

RENT STABILIZATION BOARD

Regular Meeting

Thursday, December 18, 2025 – 7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley, CA

Public participation

This meeting will be conducted in a hybrid model with both in-person and remote participation, and 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 Board may take action related to any subject listed on the Agenda.

To access this meeting by Zoom

[Join the meeting from a PC, Mac, iPad, iPhone, or Android device](#). If you do not want your name to appear on the screen, 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, enter Webinar ID: 825 9492 2748 and Passcode: 157031. To comment during the public comment part of the agenda, Press *9 and wait to be recognized by the Chair.

Email comments

Email comments must be submitted to amueller@berkeleyca.gov by **4:00 p.m.** on the day of the meeting in order to be considered by the Board and included in the public record. Format your subject line: "RENT BOARD MEETING PUBLIC COMMENT ITEM." Please observe a 150-word limit. Time limits on public comments will apply.

Decorum

All rules of procedure and decorum apply for both in-person attendees and those participating remotely. Attendees at public meetings are reminded that other attendees may be sensitive to various scents. Please help the City respect these needs.

Communications access information

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RENT STABILIZATION BOARD

Regular Meeting

Thursday, December 18, 2025 – 7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley, CA

AGENDA

1. Roll call

2. Approval of Agenda

3. 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.

4. Special Order of Business

- a. Election of Rent Board Chair
- b. Election of Rent Board Vice-Chair
- c. Comments from newly elected Chair and Vice-Chair

5. Public Comment for Unions representing Rent Board staff

6. Public Comment

7. Consent Items

- a. Approval of the October 10th special meeting minutes – TO BE DELIVERED
- b. Approval of the November 20th regular meeting minutes
- c. Proposal to approve staff recommendations on requests for waivers of late registration penalties (Executive Director/Registration Unit Manager) – ***Please see attachment 7.c. for a list of all addresses with discretionary waivers that will be considered by the Board.***

8. **Appeal in Case No. T-6124 (2243 Ashby Ave., Unit 1/2)** – This appeal will not be heard before 8:00 p.m. but may be heard anytime thereafter. ***Please see attachment 8 for case description and legal staff recommendation.***

9. **Action Items**

- a. Chair Update: Council action on amendments to Accessory Dwelling Unit (ADU) rules (Chair Alpert)
- b. Special Ceremonial Act: Recommendation to adopt Resolution 25-29 Honoring Urban Compassion Project (Chair Alpert)
- c. Demolition Ordinance Update: City of Berkeley Demolition projects status (Senior Planner Lief Bursell)
- d. Evans Manor property discussion and possible action to adopt Resolution 25-30 (General Counsel)
- e. Discussion and recommendation to adopt Resolution 25-31 establishing the Board's 2026 Regular Meeting Schedule (Executive Director)
- f. Recommendation to adopt Resolution 25-32 to extend the amnesty period to allow for the automatic waiver of penalties for late payment of Measure BB Registration Fees for non-profit affordable housing providers (Executive Director)
- g. Recommendation to adopt Resolution 25-33 authorizing the Executive Director to amend a contract with Goldfarb & Lipman LLP to increase the amount of the contract by \$150,000 (General Counsel)
- h. Recommendation to adopt proposed Regulation 1283 to allow for rent ceiling increases to government-subsidized tenancies that are now subject to rent control due to Ordinance amendments of Measure BB – *First Reading* (LIRA Committee/General Counsel)
- i. Recommendation to adopt Resolution 25-34 modifying the Fiscal Year 2025/26 Staffing Model to reflect the addition of an Assistant Planner to the Planning Unit (Executive Director)

10. **Information, Announcements and Articles/Media**

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

- a. Special Presentation: *Registration 365* (Amanda Eberhart, Registration Unit Manager)
- b. Copy of November 24, 2025, letter to Council titled, "Measure BB Implementation, Affordable Housing Registration Fees, and Amnesty Extension" (Chair Alpert/Executive Director)
- c. Owner Move-in Eviction Tracking Report: July 2022 - June 2025 (Eviction/Section 8/Foreclosure Committee)

- d. Deadline to submit agenda items/topics for the January 2026 regular Rent Board meeting: Monday, January 5th by 5:00 p.m. – Verbal (Board Secretary)

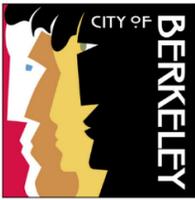
11. Committee/Board Meeting Updates and Announcements

