fee". A search of Rent Board records will show this property has not made any late payments since Measure MM was passed. Per regulation 884 B (1) This property qualifies to have 100% of the penalties waived because the good cause asserted in the waiver request is a death or illness in the landlord's family.

RECEIVED

JUN 14 2023

Initial: _____
Berkeley Rent Board

Request for Waiver of Late Registration Penalties

Please Read Important Information on Page 2

Property Address: 2632 Warring St Unit 6

Owner: Fernando + Diana Orenos

Date of acquisition, if new owner: _____

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

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.

Taking care of terminally ill family member had taken up my thoughts, memory + time + I honestly just overlooked last years rent stabilization fees. I'm asking for a one time waiver of these fees please. Diana Orenos
Thank you for consideration

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

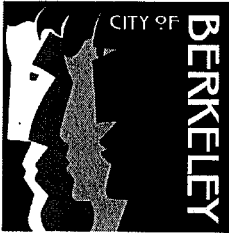
Date: 6-4-23 Signature: Diana Orenos

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: dmarchioranos@gmail.com

Mailing Address: 4966 Springwood Circle Fairfield, CA

Phone Number: 510 708-8619 Fax Number: _____



FERNANDO & DIANA ORONOS
4966 SPRINGWOOD CIR
FAIRFIELD, CA 94534

6

Received On	Description	Check Number	Receipt Amount	Receipt No
06/14/2023	CK #907: 23/24 REG FEE + PRIOR FEES \$328	907	\$328.00	00009481

If not cash payment, attach check below

2125 Milvia Street, Berkeley, California 94704
TEL: (510) 981-7368 (981-RENT), TDD: (510) 981-6903, FAX: (510) 981-4910
EMAIL: rent@cityofberkeley.info, INTERNET: www.cityofberkeley.info/rent/

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5099	Property address: 2911 LORINA ST BERKELEY	Transferred: 04/08/2022
Exempt units (as of February 2021): Unit # 1/2 - OCCC - Owner		
Owner(s): BCP PROPERTIES LLC	Waiver filed by: OWNER	# of Units: 3
Other Berkeley rental property owned: None		

Late payment/penalty history: This property owner made no registration payments between the 19/20 registration cycle and 7/7/22. The first registration payment received from this property owner was 7/8/22.

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

Penalties Currently Under Consideration

Reason for Penalties: Justice

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 22/23	3	-	-	\$3,714.00	-	\$3,714.00
Totals				\$3,714.00	\$0.00	\$3,714.00

Grounds under Regulation 884(B): (11) The Executive Director, or his or her designee, recommends that the interests of justice require that a greater or lesser amount be waived

Good cause claimed by owner: The property owner states they are new owners and were not aware of the registration requirement. The owners also believed they were exempt because their son lived in one of the units.

Recommendation: Staff recommends denying the penalty waiver.

Staff Analysis: The residential property of 3 units located at 2911 Lorina St has been owned by the current owner since July 19, 2019. The property owner states in their waiver that, "They are a new owner and were not aware of the registration requirement, they did not receive any notices from the city about the registration requirement, and their son lives in one of the units and was under the impression that this qualified as an exemption from the registration requirement". A search of Rent Board records will show, that the prior owner consistently paid the registration fee for one unit through the 18/19 registration cycle. The transaction history will also show no payments were received for the 19/20, 20/21, and 21/22 registration

cycles. The first notification the Rent Board received regarding the change in ownership was in June 2022 by the property manager. Also, at this time the property manager sent in a VR to register a tenancy for unit 3 which started in March of 2022. A search of Rent Board records will show in December 2022, the Rent Board received a Vacancy Registration (VR) form and corresponding lease from two additional tenants on this property. The information on the VR submitted by the tenants indicated to the Rent Board that the tenancy for their unit started on September 1, 2019. As mentioned above, this property has been owned by the current owner since July 2019, based on the VR we received from the tenant in December of 2022, this property owner began renting a unit on the property two months after ownership and never registered the tenancy with the Rent Board. Staff notes, that the Rent Ordinance instructs property owners to inform the Rent Board of any change in status to avoid incurring penalties on the account. Unfortunately, the late tenancy registration of two units on the property caused the property to incur \$3,714 in penalties on the account. Per regulation 884 B (11) This waiver qualifies as discretionary because the Executive Director, or her designee, recommends that the interest of justice require that a greater or lesser amount be waived. Staff notes, that it is the responsibility of the property owner to update their information with the Rent Board so that it is current, and that the property owner did not reach out to the Rent Board to ensure all registration requirements were being met after renting their property two months after acquisition. Lastly, two tenants on the property had to register their tenancy with the Rent Board themselves. Based on the totality of the circumstances, staff recommends denying the waiver.

RECEIVED

JUN 21 2023

Initial: _____
Rent Board

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>

Request for Waiver of Late Registration Penalties
Please Read Important Information on Page 2

Property Address: 2911 Lorina Street _____

Owner: BCP Properties, LLC; Paul C. Bunton _____

Date of acquisition, if new owner: 2019 _____

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

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.

I am requesting that the Board waive these late registration penalties for the following reasons:

- 1) I am a new owner with no other Berkeley residential rental property experience, therefore I was not aware of the requirement to register my home with the rent control board.
- 2) I didn't receive any invoices from the City of Berkeley regarding this requirement.
- 3) My son lives in one of the units and I was under the impression that this qualified me for an exemption in rental properties in the City of Berkeley.

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

Date: March 14, 2023 **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: paulbunton@live.com _____

Mailing Address: P.O. Box 8983 S. Lake Tahoe, CA 96158 _____

Phone Number: 510-612-4774 **Fax Number:** _____

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

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5100	Property address: 1110 PARKER ST BERKELEY	Transferred: 05/16/2022
Exempt units (as of February 2021): None		
Owner(s): XIN JIN	Waiver filed by: OWNER	# of Units: 2
Other Berkeley rental property owned: None		

Late payment/penalty history: This property was purchased by the current owner in May 2022, unfortunately there are not five years of payment history to review.

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

Penalties Currently Under Consideration

Reason for Penalties: Justice						
Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY 22/23	2	-	-	\$1,000.00	-	\$1,000.00
Totals				\$1,000.00	\$0.00	\$1,000.00

Grounds under Regulation 884(B): (11) The Executive Director, or his or her designee, recommends that the interests of justice require that a greater or lesser amount be waived

Good cause claimed by owner: The property was vacant when purchased.

Recommendation: Staff recommends denying the penalty waiver.

Staff Analysis: The duplex located at 1110 & 1112 Parker St has been owned by the current owner since May 2022. The property owner states in their waiver that, "The property we purchased in May 2022 was vacant. We did not start renting the property until this year (2023)". Staff notes, that the property owner did not submit any additional documentation for the Board to review. Unfortunately, the Registration Unit Supervisor was unable to corroborate the vacant property claim. A search of the Rent Board's Historical database will show two tenants in the duplex with a tenancy start date of April 2019. This is consistent with the payment history on the property. The payment history will also show the prior owner paid the full registration fee for two units in the 21/22 registration cycle. Staff used the prior owner's information from the historical database to search the RentRegistry@berkeleyca.gov and the

Rent@berkeleyca.gov email inboxes to see if any correspondence was sent to the Rent Board indicating the property was vacant. Unfortunately, this search produced no results. Staff notes no exemptions were claimed in either database to show the units were vacant. The ordinance instructs all property owners to notify the Rent Board of any change in status within 60 days to avoid incurring penalties on the account. The first update of tenancy information we received from the current owner was in June 2023, this VR registered a tenancy that started in March 2023. To conclude there have been no exemptions claimed, or evidence submitted by the prior owner, or the current owner to show the property was vacant in May of 2022. Rent Board records will show no break in tenancy from April 2019 to February 2023. Per regulation 884 B (11) This waiver qualifies as discretionary because the Executive Director, or her designee, recommends that the interest of justice require that a greater or lesser amount be waived. Based on the totality of the circumstances and the lack of evidence to support a vacant property, staff recommends denying the waiver.

