

Rent Stabilization Board

RENT STABILIZATION BOARD
EVICTON / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Tuesday, November 12, 2024 – 6:00 p.m.

Rent Stabilization Board Conference Room A – 2000 Center Street, Suite 400, 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/88954869927?pwd=oY5qvnGVV42G99GpqASbwVPbJEbEA0.1>. 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 1-669-444-9171 and enter Webinar ID: 889 5486 9927 and Passcode: 624317. 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 EVICTON/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 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.



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Tuesday, November 12 2024 – 6:00 p.m.

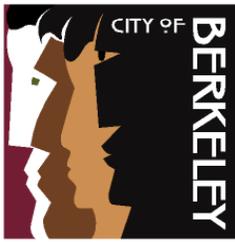
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AGENDA

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 the Minutes of the September 18, 2024 meeting
5. Public Comment
6. Discussion and possible action regarding recent eviction data
7. Discussion and possible action regarding changes to the provisions of the Ordinance related to Good Cause and the Section 8 Program as a result of the November 5, 2024 general election
8. 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

EVICTON / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Wednesday, September 18, 2024 – 6:00 p.m.

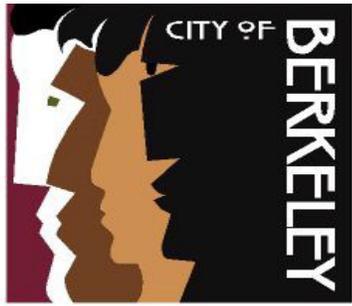
Rent Stabilization Board Conference Room A – 2000 Center Street, Suite 400

MINUTES – (*Unapproved*)

1. Roll call: Committee Staffer Ollie Ehlinger called Roll at 6:08 pm
Members present: Elgstrand, Johnson, Martinac (appeared at 6:12 pm), Mizell
Staff present: O. Ehlinger
2. Land Acknowledgment Statement: The Land Acknowledgment Statement was played.
3. Approval of the Agenda: The Committee approved the agenda with no changes. M/S/C (Mizell/Johnson). Voice vote, motion carried.
4. Approval of Minutes of the June 11, 2024 meeting: M/S/C (Johnson/Mizell) Motion to approve the June 11, 2024 meeting minutes without amendment. Voice vote, motion carried
5. Public Comment: No members of the public offered a comment.
6. Discussion and possible action regarding recent eviction data: Committee Staffer Ehlinger gave a brief report on the Board's data regarding eviction notices. The Committee briefly discussed the report and took no action.
7. Discussion regarding Ellis Act Eviction Report: Committee Staffer Ehlinger gave a brief report on the Ellis Act evictions in Berkeley From July 2023 through June 2024. The Committee briefly discussed the report and took no action.
8. Discussion and possible action regarding Measure AA Owner Move-in Eviction Report: Committee Staffer Ehlinger presented the agency's report on owner move-in eviction from July 2022 through June 2024. The Committee briefly discussed the report and took no action.
9. Confirm next meeting date: The Committee confirmed November 12, 2024 at 5:30 pm as its next meeting date.
10. Adjournment: M/S/C (Johnson/Martinac) Motion to Adjourn. Voice vote, motion carried.
Meeting adjourned at 6:36p.m.

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

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



BERKELEY RENT BOARD

Changes to Berkeley Rent Stabilization Ordinance Provisions Regarding Good Cause for Eviction and the Section 8 Program

Eviction/Section 8/Foreclosure Committee

November 12, 2024

Oliver Ehlinger, Staff Attorney

November 2024 Election

- As of the time of publication of the agenda packet, Measure BB has 53% of the vote. It is possible the Measure passes.
- Measure CC, which would also change grounds for eviction, currently has 37% of the vote. It is less likely Measure CC passes.
- Changes to the Ordinance are not effective until certification of the election, which occurs no more than 8 days after the local election official reports the vote total to the Secretary of State.
- Rent Board staff has pre-planned for all sets of changes to the Ordinance which may occur. Website and public material updates will be available upon certification of the election.

Measure BB: Changes to Coverage of Units rented under the Section 8 Voucher Program

- Section 8 Voucher tenancies are now fully-covered (unless other exemption or partial exemption applies. Section 8 tenants may petition for rent ceiling decreases based off reduction of housing services or substandard housing conditions.
- Rent Board and Housing Authority Staff have discussed the impact of this change.

Measure BB: Changes to Good Cause for Eviction

- Non substantive: Good Cause now referred to as Just Cause
- Non-payment evictions limited to debt over one month's FMV as determined by HUD.
- A lease breach must cause actual harm to rise to the level of just cause for eviction.
- Failure to sign a new fixed-term lease at the expiration of the prior lease is no longer a good cause for eviction.
- Owners must provide notice that the Rent Board can provide assistance in the event of an eviction.
- Owners must provide any eviction notice or eviction lawsuit to the Rent Board within 3 days.