- a. Ad Hoc Committee to Consider Rent Ordinance Amendments at the November 2026 Election (Chair Alpert, Chair)
- b. Budget & Personnel Committee (Vice-Chair Walker, Chair)
- c. Climate Resilience & Habitability Committee (Commissioner Martinac, Chair)
- d. Eviction/Section 8/Foreclosure Committee (Commissioner Elstrand, Chair)
- e. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair)
- f. Outreach Committee (Commissioner Kelley, Chair)
- g. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Commissioner Marrero, Chair)
- h. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent (Councilmember Lunaparra & Chair Alpert, Co-Chairs) Board
- i. Updates and Announcements
- j. Discussion of items for possible placement on future agenda

12. 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

Regular Meeting

Thursday, November 20, 2025 – 7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley, CA

**Teleconference Location – Chome-1-5 Hamadera Ishizuchonishi, Nishi Ward, Sakai, Osaka
Prefecture, 592-8333, Japan**

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RENT STABILIZATION BOARD

Regular Meeting

Thursday, November 20, 2025 – 7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley, CA

**Teleconference Location – Chome-1-5 Hamadera Ishizuchonishi, Nishi Ward, Sakai, Osaka
Prefecture, 592-8333, Japan**

Minutes – *Unapproved*

- 1. Roll call** – The Chair called the meeting to order at 7:05 p.m.
Aimee Mueller called roll.
Commissioners present: Elgstrand, Johnson (via Zoom), Kelley, Marrero, Martinac, Mizell (arrived 7:21 p.m.), Twu, Walker, Alpert
Commissioners absent: None
Staff present: Brown, Bursell, Chang, Kim, Lecky, Mueller, Williams
- 2. Approval of Agenda** – M/S/C (Elgstrand/Kelley) APPROVE AGENDA WITH TWO CHANGES: ADJOURN THE MEETING IN MEMORY OF TRANSGENDER DAY OF REMEMBRANCE, AND CONTINUE THE SPECIAL CEREMONIAL ITEM TO THE NEXT MEETING. Roll call vote.
YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Twu, Walker, Alpert; NO: None;
ABSTAIN: None; ABSENT: Mizell. Carried: 8-0-0-1.
- 3. 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 Acknowledgment Statement was played aloud.
- 4. Public Comment for Unions representing Rent Board staff** – No speakers.
- 5. Public Comment** – Derek Wallace spoke about the living conditions at Evans Manor. Michael Hagarty ceded his time to Derek Wallace. Cody McGillivray spoke about the smoke detectors at Evans Manor. Daniel Sepulveda spoke about the living conditions at Evans Manor. Brenda Arjona spoke about the living conditions at Evans Manor. Kathryn Polteresky spoke about living conditions at Evans Manor.

6. Consent Items

- a. Approval of the October 16th regular meeting minutes
- b. Proposal to approve staff recommendations on requests for waivers of late registration penalties (Executive Director/Registration Unit Manager)

M/S/C (Kelley/Johnson) ADOPT ALL CONSENT ITEMS AS WRITTEN. Roll call vote.
YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO:
None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

7. Action Items

- a. **Chair Update:** Empty Homes Tax Program Update (Senior Planner Lief Bursell)
Lief Bursell presented and took questions from the Board.
- b. **Special Ceremonial Act:** Recommendation to adopt Resolution 25-29 Honoring Urban Compassion Project (Chair Alpert) – ITEM CONTINUED TO NEXT MEETING BY AN EARLIER VOTE OF THE BOARD.

8. Information, Announcements and Articles/Media

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

- a. Copy of the Rent Board's Fall 2025 newsletter: *The Rent Board Review – Housing News You Can Use* (Executive Director)
- b. Copy of the 2026 Annual General Adjustment (AGA) and 2025 Security Deposit Interest postcard mailed to property owners this month (Executive Director)
- c. Update on the Apparent Lawful Rent Ceiling (ALRC) Notice mailing to tenants this month (Executive Director)
- d. Deadline to submit agenda items/topics for the December regular Rent Board meeting: Monday, December 8th by 5:00 p.m. – Verbal (Board Secretary)

9. Committee/Board Meeting Updates and Announcements

- a. Ad Hoc Committee to Consider Rent Ordinance Amendments at the November 2026 Election (Chair Alpert, Chair) – Chair Alpert said the Committee met twice and continues to research and consider the feasibility of some amendments with the goal of forwarding their recommendations to the 4 x 4 Committee in early 2026.
- b. Budget & Personnel Committee (Vice-Chair Walker, Chair) – Vice-Chair Walker said the Committee met on October 30th and received updates on the Fiscal Year 2026 1st Quarter budget, as well as staffing, recruitment systems and capacity building. The Committee's next meeting will be December 2nd at 5:30 p.m.
- c. Climate Resilience & Habitability Committee (Commissioner Martinac, Chair) – The Committee has not met.