RECEIVED

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>

JUN 8 2023
Initial: *MB*
Berkeley Rent Board

Request for Waiver of Late Registration Penalties

Please Read Important Information on Page 2

Property Address: ~~7110~~ 1110 & 1112 Parker St
Owner: XIN JIN / 2601 SPA LLC
Date of acquisition, if new owner: May 2022
Name & relationship of person filing request, if not owner: _____

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.

Dear Rent Board,
The property we purchased in May 2022 was vacant. We didn't start renting the property until this year (2023). We would like to request a one-time waiver of the penalties as we were not aware of the fees owed.

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

Date: 6/8/2023 Signature: *[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: xin.jin17@gmail.com
Mailing Address: 2343 Stuart St, Berkeley, CA 94705
Phone Number: 510 692 2994 Fax Number: _____

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



Rent Stabilization Board

November 16, 2023

President Biden
Senator Padilla, Senator Butler
and Members of Congress

Dear President Biden, Sen. Padilla, Sen. Butler, and Members of Congress:

This week, we celebrate United Against Hate Week. The ongoing violence and the horrific loss of thousands of innocent Palestinian and Israeli lives is a humanitarian crisis that is impacting Berkeleyans who are grieving and fearful for their loved ones. We can not mark this week and not demand a ceasefire.

I mourn every life lost, I recognize the generational trauma in each painful story I hear, and I hold each life as precious. We must honor our humanity by envisioning a world where everyone can live in peace, dignity, and equal rights. Our humanity demands that our federal government call for an immediate ceasefire to protect human life.

As a Jewish American and daughter and granddaughter of Holocaust survivors, I must speak out. The majority of my father's family was murdered. They also lived a life of trauma. If Americans had spoken out and stopped Hitler's rise to power after Kristallnacht in 1938 instead of waiting until Japan attacked us, if the world had spoken out when Armenians were being murdered, my family would have lived. Bad things happen when good people do nothing. We must speak up. As Americans, we must learn from past genocides and not allow our government to be complicit in the displacement and killing of the Palestinian people.

The humanitarian crisis and loss of thousands of innocent civilian lives in Palestine and Israel is unforgivable and inhumane. The continued loss of children is a failure of humanity. One million children make up half the population of Gaza. In four weeks, over 10,000 Palestinians have been killed, including over 4,100 children, while thousands are trapped beneath rubble, and hospitals are unable to save lives. Continuous humanitarian aid must be allowed into Gaza to ensure basic services, water, electricity, fuel, food, and healthcare.

Families here in Berkeley grieve the loss of loved ones in both Palestine and Israel, fear for the safety of those who have survived, pray for the safe return of family members held hostage, and continue to endure generations of trauma and loss. The U.S. government must do everything in its power to save Palestinian children and families in Gaza, protect journalists and healthcare workers, and support the release of all hostages.

I condemn the ongoing killing of innocent Palestinian lives. I condemn the killing of innocent Israeli lives in the October 7th attack. This violence takes place in the context of the ongoing occupation of Gaza, which is contrary to International Law.

We must commit ourselves to ending the structures and systems that enable the inhumanity and violence we are witnessing in Palestine, Israel, and here at home. We must end White Supremacy, Islamophobia, and antisemitism.

In addition to the pain and suffering our Arab, Muslim, and Jewish communities are enduring here in Berkeley, we are also facing the ongoing crises of homelessness, gun violence, and lack of access to health and mental health services, affordable childcare, quality education, good paying jobs and affordable housing.

It is unconscionable that the federal government would consider giving an additional \$14.3 billion in military aid to the state of Israel. At the same time, our own communities lack access to these basic needs. The U.S. must instead use its power and resources to immediately pursue diplomatic efforts to end the violence against the people of Gaza and the West Bank and to free all the hostages.

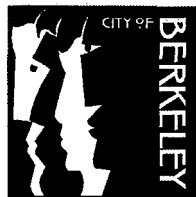
The mass protests and the numerous actions taking place all over the globe and the U.S. show that Americans and the rest of the world overwhelmingly support an end to the violence in Gaza and Palestine. A recent poll showed that 66% of voters, which include 80% of Democrats, 57% of Independents, and 56% of Republicans support a ceasefire. Our federal representatives must honor our humanity and every human life by immediately calling for a ceasefire and directing U.S. taxpayer dollars toward a humanitarian, dignified, and peaceful resolution and to urgent needs in our communities.

I thank Rep. Barbara Lee and Reps. Adams, Bowman, Bush, Carson, Casar, Castro, Durbin, Escobar, Frost, Garcia, Jackson, Jayapal, Summer Lee, Mccollum, McGovern, Ocasio-Cortez, Omar, Pressley, Ramirez, Tlaib, Velazquez, Waters, and Watson Coleman who are already supporting a ceasefire, and I urge other federal representatives to follow suit.

Respectfully,

Leah Simon-Weisberg

Leah Simon-Weisberg
Chair, Berkeley Rent Stabilization Board



**Rent Stabilization Board
Legal Unit**

November 8, 2023

The Honorable Charles Smiley
Department 1
Rene C. Davidson Courthouse
1225 Fallon Street
Oakland, CA 94612

VIA FIRST CLASS US MAIL AND EMAIL AT dept1@alameda.courts.ca.gov

Re: Alameda County Unlawful Detainer Calendar

Dear Honorable Presiding Judge Smiley:

The Berkeley Rent Stabilization Board (“Board”) is the independent public agency charged with the implementation and enforcement of the Berkeley Rent Stabilization Ordinance (“Ordinance”). ~~The voters of Berkeley enacted the Ordinance in part to protect tenants from~~ arbitrary, discriminatory, or retaliatory evictions in order to help maintain the diversity of the Berkeley community. Given this mandate, the Board has grave concerns regarding the Court’s current Unlawful Detainer calendar. Through courtroom observation and conversations with attorneys currently defending tenants, the Board has learned that the Court has been calendaring over 100 unlawful detainer proceedings per week. Although the Board recognizes the recently expired local eviction moratoria has necessarily caused an increase in unlawful detainer filings, the sheer volume of cases on calendar deprives unrepresented litigants, who are overwhelmingly tenants, of a fair and meaningful opportunity to be heard. The Board understands that local legal aid providers have written to the Court to request that the Court set a 50-case cap per week on the number of cases set for trial. The Board supports this request.

Under the Court’s current calendaring practice, tenants are not guaranteed a good faith opportunity to settle their matters nor proper or predictable notice of any rescheduled matters. Our understanding is that if a case does settle at the Mandatory Settlement Conference, the Court will schedule a trial for the next day. However, because many Plaintiffs have more matters on calendar than they can realistically staff, many tenants travel to the courtroom, wait for the duration of the settlement conference calendar, and are unable to meet with the Plaintiff or their attorney to engage in any settlement negotiation. The Court’s calendaring practice requires these

tenants appear again the next day for a court trial. Because more cases are set for trial than the Court can reasonably hear, the Court is likely to continue these tenants' matters multiple times.

With each continuance, the tenant must travel to court to appear for another day because the tenant bears the full risk of any non-appearance. Should a Plaintiff fail to appear at any of the subsequent court dates, the Court will likely continue the Plaintiff's matter or, at worst, dismiss the matter without prejudice. Should a tenant fail to appear, the Court will likely allow the Plaintiff to proceed via prove-up. Throughout this process, the Court is unlikely to consistently send out written notices of continuances, and the parties are unlikely to timely receive any notices sent out by mail, given the short timeframes.

Compounding these issues is the Court's decision to hear all unlawful detainer matters at the Hayward Hall of Justice. As the Board expressed to the Court when the Court first transferred all unlawful matters to Hayward in 2016, the Hayward Courthouse is much less accessible to Berkeley's poor, disabled, and elderly tenants than other courthouses. The Hayward Court house is farther from BART and does not have the same frequency of bus transportation that Oakland or Berkeley do. In short, poor people have a far more difficult time accessing justice given the way unlawful detainer cases are currently heard.

