



RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING

Wednesday, October 16, 2024 – 6:00 p.m.

Rent Stabilization Board Conference Room A – 2000 Center Street, Suite 400, Berkeley
Teleconference location: 1418A 67th 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/85743215703?pwd=fQ6CcHHubbDNeNaFDimvZW1rwhTzb.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: 857 4321 5703 and Passcode: 183575. 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.



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OUTREACH COMMITTEE MEETING

Wednesday, October 16, 2024 – 6:00 p.m.

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Teleconference location: 1418A 67th Street, 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 September 9, 2024 Meeting (2 min.)
5. Public Comment (5 min.)
6. Review of 2025 Annual General Adjustment and Security Deposit Interest Postcard (15 min.)
7. Outreach and Engagement Related to the Passage of New Laws. (15 min.)
8. Community Events and Outreach Updates (10 min.)
9. Next Meeting Date (5 min.)
10. Future Agenda Items (5 min.)
11. Announcements (3 min.)
12. 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

**RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING**

Monday September 9, 2024 – 6:00 p.m.

Rent Stabilization Board Committee Room – 2000 Center Street, 4th Floor, Berkeley

Minutes (Unapproved)

1. Roll call: N. Dahl called Roll.
Members Present: Alpert, Elgstrand, and Kelley.
Members Absent: Marrero
Staff Present: N. Dahl
2. Land Acknowledgment Statement: The Land Acknowledgment Statement was played.
3. Approval of the Agenda: M/S/C (Elgstrand/ Kelley) Roll call vote. YES: Alpert, Elgstrand, Kelley
NO: None; ABSTAIN: None; ABSENT: Marrero Carried: 3-0-0-1.
4. Approval of the Minutes of the August 12, 2024 Meeting: M/S/C (Kelley/ Elgstrand) Roll call vote.
YES: Alpert, Elgstrand, Kelley NO: None; ABSTAIN: None; ABSENT: Marrero Carried: 3-0-0-1.
5. Public Comment: None.
6. Review of 2024 Annual General Adjustment and Security Deposit Interest Postcard: No Action taken.
7. Review of Language Line Calls for 2024: No Action Taken
8. Discussion of Language Access Policy Guide: No Action Taken.
9. Next Meeting: Regular Meeting date is Indigenous People's Day so staff will review other alternative dates for meeting.
10. Future Agenda Items:
 - Next Steps with Tenant Survey
 - Proactive Outreach and Collaboration with BHA, BMR and S+C Programs, etc.
 - Language Access Policy & Style Guide
 - Peralta Community Outreach
 - Rent Board Orientation to Newly Elected Officials.
 - BUSD Outreach work via Superintendent Ford Morthel's African American Task Force.
 - Language Line Data Logs

- Collaboration with Commission on Disability

11. Announcements: None.

12. Adjournment: M/S/C (Elgstrand/Kelley) Motion to adjourn. Roll call vote. YES: Alpert, Elgstrand, Kelley; NO: None; ABSTAIN: None; ABSENT: Marrero. Carried: 3-0-0-1. Meeting adjourned at 6:58 p.m.

STAFF CONTACT: Nathan Dahl, Public Information Unit Manager (510) 981-4935

COMMITTEE: Soli Alpert (Chair), Stefan Elgstrand, Andy Kelley, Vanessa Marrero

Berkeley Rent Board

- **Holiday Closure:** The Rent Board will be closed on Monday, October 14th in observance of Indigenous Peoples' Day.

Annual General Adjustment

The Annual General Adjustment (AGA) allows landlords of most units fully covered by Berkeley's Rent Ordinance to raise the rent by a set percentage with proper notice.

THE AGA ALLOWS LANDLORDS TO RAISE RENTS FOR MOST FULLY COVERED RENTAL UNITS

Each year the Berkeley Rent Board passes an Annual General Adjustment (AGA) in October. On January 1, the rent ceilings for most units fully covered by the Rent Ordinance increase by the AGA, which allows landlords to raise rents (with proper notice) up to the new rent ceiling. The AGA is set by taking 65% of the Consumer Price Index for All Urban Consumers in the Bay Area from July 1 through June 30 of the prior year.

CURRENT AGA

The AGA for 2024 is 1.9%

You can use our [AGA Calculator](#) to calculate the allowable rent increase.

CASES WHERE A RENT INCREASE IS PROHIBITED

Landlords cannot raise the rent for the rest of the year in which the tenancy started, and for one additional calendar year. For example, if a tenancy starts on March 1, 2024, the landlord cannot raise the rent for the rest of 2024, or in 2025. The landlord may take the first AGA rent increase in 2026 with proper notice to the tenant.