- d. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair) – Commissioner Elgstrand said the Committee plans to meet next month.
- e. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair) – General Counsel Matt Brown polled the members who agreed to schedule their next meeting for December 3rd at 6:00 p.m.
- f. Outreach Committee (Commissioner Kelley, Chair) – Commissioner Kelley said most of the Committee’s information is on tonight’s agenda. The Committee will meet again in December.
- g. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Commissioner Marrero, Chair) – Commissioner Marrero said the Committee plans to meet in January.
- h. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board (Councilmember Lunaparra & Chair Alpert, Co-Chairs) – Chair Alpert said the Committee met and received an update from the Tenants Organizing Taskforce out of Councilmember Lunaparra’s office. They also discussed cooling standards, and emergency action around federal funding, immigration and natural disasters.
- i. Updates and Announcements – Commissioner Marrero highlighted the San Francisco upzoning debate and asked that those that are willing to sign a letter to the Board of Supervisors encouraging them to ensure that amendments stay in place to protect rent-controlled units. Commissioner Kelley noted the need to reach out to the Alameda County Board of Supervisors regarding the moratorium for protection of mobile home park residents.
- j. Discussion of items for possible placement on future agenda – Chair Alpert suggested an update on the status of Section 8 and other federally-subsidized housing related to whether funding has been restored and is retroactive, and what impact that is having on Berkeley tenants.

10. Closed Session: Pursuant to Government Code section 54956.9(a), the Board will convene in closed session for an update on litigation: *Harris et al. v. City of Los Angeles*, Appeal Case No. 25-5029.

The Chair announced that the Board voted to file an amicus brief in support of Los Angeles in the Ninth Circuit Court of Appeals.

11. Closed Session: Pursuant to California Government Code Section 54956.9(d)(2), the Board will convene in closed session for an update on possible exposure to litigation: pending claim(s) under the Government Claims Act (Government Code sections 810-996.6).

The Chair announced that the Board voted to authorize the Legal Department to respond to the claim.

12. **Adjournment** – M/S/C (Kelley/Martinac) MOTION TO ADJOURN MEETING. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

The meeting adjourned at 8:10 p.m.



RENT STABILIZATION BOARD

DATE: December 18, 2025

TO: Honorable Members of the Rent Stabilization Board

FROM: DeSeana Williams, Executive Director

BY: Basil Lecky, Community Service Specialist II

SUBJECT: Request for waiver of late registration penalties

Recommendation:

That the Board approve 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 “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 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.

Waiver Recommendations

December 18, 2025

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Property Address	Penalty Assessed	Penalty Waived	Penalty Imposed
1915 Berryman Street	\$5,424.00	\$0.00	\$5,424.00
615 Telegraph Avenue #303	\$212.00	\$212.00	\$0.00
1314 Bancroft Way	\$212.00	\$212.00	\$0.00
2703 Mathews Street	\$3,080.00	\$2,464.00	\$616.00
Total	\$8,928.00	\$2,888.00	\$6,040.00

Financial Impact: Ministerial Waivers

Approval of the Executive Director’s recommendations will decrease the Board’s current accounts receivable by **\$2,888.00**.

Discretionary Waivers

For the waiver requests listed below, staff recommendations are attached and presented to the full Board for its approval. 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.

Property Address	Penalty Assessed	Penalty Waived	Penalty Imposed
2315 Dwight Way	\$41,624.00	\$20,812.00	\$20,812.00

Waiver Recommendations

December 18, 2025

Page 3

Total	\$41,624.00	\$20,812.00	\$20,812.00

Financial Impact: Discretionary Waivers

Approval of the Executive Director’s recommendations will decrease the Board’s current accounts receivable by **\$20,812.00**

Name and Telephone Number of Contact Person:

DeSeana Williams, Executive Director
Rent Stabilization Board
2000 Center Street, Suite 400, Berkeley, CA 94704
(510) 981-7368