The Due Process Clause of the California and United States Constitutions provides all litigants "the right to be heard at a meaningful time and in a meaningful manner." (*Gresher v. Anderson* (2005) 127 Cal.App.4th 88, 108). Due process requires that the procedures of a given matter "be tailored, in light of the decision to be made, to the capacities and circumstances of those who are to be heard, to [ensure] that they are given a meaningful opportunity to present their case." (*Mathews v. Eldridge* (1976) 424 U.S. 319, 348-49). Although unlawful detainer complaints may be summary proceedings, the requirements of due process still attach to these matters. With the volume of the current unlawful detainer calendar, the Board has serious doubts the Court can maintain minimum standards of due process. Specifically, a tenant is deprived of a meaningful opportunity to engage in settlement discussion that the Court mandates if the calendar is simply too large for all the parties to meet. Similarly, a tenant is deprived of the right to be heard at a meaningful time if their court date is continuously postponed and rescheduled with extremely short notice.

The 50-case cap proposed by the legal aid providers addresses these concerns. The cap is within the providers' capacity, allowing unrepresented tenants to engage counsel. If both parties to an unlawful detainer have representation, the probability that the matter settles or is resolved by a dispositive motion increases. In turn, this frees up the Court's time to adjudicate the matters which will not settle, ensuring a more timely, predictable, and equitable process. During a time when more and more families, low-income, and elderly tenants experience unprecedented housing insecurity, we strongly believe that interests of justice, the articulated purpose of the

Honorable Charles Smiley

November 8, 2023

Rent Ordinance, and due process principles mandate that the Court cut back on the current UD calendar to allow more tenants to meaningfully participate in these important cases.

Thank you for your consideration. I would be happy to discuss these issues further if the Court would find that helpful.

Very truly yours,

A handwritten signature in black ink that reads "Matt Brown". The signature is written in a cursive, flowing style.

Matt Brown,
General Counsel



Rent Stabilization Board

DATE: November 16, 2023

TO: Honorable Members of the Rent Stabilization Board

FROM: DéSeana Williams, Executive Director

SUBJECT: Recommendation to adopt Resolution 23-28 authorizing the Executive Director to execute a contract with BMI Imaging Systems for digital conversion of Rent Stabilization Board Property Files for an amount not to exceed \$99,100 for a contract term through June 30, 2024

Recommendation:

Adopt Resolution 23-28 authorizing the Executive Director to execute a contract with BMI Imaging Systems for digital conversion of Rent Stabilization Board Property Files for an amount not to exceed \$99,100 for a contract term through June 30, 2024.

Background and Need for Rent Stabilization Board Action:

Since 1980, the Rent Stabilization Board has been compiling data for each property subject to Berkeley's Rent Stabilization Ordinance. Property file folders have been created to organize and preserve the original paper documents, primarily retained on-site at the Rent Stabilization Board office. The on-site storage of these paper records has presented challenges in terms of storage capacity and ease of access. The digitization of the property files will help mitigate storage constraints and enhance operational efficiency, accessibility, search capabilities and streamline workflows.

In September 2023, to align with best practices, staff released an invitation to bid for Digital Conversion of Rent Stabilization Board Files (Specification No. 23-11615), extending an opportunity for the most qualified and responsive company to digitize the Rent Stabilization Board Property Files. The due date for the proposals was October 5, 2023. A panel consisting of staff from the Rent Stabilization Board reviewed all eleven proposals and scored them in accordance with the specified criteria. After conducting reference checks and modeling estimated total costs based on the bid pricing specifications submitted by the prospective vendors, each panelist's individual scores had BMI Imaging Systems ranked as the top choice, based upon the quality of the proposed approach to converting documents, the experience conducting similar digital conversion work for public sector clients, and the value of the pricing proposal.

Since 1958, BMI Imaging Systems has been a leading provider of high-volume document conversion services and has established a reputation for providing exceptional quality and

service. BMI complement their comprehensive service offerings with turnkey document management system solutions that include state-of-the-art software and end-to-end implementation, integration and support services. Their production staff, a team of over 60 highly-trained technicians, creates an average of 15 million digital images per month. BMI serve a customer base of over 800 organizations, many of whom have been clients for over 20 years. As part of BMI's operational capabilities, BMI developers have written over 2,000 unique software tools to address almost every conceivable image and data processing requirement.

The Scope of Work for this contract will allow for the conversion of the Rent Stabilization Board's property files into digital formats, in particular as the agency prepares for planned relocation to a new office in January 2024. The property files will be transported offsite to Sunnyvale for scanning. After scanning, the digitized files will be uploaded to 3Di, while the original physical property files will be securely relocated to the City's offsite storage facility in Livermore. Any additional scanning work would take place within the not-to-exceed contract amount specified in the resolution which accompanies this staff report.

Financial Impact:

The Board's adopted Fiscal Year 2023/24 budget allocated \$95,000 towards the scanning of the property files. There are sufficient funds in the Fiscal Year 2023/2024 budget to increase this amount to \$99,100 and execute a contract with BMI Imaging Systems.

Name and Telephone Number of Contact Person:

DéSeana Williams, Executive Director (510) 981-7368

RESOLUTION 23-28

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH BMI IMAGING SYSTEMS FOR DIGITAL CONVERSION OF RENT STABILIZATION BOARD PROPERTY FILES

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

WHEREAS, the Rent Stabilization Board has approximately 1 million documents in file folders dating back as far as 1980; and

WHEREAS, converting to digital format will save time, reduce the risks of losing historical data, provides reliable back-up copies and recovery, provides a faster, easier retrieval and viewing process, and reduces storage space; and

WHEREAS, a Request for Proposal was issued on September 12, 2023 (Specification No. 23-11615), eleven proposals were received, and BMI Imaging Systems has been selected as the preferred vendor; and

WHEREAS, the Board allocated \$95,000 towards file digitization in its adopted Fiscal Year 2023-2024; and

WHEREAS, there are sufficient funds in the Board's Fiscal Year 2023/2024 budget to increase this allocation to \$99,100; and

NOW, THEREFORE, BE IT RESOLVED by the City of Berkeley Rent Stabilization Board that the Executive Director is hereby authorized to execute a contract and any amendments with BMI Imaging Systems for digital conversion of Rent Stabilization Board property files in an amount not to exceed \$99,100 for a contract term through June 30, 2024.

Dated: November 16, 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

M E M O R A N D U M

DATE: September 26, 2023

TO: Honorable Members of the Eviction/Section 8/Foreclosure Committee

FROM: Ollie Ehlinger, Staff Attorney
Jen Fabish, Community Services Specialist

SUBJECT: Owner Move-in Eviction Tracking Report (July 2020– June 2023)

BACKGROUND

I. Measure Y

In November 2000, in response to a rash of owner-move-in evictions, Berkeley voters adopted Measure Y as an amendment to the Rent Stabilization and Eviction for Good Cause Ordinance. Known as Berkeley’s owner move-in (OMI) law, Measure Y was subsequently codified under Berkeley Municipal Code (B.M.C.) Section 13.76.130A.9. It allowed property owners to evict tenants so that the owner or qualifying relatives could move into rental units, but placed restrictions and conditions on such evictions.¹ In addition, property owners who evicted tenant households that qualified as low income were required to pay \$4,500 relocation assistance prior to the tenants relinquishing possession of their rental units.

After an owner move-in eviction, the rental rate for the next tenancy established in the vacant unit cannot exceed the lawful apparent rent ceiling that applied to the former tenancy. (Rent Board Reg. 1016). Furthermore, the evicted tenant/s have the opportunity move back into the unit if they expressed an interest in doing so at the time of the eviction. (B.M.C. 13.76.130A9.o.)

¹Under B.M.C. 13.76.130A.9b., an owner could evict a tenant so that the owner, or his/her spouse, child, or parent could occupancy in a rental unit. The owner or relative must have intended to live in the unit for 36 continuous months. Additionally, with few exceptions, property owners could not evict seniors or disabled tenants who have occupied their rental units for five years or more in buildings with four or more units.

II. Measure AA

In November 2016, Berkeley voters passed Measure AA, which amended Measure Y. While many of above-referenced provisions of the owner move-in law remain the same, Measure AA implemented the following substantial changes:

- Property owners who evict tenants for owner move-in purposes must pay a standard relocation fee to all tenant households where at least one occupant has resided in the unit for more than one year.²
- Qualifying low-income, disabled, elderly, families with minor children, or those tenancies that began prior to 1999 are eligible to receive an additional relocation assistance payment.³
- Families with minor children are protected from being evicted during the school year.
- A City or Rent Board hearing examiner can adjudicate disputes regarding a tenant's entitlement to the additional relocation assistance.