No matter when a tenancy started, a landlord cannot take the AGA if:

- The landlord has not fully paid Rent Board registration fees
- There is an order from the Rent Board denying AGAs (generally due to a decrease in services or substandard conditions)
- There are serious repair problems or outstanding housing code violations
- The landlord has failed to pay interest on the security deposit for the unit

In order to dispute a landlord's eligibility to apply an AGA, the tenant(s) must file a Rent Board petition. The hearing examiner will decide whether the landlord may use the AGA to raise the rent.

TENANTS WITH A FIXED-TERM LEASE

If a tenancy is eligible for the AGA but the tenant has a fixed-term lease, the landlord will have to wait until the lease term expires to impose the AGA unless the lease allows the increase.

PROPER NOTICE OF RENT INCREASE

Landlords must provide a 30-day written notice for a rent increase of 10% or less, or a 90-day written notice for increases of more than 10%.

“BANKING” OF ANNUAL GENERAL ADJUSTMENTS

If a landlord chooses not to take an AGA rent increase in a given year, they do not lose it. Landlords can “bank” AGAs and then raise the rent to the rent ceiling at any time if they provide the tenant with proper notice.

A NOTE ABOUT THE REGISTRATION FEE PASS-THROUGH

Each year with the elected Rent Board's approval, landlords may pass through a part of the registration fee as a rent increase to tenants who have occupied their units since before 1999, and often do this at the same time they take the AGA. This pass-through does not become a part of the permanent rent ceiling, so it may appear to those tenants that they are paying slightly more than the rent ceilings reflected in our records during the term of the pass-through. Some low-income tenants may be eligible for reimbursement of the pass-through from the Rent Board.

RELATED DOCUMENTS

[NOTICE OF RENT INCREASE \(30/90 DAYS\) FOR THE ANNUAL GENERAL ADJUSTMENT \(183.6 KB\)](#)

[EN ESPANOL: AVISO DE AUMENTO DE RENTA PARA AGA \(302.71 KB\)](#)

[AGA 2024: OCTOBER 23, 2023 STAFF REPORT \(1.55 MB\)](#)

[AGA 2024 ORDER REGULATION_1146 \(238.35 KB\)](#)

[AGA 2024: PUBLIC NOTICE \(114.44 KB\)](#)

[LIST OF ANNUAL GENERAL ADJUSTMENTS: 1981-2024 \(140.37 KB\)](#)

News



UPDATED: Registration Fees Are Due Monday, July 1, 2024



Important Changes to Security Deposit Law



Explore the New Rent Registry Homepage, FAQs, and How-To Guides



Registration Fees for Fiscal Year (FY) 2024-25

Email: rent@berkeleyca.gov

Phone: (510) 981-7368 (RENT)

BERKELEY RENT STABILIZATION BOARD

2000 Center St., Suite 400, Berkeley, CA 94704, M, T, Th, F: 9 am - 4:45 pm (Closed Wed.)



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Berkeley Rent Board

- **Holiday Closure:** The Rent Board will be closed on Monday, October 14th in observance of Indigenous Peoples' Day.

Security Deposit Interest & Calculator

The Berkeley Rent Ordinance requires landlords to pay interest on security deposits to tenants who live in units that are fully or partially covered by Berkeley's Rent Ordinance.

While every effort is made to ensure the accuracy of the Information provided, the Board is not responsible for any errors or omissions. Therefore, any information provided herein is for reference purposes only. Please contact our staff if you have any questions about a specific tenancy or the rights/responsibilities established by the Berkeley Rent Ordinance.

SECURITY DEPOSIT DEFINITION

A security deposit is any payment, fee, deposit, or charge imposed at the start of a tenancy as an advance payment of rent, or to be used for any purpose, including recovering rent defaults, repairing damages caused by the tenant, or cleaning. This does not include application or screening fees. Money paid as the first month's rent isn't considered a security deposit, but money paid in excess of the first month's rent (including last month's rent) is part of the deposit.

TYPES OF SECURITY DEPOSIT INTEREST PAYMENTS AND CURRENT RATES

Annual payment

Landlords make payments annually each December during the tenancy, either as a cash payment or rent rebate. The annual payment must be made no later than January 31.

The interest rate for a December 2023 annual return of security deposit interest: **0.7%**.

Move-out payment

If a tenant moves out before the annual payment is due, the balance (normally the amount owed since the last annual payment) is paid when the tenant leaves.

The interest rate for all October 2024 move-outs is **1.2%**.