**City Of Berkeley
Rent Stabilization Board**

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5166	Property address: 2315 DWIGHT WAY BERKELEY CA 94704	Transferred: 04/30/2025
Exempt units (as of February 2021): Unit # 301A - COOP - , Unit # 301C - COMM - , Unit # 301B - COMM -		
Owner(s): Berkeley Student Cooperative	Waiver filed by: Executive Director	# of Units: 124
Other Berkeley rental property owned: None		
Late payment/penalty history: 2025-2026 Registration Fee		

Registration Date or Year	Units Requiring Registration at That	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Paid
FY2025-26	ALL	\$41,624.00	10/06/2025	\$41,624.00	\$0.00	\$0.00
Totals (penalties previously assessed)				\$41,624.00	\$0.00	\$41,624.00

Penalties Currently Under Consideration

Reason for Penalties: Late payment of registration fees

Registration Date or Year	Unit(s) Registered Late At This Time	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Due
FY2025-26	124	\$41,624.00	10/06/2025	\$41,624.00	\$0.00	\$41,624.00
Total				\$41,624.00	\$0.00	\$41,624.00

Grounds under Regulation 884(B): (6) The landlord requesting the waiver owns or manages 11 or more rental units

Good cause claimed by owner: The Manager reports that the Berkeley Student Cooperative (BSC) assumed management of the building in May 2025, following a 35-year lease to a third-party property management company. Due to this recent transition, BSC believes the notice for the City's rent ordinance registration fee was received after the due date. This property is the only one owned by BSC subject to the registration requirements, and the associated penalty represents an unbudgeted expense.

Recommendation: Staff recommends waiving 50% of the penalties.

Staff Analysis: Owners are responsible for knowing and complying with the requirements of the Rent Ordinance and for maintaining accurate, up-to-date contact information with the Rent Board to receive all

official correspondence.

2000 Center St., Suite 400, Berkeley, CA 94704
TEL: (510) 981-7368 (981-RENT), TDD: (510) 981-6903, FAX: (510) 809-3921
E-MAIL: rent@berkeleyca.gov, INTERNET: rentboard.berkeleyca.gov



Memorandum

DATE: December 18, 2025
TO: Honorable Members of the Berkeley Rent Stabilization Board
FROM: Rent Board Legal Staff
SUBJECT: Case No. T-6124 (2243 Ashby Ave., Unit 1/2)

Case Summary and Legal Recommendation

Appellant Landlord (“Landlord”) appeals the hearing decision granting Tenant’s Petition for Individual Rent Adjustment (“petition”), seeking a rent ceiling reduction due to a rodent presence at the rental unit located at 2243 Ashby Avenue Unit ½ Berkeley, CA (“premises”).

On appeal, Landlord argues that the hearing examiner failed to consider their evidence, improperly credited the tenant’s testimony, and prematurely closed the record. However, Landlord provides no legal basis or evidentiary support demonstrating any procedural error or abuse of discretion. The appeal largely restates arguments already presented and rejected at the hearing and fails to identify factual or legal mistakes warranting reversal. Overall, Landlord has not shown that the hearing examiner misapplied Board regulations, relied on improper evidence, or made findings unsupported by the record. Therefore, the decision of the hearing examiner should be affirmed.



Rent Stabilization Board

DATE: December 18, 2025

TO: Honorable Members of the Rent Stabilization Board

FROM: Chair Soli Alpert

SUBJECT: Recognizing the Urban Compassion Project for Its Service to the Berkeley Community

Recommendation:

Adopt Resolution 25-29 recognizing the Urban Compassion Project for its service to the Berkeley community.

BACKGROUND

The Urban Compassion Project (<https://urbancompassionproject.org/>) is a non-profit entity that supports communities in need by providing mutual aid, linking homeless individuals to critical services, and clearing illegally dumped waste and debris on impacted streets as a volunteer service. These efforts are provided to cities and communities at no cost. On November 8, 2025, the Urban Compassion Project hosted a cleanup event at Eighth and Harrison Street, clearing 24,000 pounds of debris with the help of 60 volunteers and homeless individuals.

In many cases, waste and debris on public streets is blamed on the actions of homeless residents when it is a result of illegal dumping. Illegal dumping is often intentionally done near locations of encampments to avoid detection and shift blame onto homeless residents. The Urban Compassion Project not only helps clean up the community and connect homeless residents to services, but also educates residents about the unfair blame placed on people experiencing homelessness, building community and understanding between homeless and housed neighbours.