Finally, as under Measure Y, Measure AA requires that “. . . at least twice annually, Rent Board Staff shall report to the Rent Board regarding the occupancy status of units possession of which has been recovered . . . within the prior thirty-six months.” (B.M.C. 13.76.130A9.r.)

² The current standard relocation assistance amount is \$18,011, and may be increased each year by the percentage increase in the Consumer Price Index – All Urban Consumers in the San Francisco-Oakland-San Jose Region for the 12-month period ending June 30 of the prior year, as published by the United States Department of Labor.

³ The current additional relocation assistance amount is \$6,003, which may also be adjusted each year as described above.

OMI REPORT: July 1, 2020-June 30, 2023

COVID-19 SHELTER-IN-PLACE & EVICTION MORATORIUM

Due to the COVID-19 pandemic, the City of Berkeley declared a local State of Emergency on March 3, 2020, which is still in effect. On March 16, 2020, the City of Berkeley Public Health Officer issued a Shelter-in-Place Order, and has subsequently issued a number of Health Orders aimed at reducing the spread of COVID-19. On March 17, 2020, the City of Berkeley passed the COVID-19 Emergency Response Ordinance that placed a moratorium on most evictions, including OMI evictions through April 2023. (B.M.C 13.110.) Starting May 1, 2023 and lasting until the COVID eviction moratorium's ultimate expiration on August 31, 2023, certain owner move-in evictions were permitted. During this final period of the moratorium, called the Transition Period, owners who owned only one rental property in Berkeley were permitted to initiate an owner move-in eviction. However, the Rent Board received no owner move-in requests during May and June 2023, when these were permitted.

STAFF MONITORING

To ensure that tenant protections are not violated, Rent Board staff endeavor to contact occupants living in units that have received OMI eviction notices at least once every six months. Staff typically send a letter to select units notifying the occupant of the rent ceiling that would apply if they are a tenant rather than the owner or qualified family member (Attachment 1). Staff also research information in our databases and county ownership records to ensure that residency information is correct. Additionally, staff typically conduct focused site visits to try to ascertain residency when there is a question as to whether the owner or family member actually lives in the unit after an OMI notice is sent.

When staff receives information that a new tenant may be living in a rental unit following an OMI eviction, staff may contact the owner and/or tenant to ascertain the facts and circumstances pertaining to this occupancy. Staff will often provide counseling to both the owner and tenant when appropriate regarding the proper rent ceilings for that unit. Additionally, when appropriate, staff will attempt to contact tenant households displaced from a rental unit due to an OMI notice to explain the options, rights and remedies that may be available if it appears that the Ordinance has been violated.

OMI NOTICES AND RELOCATION ASSISTANCE PAYMENTS

Notices Filed with the Rent Stabilization Board

Between July 1, 2020 and June 30, 2023, two OMI eviction notices were filed on the same unit at a fourplex property, both of which were rescinded.

Unit designation	Number of notices sent	Unit currently tenant-occupied
Single family home	0	0
Duplex		0
Triplex	0	0
Fourplex	2	2
Five units & more	0	0

Both notices were for owner-move-in (versus qualifying relative) evictions.

Relocation Assistance

The only two OMI notices filed during the current reporting period were rescinded, so no relocation money was distributed.

Claims for Additional Relocation Payment	
Grounds	Number of Claims
Minor Child	0
Disabled	0
Low Income	0
60 or more years old	0
Long-term Tenant	0

NARRATIVE DATA FROM STAFF RESEARCH

Single Family Homes – There were no OMI notices served on single-family homes during the current reporting period.

Duplexes – There were no OMI notices served on duplexes during the current reporting period.

Triplexes – There were no OMI notices served on triplex properties during the current reporting period.

Fourplexes – Two notices were served on the same unit during the current reporting period. Both were rescinded due to the local eviction moratorium, and the unit appears to remain tenant-occupied.

Five or more units – There were no OMI notices served on properties with five or more units during the current reporting period.

OWNERSHIP HISTORY PRIOR TO OMI FILING

Previously, the committee requested data showing how long a landlord owned the property prior to filing an OMI notice.⁴

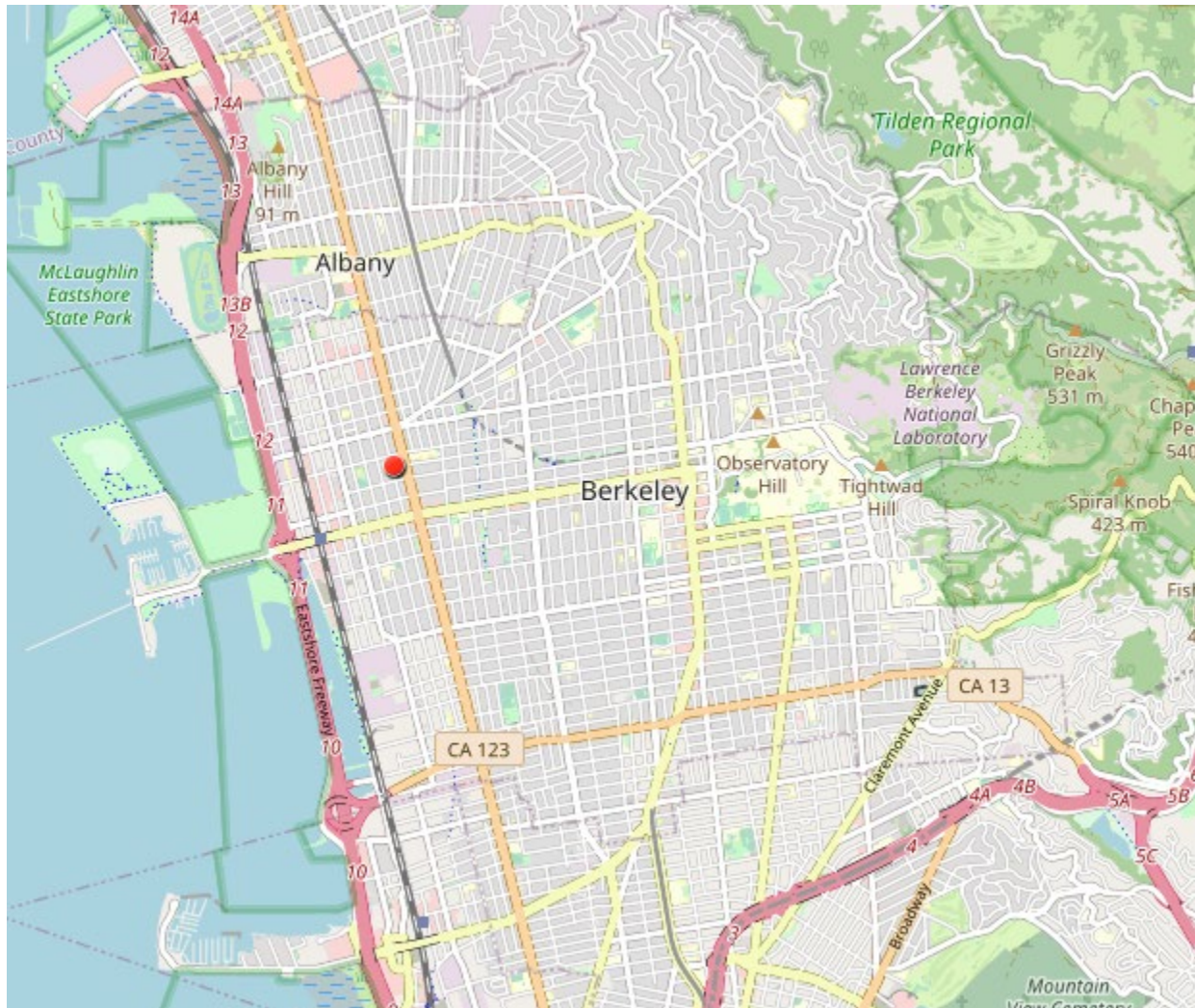
Ownership Prior to Notice	Number of Properties
less than 1 year	2
Between 1 and 2 years	0
2 to 5 years	0
5 to 10 years	0
More than 10 years	0

⁴ When the data includes title transfers, we used the time between the transfer date and the notice of eviction.