As of 2013, security deposit interest rates are calculated exclusively using the Berkeley Bank Rate. Please contact a housing counselor in situations involving multiple years of unpaid security deposit interest for help with calculating the amount owed.

PENALTY FOR FAILURE TO PAY ANNUAL SECURITY DEPOSIT INTEREST BY JANUARY 31

If the landlord does not make the annual December interest payment by January 31, the tenant may recover interest at the rate of 10%. This penalty only applies to security deposit interest for the immediately preceding calendar year. For all other years different rules apply, and you should contact a housing counselor to help you calculate the amount owed.

SECURITY DEPOSIT INTEREST CALCULATOR

Best used for simple calculations, like the current annual or move-out payment. The calculator fields are described below. If multiple years of interest payments are owed, if the tenant moved out of the unit more than a year ago, or if you're not sure what numbers to use in the calculator, please contact a housing counselor, who can calculate the amount owed for you.

Months: Entering the correct number of months can be tricky because the security deposit interest year runs from November 1 - October 31.

- *Annual payment.* For a tenant's first annual payment, enter the number of months since the tenancy start date through October 31. Otherwise enter 12.
- *Move-out payment.* Enter the number of months from November 1 through the tenant's move-out date. If the tenancy started after the prior November, enter the number of months since the tenancy start date through the move-out date.

Interest Rate: The current annual and move-out rates are above. Move-out rates for the last 12 months are in the table below. Some older annual rates are provided in the last table, but we recommend contacting a housing counselor if past years' interest is owed.

Security Deposit Amount: The dollar amount of the security deposit held.

Do NOT use the ENTER key to calculate. Use the Calculate button!

Months:

Interest Rate:

 %

Security Deposit Amount:

 \$

CALCULATE

Interest to be paid:

MOVE-OUT SECURITY DEPOSIT INTEREST PAYMENT RATES (LAST 12 MONTHS)

MOVE-OUT MONTH	BERKELEY BANK INTEREST RATE	INTEREST RATE TO BE PAID UPON MOVE-OUT (12-MONTH AVERAGE RATE)
10/1/2024	1.1%	1.2%=Rate to be paid for October 2024 move-out
9/1/2024	1.2%	1.2%=Rate to be paid for September 2024 move-out
8/1/2024	1.5%	1.2%=Rate to be paid for August 2024 move-out
7/1/2024	1.5%	1.2%=Rate to be paid for July 2024 move-out
6/1/2024	1.5%	1.1%=Rate to be paid for June 2024 move-out
5/1/2024	1.5%	1.1%=Rate to be paid for May 2024 move-out
4/1/2024	1.5%	1.0%=Rate to be paid for April 2024 move-out
3/1/2024	0.8%	1.0%=Rate to be paid for March 2024 move-out
2/1/2024	0.8%	0.9%=Rate to be paid for February 2024 move-out
1/1/2024	1.0%	0.9%=Rate to be paid for January 2024 move-out
12/1/2023	1.1%	0.8%=Rate to be paid for December 2023 move-out
11/1/2023	1.1%	0.7%=Rate to be paid for November 2023 move-out

ANNUAL SECURITY DEPOSIT PAYMENT INTEREST RATES: 2009-PRESENT

Berkeley Bank Interest Rates for Annual Security Deposit Interest Payments

2009	0.9%
2010	0.4%
2011	0.3%
2012	0.2%
2013	0.1%
2014	0.1%
2015	0.1%
2016	0.1%
2017	0.1%
2018	0.1%
2019	0.2%
2020	0.2%
2021	0.0%
2022	0.1%
2023	0.7%

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Registration Fees for Fiscal Year (FY) 2024-25



RENT BOARD HOUSING COUNSELOR

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Phone: (510) 981-7368 (RENT)

BERKELEY RENT STABILIZATION BOARD

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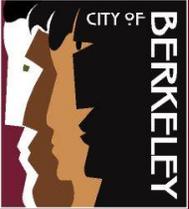
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2025 Annual General Adjustments (Rent Increases) & Security Deposit Interest Owed for 2024

2.1%

**2025 Annual General Adjustment
(Rent Increase)**

X.X%

**2024 Interest on Security Deposit
(Must be paid by Jan. 31, 2025)**

Rent increase limits apply to units covered by rent control.
Landlords may raise the rent to the lawful rent ceiling.
Security deposit interest must be paid to all tenants unless otherwise exempt.
Please visit our website to learn more about allowable rent increases and when landlords are required to pay interest on security deposits.



(Tinyurl to AGA/SD Landing Page)

Questions or Concerns?

Contact Housing Counselors at the Rent Board before you take action.
Contact information on the reverse side.