LOCATION OF OMI PROPERTIES

General Distribution

The map below shows the general distribution of OMI notices for the current reporting period. Note: Both notices were served on the same address, so there is one data point rather than two.



OMI Notices Location Map

January 2020 – December 2022

● Owner Notice

Geographic Location and Market Area

The table below ordinarily shows the geographic location and market area of properties that received an OMI Notice in the last six months of the current reporting period. Berkeley has been under a local eviction moratorium since March of 2020, and there were no new notices filed in the last six months of the current reporting period. Attachment 2 shows the geographic location and market area for all properties subject to OMI notices during the current reporting period.

Date filed	Street	Market Area
N/A	N/A	N/A

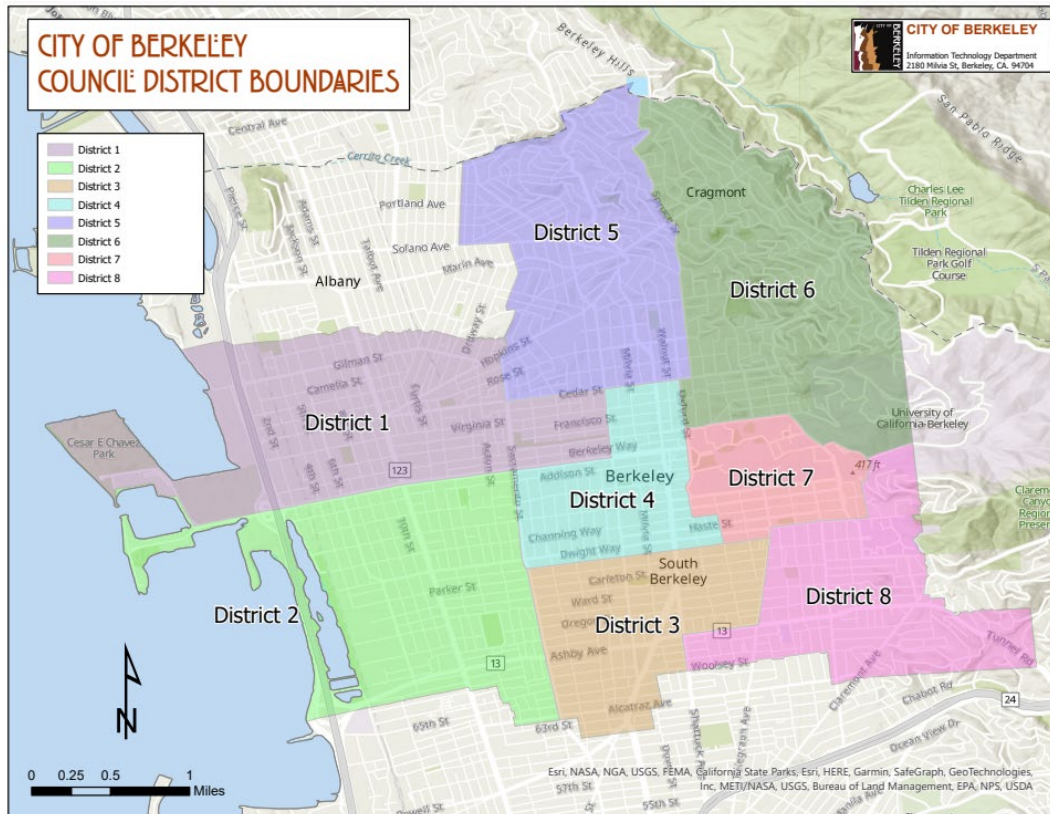
City of Berkeley Census Tract Map & Market Areas



Number of OMI Notices by Council District

At its April 13, 2017 meeting, the Committee requested information about the number of notices served in each City Council District. The table below summarizes this information for the current reporting period:

Council District	Number of Total Notices	Number of Notices, Last Six Months of Reporting Period
1	2	0
2	0	0
3	0	0
4	0	0
5	0	0
6	0	0
7	0	0
8	0	0



CONCLUSION

During this reporting period (July 1, 2020-June 30, 2023), the Board received a total of two OMI eviction notices. During the initial three-year monitoring period (December 2000 – December 2003), the Board received 110 eviction notices. Historically, after the passage of Measure Y, the number of evictions reported for each three-year period was significantly less than the initial period. This trend can be seen in Attachment 3, which shows, in six-month increments, the number of OMI eviction notices the Board has received since September 2000. The first reporting period in the table reflects only four months (September-December 2000), but during this time, 47 of the 56 evictions occurred during the three months prior to the adoption of Measure Y. While the Board did not track the number of OMI notices received prior to September 2000, it has been reported that the number of notices issued during the period from December 1997 to December 2000 was similar to or greater than the four-month period from September to December 2000, before Measure Y became law.

Although the implementation of Measure Y reduced the displacement of long-term tenants and required some relocation assistance for the most vulnerable displaced tenants, as housing prices and rents increased dramatically in recent years, so did the number of OMI evictions. The number of OMI evictions started to pick up in early-2014 (e.g., there were 19 OMI notices filed from January – June 2014). Between 2014 and 2016, there were 78 notices filed.

In November 2016, Berkeley voters passed Measure AA, which requires a standard relocation

payment to all households and an additional payment if a member of the evicted household is elderly, disabled, a long-term tenant, low income, or if there is a minor child in the household.

The City's COVID-19 Emergency Response Ordinance, passed in March 2020, placed a moratorium on evictions, including OMI evictions, and remains in place as of the date of this report, with the exception for owner move ins during the Transition Period noted above. Two notices were filed in 2021 despite the moratorium and were subsequently rescinded. No new notices were filed during the last six months of the current reporting period.

Attachment 1: Sample of letter sent to select rental units that received an OMI eviction notice for the period of July 2019 – June 2022. For the current period of July 2020 – June 2023, two notices were filed on the same unit and were rescinded. Rent Board data indicates that the unit is still occupied by the tenant who received the notices, so a letter was not sent.

Attachment 2: Table reflecting geographic location and market area of properties subject to OMI notices for the period of July 2020 – June 2023.

Attachment 3: Table of OMI notices filed with the Rent Board for the period of September 2000 through June 2023.

ATTACHMENT 1

Sample of Letter Typically Sent to Select Units that Received OMI Notices



Rent Stabilization Board

September 6, 2022

Current Occupant/

Berkeley, CA, 94708

RE: Owner Move-in eviction at

Dear Occupant:

Our records indicate that a prior tenant in your unit was evicted so that the unit could be occupied by the owner or a close relative of the owner. Berkeley Municipal Code section 13.76.130.A(9)(p) requires the Rent Board to monitor your unit for three years to ensure that the unit is, in fact, occupied by the owner or a relative of the owner. Therefore, you will receive a letter like this once every six months during this three-year period. If you are the owner or a *non-rent* paying parent, spouse, domestic partner, or child of the owner, it is not necessary for you to respond to this letter.

If you are not the owner and are paying rent, your rent should not exceed:

\$3087.79

If you are paying rent in excess of this amount, you should contact me at (510) 981-4924. Also, Rent Board Counselors are available to explain your rights and options, including the procedure for recovering any rent overcharges you have paid. An explanation of your rights may also be found on the Rent Board's web site: rentboard.berkeleyca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Ollie Ehlinger". The signature is fluid and cursive, written over a light blue horizontal line.

Ollie Ehlinger
Staff Attorney

ATTACHMENT 2

Geographic Location and Market Area of Properties Subject to OMI Notices

Date filed	Street	Market Area
8/17/2021	1725 10 th St.	West Berkeley (Area 4)
10/8/2021	1725 10 th St.	West Berkeley (Area 4)

ATTACHMENT 3

OMI Eviction Notices Filed With Berkeley Rent Board

Date of Eviction Notice	Number of Notices Received
September – December 2000 *(only four months)	56
January – June 2001	32
July – December 2001	21
January – June 2002	17
July – December 2002	9
January – June 2003	13
July – December 2003	10
January – June 2004	14
July – December 2004	5
January – June 2005	16
July – December 2005	6
January – June 2006	10
July – December 2006	1
January – June 2007	7
July – December 2007	2
January – June 2008	1
July – December 2008	7
January – June 2009	7
July – December 2009	7
January – June 2010	6
July – December 2010	3
January – June 2011	6
July – December 2011	2
January – June 2012	5
July – December 2012	5
January – June 2013	10
July – December 2013	3
January-June 2014	19
July – December 2014	8
January – June 2015	16
July – December 2015	10

January- June 2016	17
July-December 2016	8
January-June 2017	15
July-December 2017	4
January – June 2018	6
July-December 2018	3
January-June 2019	12
July – December 2019	2
January – June 2020*	0
July – December 2020*	0
January – June 2021*	0
July – December 2021**	2
January – June 2022*	0
July – December 2022*	0
January-June 2023***	0
Total Notices Filed	403

* Due to the COVID-19 pandemic, on March 17, 2020, the City of Berkeley passed an Urgency Ordinance placing a moratorium on evictions in most cases, including OMI evictions. As of the end of the current reporting period (December 31, 2022), the moratorium remained in place.

**Two notices were served on the same property during this period despite the eviction moratorium. They were rescinded.

*** From May 1, 2023 through August 31, 2023, the Berkeley COVID-19 Moratorium was amended to allow the owner of a single rental property in Berkeley to perform an owner move-in eviction.



Rent Stabilization Board

DATE: September 26, 2023

TO: Honorable Members of the Eviction/Section 8/Foreclosure Committee

FROM: Oliver Ehlinger, Staff Attorney

SUBJECT: Summary of Ellis Act Evictions (1986 – June 30, 2023)

Background

The origins of the Ellis Act (Gov't Code sections 7060 *et seq.*; “the Act.”) are found in *Nash v. City of Santa Monica* (1984) 37 Cal.3d 97. The plaintiff in *Nash* argued that rent control was a form of indentured servitude, and it was unconstitutional to force him to continue as a landlord by not being able to evict his tenants at will. The California Supreme Court disagreed and found that a city’s interest in maintaining adequate rental housing outweighed a landlord’s interest in demolishing his residential rental property provided the landlord was receiving a fair return on his investment. In 1985, in direct response to the *Nash* decision, the Legislature adopted the Ellis Act which provides that: “[n]o public entity . . . shall . . . compel the owner of any residential real property to offer, or to continue to offer, accommodations in the property for rent or lease.” (Gov’t Code §7060(a).) Thus, the Act gives property owners an absolute right to leave the residential landlord-tenant business. Accordingly, a claim that a landlord is going out of the residential rental business is good cause for eviction. The Ellis Act does not expressly create new or additional rights to change the use of the property after the property owner regains possession of the rental units and, in fact, allows cities to maintain control over most land use issues.

In an attempt to ensure that this right to evict sitting tenants is not abused, the Act authorizes a municipality to place the following constraints on a property that has been removed from the residential rental market. The City Council codified Berkeley’s various restrictions in the Ellis Implementation Ordinance (Berkeley Municipal Code Section 13.77):

- For all tenancies commenced within 5 years of the date of filing of the notice of intent to withdraw accommodations from rent or lease or the date the accommodations were withdrawn from the market, whichever is later, the accommodation must be rented at the lawful rent in effect at the time the notice is filed, plus the annual adjustments granted by the Berkeley Rent Board. (B.M.C. 13.77.040A.)

- If the accommodations are rented within 2 years of being withdrawn from the rental housing market, the owner shall be liable to the displaced tenants for actual and punitive damages. (B.M.C. 13.77.040B.)
- If the accommodations are re-rented within 10 years of the date of withdrawal, the accommodation must first be offered to the displaced tenant(s). (B.M.C. 13.77.040C.)
- In addition, the Condominium Conversion Ordinance prohibits owners from applying to convert the building to condominiums for at least 10 years following the filing of an Ellis notice. (B.M.C. 21.28.060C. and 21.28.090B.)

The Ellis Act and Implementation Ordinance authorize accommodations to be withdrawn from the market following at least 120 days' notice to the tenants. (Gov't Code §7060.4(b). and B.M.C. 13.77.050A.1.) The date of withdrawal is extended to one year for tenants who are disabled or 62 years of age or older, have lived in the unit for at least one year and have timely notified the owner of qualification for this extended notice period. (Gov't Code §7060.4(b). and B.M.C. 13.77.050A.8.)

The Ellis Implementation Ordinance has been revised several times throughout the years to account for changes in state law and to adjust relocation benefits. In the ordinance, the Council initially established relocation benefits of \$4,500, an amount that tracked the original relocation benefits given to low-income tenants who are displaced due to owner move-in evictions. In subsequent years, Council has revised the Ellis Implementation Ordinance to remove the requirement that a household be low-income to receive relocation benefits. These were adjusted by Council in December of 2016 increasing the relocation benefits to \$15,000 per household with an additional \$5,000 available to households that qualify as low-income or include disabled or elderly tenants, minor children, or a household with a tenancy that began prior to January 1, 1999. Commencing in 2018, the relocation benefits now increase in an amount based on the Consumer Price Index.

At the request of the Council and as permitted under City of Berkeley Charter Article XVII Section 123(4), the Rent Board monitored compliance with the Ellis Act from 1986-1991. From 1991 through 1999 the City administered the Ellis Act. The Board resumed monitoring compliance in 2000. The Board counsels landlords and tenants regarding the Ellis Act; receives and reviews all Ellis notices; contacts tenants following receipt of notices; holds the relocation funds in escrow and distributes funds at the appropriate time; files the notice of constraints with the County; and continues to monitor rental occupancy of units that were withdrawn from the rental market on a periodic basis.

Ellis Bill filings in the city have remained fairly low the past few years compared to cities such as San Francisco and Los Angeles which have experienced exponentially greater Ellis Act filings. In 2018 there were six filings totaling twenty-six units, for 2019 there was one filing which has since been rescinded, for year 2020 there were two filings, one of which was rescinded. In 2022, there were five filings, representing seven units, one of which was rescinded

and re-served. This is compared to filings in the early 2000’s which saw 40 filings representing 113 units over a span from 2001 through 2004.

During most of the COVID-19 pandemic, Ellis Act withdrawals were permitted. On September 29, 2022, Council amended the COVID-19 eviction moratorium to prohibit Ellis Act withdrawals. Presumably as a result, the Board did not receive any Ellis requests after that date.

The following data is taken from the Board’s and City’s Ellis Act files:

Ellis Bill Filings Since July 1986

Calendar Year	# of Properties Filed	Total Number of Units	Comments
1986	1	6	
1987	3	7	
1988	2	5	
1989	8	19	
1990	14	52	12 unit bldg
1991	8	18	
1992	6	23	
1993	6	26	12 unit bldg
1994	2	2	
1995	2	4	
1996	2	19	12 unit bldg
1997	4	5	
1998	3	4	
1999	4	7	
2000	2	5	
2001	18	51	
2002	9	24	
2003	8	17	
2004	6	21	
2005	2	3	
2006	7	26	
2007	4	8	
2008	6	11	
2009	2	8	
2010	2	11	
2011	0	0	
2012	0	0	
2013	2	7	
2014	3	10	
2015	6	21	
2016	3	11	
2017	4	13	
2018	5	13	
2019	0	0	

2020	2	6	
2021	5	25	
2022	4	7	
2023*	0	0	
Totals	165	495	

*Totals through June 30, 2023

Size of the Buildings Taken off the Market

Number of Units in Bldg	Total Ellis Filings	% of Total Filings
1 Unit	50	30%
2 Units	42	25%
3 Units	20	12%
4 Units	22	13%
5 Units	5	3%
6 Units	12	7%
7 Units	4	2%
8 Units	3	2%
9 Units	1	0.6%
10 Units	0	n/a
11-15 Units	3	2%
16 or More Units	1	.6%

ELLIS RELOCATION BENEFITS

Berkeley	\$18,011 for all households \$6,003 additional for any household with disabled, elderly, low-income, long-term or tenant with minor child
San Francisco	Up to \$10,000 per tenant (\$30,000 max per household) depending on when filed Add up to \$6,700 for each elderly or disabled tenant
Santa Monica	Studio \$18,250 (\$19,050 for disabled, elderly, family with minor) 1 Bedroom \$25,150 (\$26,850 for disabled, elderly, family with minor) 2+ Bedrooms \$34,950 (\$37,250 for disabled, elderly, family with minor)
West Hollywood	Studio \$7,840 1 Bedroom \$11,070 2 Bedroom \$14,911 3+ Bedrooms \$19,679 Disabled/elderly/terminally ill/moderate income or minor child – \$20,753 Low-income \$26,133

**Commissioner Attendance at Rent Stabilization Board Meetings
Through Q3 of 2023**

2023	Soli ALPERT	Stefan ELGSTRAND	Xavier JOHNSON	Andy KELLEY	Vanessa Danielle MARRERO	Ida MARTINAC	Nathan MIZELL	Leah SIMON-WEISBERG	Dominique WALKER
January 19	Present	Present	Present	Present	Present	Present	Present	Present	Present
February 16	Present	Present	Present	Present	Present	Present	Present	Present	Present
March 16	Present	Present	Present	Present	Present	Present	Present	Present	Present
April 20	Present	Present	Present	Present	Present	Present	Present	Present	Present
May 18	Present	Present	Present	Present	Present	Present	Present	Present	Present
June 15	Present	Present	Present	Present	Present	Present	Present	Present	Present
July 20	Present	Present	Present	Present	Present	Present	Present	Present	Present
August 17 <i>Cancelled</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
September 21	Present	Present	Present	Present	Present	Present	Present	Present	Present
October 19 <i>Cancelled</i>									
<i>October 23</i>									
November 16									
December 21									

* = Absent *with* compensation

** = Absent due to a medical reason

Bold and italicized = Special Meeting

Commissioner Attendance
 Rent Stabilization Board COMMITTEE Meetings:
 January - March (Q1)

COMMITTEES	Soli ALPERT	Stefan ELGSTRAND	Xavier JOHNSON	Andy KELLEY	Vanessa Danielle MARRERO	Ida MARTINAC	Nathan MIZELL	Leah SIMON-WEISBERG	Dominique WALKER
Budget & Personnel									
Thursday, February 9, 2023	Present						Present	Present	Present
Wednesday, February 22, 2023	Present						Present	Absent	Present
Eviction / Section 8 / Foreclosure									
Wednesday, March 8, 2023		Present	Present			Present	Present		
LIRA									
Monday, February 6, 2023	Present			Present		Present	Present		
Outreach									
Tuesday, January 31, 2023	Present	Present		Present	Present				
Wednesday, February 15, 2023	Present	Present		Present	Present				
Thursday, March 9, 2023	Present	Present		Present	Present				
4 x 4 Joint Committee on Housing (City Council/Rent Board)									
Wednesday, February 1, 2023	Present		Present		Present				Present
Wednesday, February 15, 2023			Present		Present			Present	Present
2 x 2 Joint Committee on Housing (BUSD/Rent Board)									
<i>This Committee did not meet this quarter.</i>									
Ad Hoc Committee on Environmental Sustainability									
<i>This Committee did not meet this quarter.</i>									

^ = Meeting cancelled due to lack of a quorum

* = Absent with compensation


 = Not a member of this Committee at this time

Commissioner Attendance
Rent Stabilization Board COMMITTEE Meetings
April - June (Q2)

COMMITTEES	Soli ALPERT	Stefan ELGSTRAND	Xavier JOHNSON	Andy KELLEY	Vanessa Danielle MARRERO	Ida MARTINAC	Nathan MIZELL	Leah SIMON-WEISBERG	Dominique WALKER
<i>Budget & Personnel</i>									
Thursday, May 4, 2023	Present						Present	Present	Present
Thursday, June 1, 2023	Present						Present	Present	Present
<i>Eviction / Section 8 / Foreclosure</i>									
Tuesday, April 11, 2023		Present	Present			Present	Present		
<i>LIRA</i>									
Monday, April 3, 2023	Present			Present		Absent	Present		
Tuesday, May 2, 2023	Present			Absent*		Present	Present		
<i>Outreach</i>									
Monday, April 10, 2023	Present	Present		Present	Present				
Monday, May 8, 2023	Present	Present		Absent*	Present				
Monday, June 12, 2023	Present	Present		Present	Present				
<i>4 x 4 Joint Committee on Housing (City Council/Rent Board)</i>									
Tuesday, May 2, 2023			Present		Present			Present	Present
<i>2 x 2 Joint Committee on Housing (BUSD/Rent Board)</i>									
Monday, May 15, 2023^					Present			Absent*	
Monday, June 26, 2023^					Present			Present	
<i>Ad Hoc Committee on Environmental Sustainability</i>									
Wednesday, May 3, 2023		Present	Present	Absent*		Present			
Wednesday, June 28, 2023		Present	Absent	Present		Present			

^ = Meeting cancelled due to lack of a quorum

* = Absent with compensation

 = Not a member of this Committee at this time

Rent Board Commissioner Attendance
 COMMITTEE Meetings
 July-September (Q3)

COMMITTEES	Soli ALPERT	Stefan ELGSTRAND	Xavier JOHNSON	Andy KELLEY	Vanessa Danielle MARRERO	Ida MARTINAC	Nathan MIZELL	Leah SIMON-WEISBERG	Dominique WALKER
Budget & Personnel									
<i>This Committee did not meet this quarter.</i>									
Eviction / Section 8 / Foreclosure									
Tuesday, July 11, 2023^		Present	Present			Absent	Absent		
Tuesday, July 18, 2023		Present	Present			Present	Present		
Tuesday, September 26, 2023		Present	Present			Present	Present		
LIRA									
Monday, July 24, 2023	Present			Present		Present	Present		
Outreach									
Monday, July 10, 2023^	Present	Present		Absent*	Present				
Tuesday, July 18, 2023	Present	Present		Present	Present				
Monday, September 11, 2023	Absent*	Present		Present	Present				
4 x 4 Joint Committee on Housing (City Council/Rent Board)									
Wednesday, September 27, 2023			Present		Present			Present	Present
2 x 2 Joint Committee on Housing (BUSD/Rent Board)									
Monday, September 25, 2023^					Present			Absent	
Ad Hoc Committee on Environmental Sustainability									
Wednesday, September 6, 2023		Present	Absent	Present		Present			

^ = Meeting cancelled due to lack of a quorum

* = Absent with compensation



= Not a member of this Committee at this time

2023 Unanticipated Remote Participation at Rent Board and Committee Meetings

Soli ALPERT									
Stefan ELGSTRAND									
Xavier JOHNSON									
Andy KELLEY	3/09/2023 Outreach Committee Emergency Circumstances	7/20/2023 Regular Board Meeting Emergency Circumstances	9/21/2023 Regular Board Meeting Emergency Circumstances						
Vanessa Danielle MARRERO									
Ida MARTINAC	4/11/2023 Eviction Committee Just Cause								
Nathan MIZELL									
Leah SIMON-WEISBERG									
Dominique WALKER	5/18/2023 Regular Rent Board Meeting Just Cause								



RENT STABILIZATION BOARD
ENVIRONMENTAL SUSTAINABILITY COMMITTEE

Wednesday, November 1, 2023 – 6:00 p.m.

Rent Stabilization Board Law Library – 2001 Center Street, 2nd floor, 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/85192505753?pwd=nqHqMTXGu6c3ImqK6fOCiFxWQaXBSv.1>. 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 1-408-638-0968 and enter Webinar ID: 851 9250 5753 and Passcode: 524791. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

To submit an e-mail comment for the Committee's consideration and inclusion in the public record, email ndahl@berkeleyca.gov with the Subject line in this format: "PUBLIC COMMENT ITEM FOR AD HOC COMMITTEE ON ENVIRONMENTAL SUSTAINABILITY". Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 4:00 p.m. on the day of the Committee 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 of the Rent Board, at 510-981-7368 (981-RENT). The Committee 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

RENT STABILIZATION BOARD
ENVIRONMENTAL SUSTAINABILITY COMMITTEE

Wednesday, November 1, 2023 – 6:00 p.m.

Rent Stabilization Board Law Library – 2001 Center Street, 2nd floor, Berkeley

AGENDA

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.*
3. Approval of the Agenda (2 min.)
4. Public Comment (5 min.)
5. Approval of September 6, 2023 Meeting Minutes (2 min.)
6. Review of RHSP Annual Checklist form and Rent Board VR Form (20 min.)
7. Review of Data Set of Housing Services Paid for by Landlords (Gas, Heat Electric) (20 min.)
8. Announcements (5 min.)
9. Adjournment (2 min.)

STAFF CONTACT: Nathan Dahl, Public Information Unit Manager (510) 981-4935
COMMITTEE: Ida Martinac (Chair), Stefan Elgstrand, Xavier Johnson, Andy Kelley



Rent Stabilization Board

RENT STABILIZATION BOARD
EVICITION / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Tuesday, November 14, 2023 – 6:00 p.m.

Rent Stabilization Board Law Library – 2001 Center Street, 2nd floor, 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/83211945281?pwd=gDhRo7k3dJelEQ0sCzGI9IZIqcUAAXX.1>. 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: 832 1194 5281 and Passcode: 747669. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

To submit an email comment for the Committee's consideration and inclusion in the public record, email oeHLinger@berkeleyca.gov with the Subject line in this format: "PUBLIC COMMENT ITEM FOR EVICITION/SECTION 8 COMMITTEE". Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 4:00 p.m. on the day of the Committee 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. Questions regarding this matter may be addressed to DéSeana Williams, Executive Director of the Rent Board, at 510-981-7368 (981-RENT). The Committee 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

RENT STABILIZATION BOARD
EVICITION / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Tuesday, November 14, 2023 – 6:00 p.m.

Rent Stabilization Board Law Library – 2001 Center Street, 2nd floor, Berkeley

AGENDA

1. Roll call
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.
3. Approval of the Agenda
4. Approval of Minutes of the September 26 meeting
5. Public Comment
6. Presentation: The Berkeley Housing Authority and the Section 8 Program, Tilda Barnes and Tracy Jackson, Berkeley Housing Authority
7. Discussion and possible action regarding recent eviction activity
8. Discussion and possible action regarding eviction notices
9. Discussion and possible action regarding future agenda items
10. Confirm next meeting date (Commissioners: please bring calendars to meeting)
11. Adjournment

STAFF CONTACT: Ollie Ehlinger, Staff Attorney – (510) 981-4924

COMMITTEE: Stefan Elgstrand (Chair), Xavier Johnson, Ida Martinac, Nathan Mizell



Rent Stabilization Board

RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING

Monday, November 13, 2023 – 6:00 p.m.

Rent Stabilization Board Law Library – 201 Center Street, 2nd floor, 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/83150463664?pwd=fR0nqQS59kqBfWsACM1Pftx9jdASt0.1>.

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: 831 5046 3664 and Passcode: 773055. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

To submit an email comment for the Committee's consideration and inclusion in the public record, email ndahl@berkeleyca.gov with the Subject line in this format: "PUBLIC COMMENT ITEM FOR OUTREACH COMMITTEE". Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 4:00 p.m. on the day of the Committee 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 of the Rent Board, at 510-981-7368 (981-RENT). The Committee 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

RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING

Monday, November 13, 2023 – 6:00 p.m.

Rent Stabilization Board Law Library – 2001 Center Street, 2nd floor, Berkeley

AGENDA

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.*
3. Approval of the Agenda (2 min)
4. Approval of the Minutes of the October 16, 2023 Meeting (3 min)
5. Public Comment (5 min)
6. Year End Summary of Community Outreach Events (7 min)
7. UC Berkeley Outreach Efforts – Tenants' Rights Week Nov. 27-30, 2023 (10 min)
8. Annual AGA/Security Deposit Interest Postcard Draft Preview (5 min)
9. Eviction Moratorium Outreach Efforts Update (10 min)
10. Next Steps with Tenant Survey (15 min)
11. Next Meeting December or January? (2 min)
12. Future Agenda Items (5 min)
 - Eviction Moratorium Outreach Efforts
 - Next Steps with Tenant Survey
 - End of Year Report on Rent Board Outreach Activities and Metrics Tracking
 - Peralta Community Outreach
 - Using GANTT charts for Outreach Planning
 - Language Access Policy
 - Proactive Outreach and Collaboration with BHA, BMR and S+C Programs, Etc.



Rent Stabilization Board

13. Announcements (3 min)
14. Adjournment (2 min)

STAFF CONTACT: Nathan Dahl, Public Information Unit Manager (510) 981-4935
COMMITTEE: Soli Alpert (Chair), Stefan Elgstrand, Andy Kelley, Vanessa Marrero



RENT STABILIZATION BOARD

AD HOC COMMITTEE TO CONSIDER RENT ORDINANCE AMENDMENTS AT THE NOVEMBER 2024 GENERAL ELECTION

Wednesday, November 15, 2023 – 5:30 p.m.

Rent Stabilization Board Law Library – 2001 Center Street, 2nd floor, 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/87117116636?pwd=0xA16zRbbEt5xlEm1LuiVcwsh2Jzbf.1>. If you do not wish your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself as 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: 871 1711 6636 and Passcode: 540806. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

To submit an email comment for the Committee's consideration and inclusion in the public record, email mbrown@berkeleyca.gov with the Subject line in this format: "PUBLIC COMMENT ITEM FOR AD HOC COMMITTEE ON RENT ORDINANCE AMENDMENTS." Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 3:30 p.m. on the day of the Committee 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 of the Rent Board, at 510-981-7368 (981-RENT). The Committee 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
AD HOC COMMITTEE TO CONSIDER RENT ORDINANCE AMENDMENTS
AT THE NOVEMBER 2024 GENERAL ELECTION

Wednesday, November 15, 2023 – 5:30 p.m.

Rent Stabilization Board Law Library – 2001 Center Street, 2nd floor, Berkeley

AGENDA

1. Roll Call
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.*
3. Approval of agenda
4. Approval of minutes from the October 30, 2023 meeting (Attached to agenda)
5. Public Comment
6. Discussion and possible action regarding Potential Berkeley Rent Ordinance Amendments to be placed on the November 2024 General Election Ballot (Tracking Memo and Working Document with Proposed Amendments attached to agenda)
7. Discussion and possible action to set the next meeting
8. Adjournment

STAFF CONTACT: Matt Brown, General Counsel (510) 981-4930
COMMITTEE: Soli Alpert, Xavier Johnson (Chair), Andy Kelley, Leah Simon-Weisberg



RENT STABILIZATION BOARD

AD HOC COMMITTEE TO CONSIDER RENT ORDINANCE AMENDMENTS AT THE NOVEMBER 2024 GENERAL ELECTION

Monday, October 30, 2023 – 5:00 p.m.

Rent Stabilization Board Law Library – 2001 Center Street, 2nd floor, 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/87486931473?pwd=r7kAcpbOpz5YHuMuxbmYggzRrTQVRV.1> . If you do not wish your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself as 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: 874 8693 1473 and Passcode: 510288. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

To submit an email comment for the Committee’s consideration and inclusion in the public record, email mbrown@berkeleyca.gov with the Subject line in this format: “PUBLIC COMMENT ITEM FOR AD HOC COMMITTEE ON RENT ORDINANCE AMENDMENTS.” Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 3:00 p.m. on the day of the Committee 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. Questions regarding this matter may be addressed to DéSeana Williams, Executive Director of the Rent Board, at 510-981-7368 (981-RENT). The Committee 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
AD HOC COMMITTEE TO CONSIDER RENT ORDINANCE AMENDMENTS
AT THE NOVEMBER 2024 GENERAL ELECTION

Monday, October 30, 2023 – 5:00 p.m.

Rent Stabilization Board Law Library – 2001 Center Street, 2nd floor, Berkeley

AGENDA

1. Roll Call
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.*
3. Approval of agenda
4. Approval of minutes from the October 2, 2023 meeting (Attached to agenda)
5. Public Comment
6. Discussion and possible action regarding Potential Berkeley Rent Ordinance Amendments to be placed on the November 2024 General Election Ballot (Working Document attached to agenda)
7. Discussion and possible action to set the next meeting
8. Adjournment

STAFF CONTACT: Matt Brown, General Counsel (510) 981-4930
COMMITTEE: Soli Alpert, Xavier Johnson (Chair), Andy Kelley, Leah Simon-Weisberg