RESOLUTION 25-29

RECOGNIZING THE URBAN COMPASSION PROJECT FOR ITS SERVICE TO THE BERKELEY COMMUNITY

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

WHEREAS, The Urban Compassion Project is a local organization that tackles the intertwined issues of homelessness, public health, and environmental degradation by clearing illegally dumped waste, providing mutual aid, and linking homeless residents to critical services; and

WHEREAS, The Urban Compassion Project works to bridge the gap between housed and unhoused community members through acts of kindness, compassion, and empathy, improving the health and cleanliness of our community for the benefit of all while reducing stigma towards and misconceptions about the homeless community; and

WHEREAS, the Urban Compassion Project has been sponsoring weekly cleanups in Oakland and other cities, engaging thousands of volunteers over time, both housed and unhoused, while removing over 2,400 tons of trash; and

WHEREAS, the Urban Compassion Project cleaned the Harrison Street corridor on November 8, 2025, bringing 60 volunteer participants to assist in removing 24,000 pounds of trash and debris, while providing homeless residents with resources and aid.

NOW THEREFORE, BE IT RESOLVED that the Berkeley Rent Stabilization Board recognizes the Urban Compassion Project's work for the betterment of our community and commends their effort to heal divisions while creating a healthier and more beautiful city for all; and

BE IT FURTHER RESOLVED that the Berkeley Rent Stabilization Board welcomes the Urban Compassion Project's continued activities in Berkeley and commits to promoting and supporting the Urban Compassion Project's efforts.

Dated: December 18, 2025

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

YES:

NO:

ABSTAIN:

ABSENT:

Soli Alpert, Chair
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director



Rent Stabilization Board

DATE: December 18, 2025
 TO: Honorable Members of the Rent Stabilization Board
 FROM: Lief Bursell, Senior Planner
 Katrina Lapira, Associate Planner
 SUBJECT: Status Update on Berkeley Demolition Ordinance Applications

Residential Dwelling Unit Demolition Application Update

Beginning in calendar year 2022, a total of 20 development applications have been submitted that propose the demolition of existing multi-family residential buildings that include dwelling units that are either subject to rent control or potentially subject to rent control when rented. These applications propose the removal of 141 residential units, 93 of which were occupied by tenants at the time that Rent Board staff initially reviewed the applications.

Overall, if all existing projects were approved and moved forward to construction, they would result in a net gain of 88 BMR units (beyond the one-for-one replacement of a BMR unit for each existing residential unit). Of the 20 development applications, 13 currently provide or propose at least one-to-one replacement of rent-controlled units with BMR units.

Table 1: Demolition Projects Since 2022 – Project Status¹

Project Status <i>As of December 18, 2025</i>	# Projects	# Existing Units	Tenant Occupied	# BMR Units	Net Gain/Loss
ZAB Approved	12	100	62	151	+51
App. Complete	3	19	15	44	+25
Under Review	3	13	8	20	+7
Pre-Application	2	9	7	14	5
Total	20	141	93	229	+88

In 2025, only one demolition project was referred to the Rent Board for review. Compared to calendar year 2024, the number of demolition projects referred to the Rent Board is down by 83 percent. The Rent Board has received an average of 6-7 demolition application referrals a year between calendar years 2022 to 2024.

¹ Projects in this table do not include the demolition of single-family dwelling units or Golden Duplexes that are fully exempt from rent control. This table also does not include an SB 35 project at 1464 6th Street that converted all existing market-rate units into below-market rate units.

New Demolition Project

This update includes an additional Use Permit application that was recently forwarded to the Rent Board by the City of Berkeley Planning Department staff. This project involves the demolition of three rent-controlled dwelling units at 2703-2705 Benvenue Avenue. The project proposes the conversion of a four-unit residential building, with one unpermitted unit, into a single-family dwelling unit with no replacement units or BMR units. This Use Permit application is incomplete and is being processed in accordance with the requirements of the current Demolition Ordinance and the Middle Housing Zoning Amendments.

Project at 3035 Colby Street

Staff previously included an update on a demolition project for a duplex at 3035 Colby Street. During the review process, the property owner asserted that the property qualified as a Golden Duplex, a claim ultimately approved by the Rent Board's Registration Unit. While the Zoning Adjustment Board has since approved this demolition project, it is no longer included in the update or the attached table, as this report covers only demolition applications involving rent-controlled units.

Tentative Project at 1681-1687 Scenic Avenue and 2401-2413 Virginia Street

In the last Demolition Update Report, staff shared a potential tentative demolition project located at 1681-1687 Scenic Avenue and 2401-2413 Virginia Street. This project may demolish 13 rent-controlled units to develop a five-story residential building. At the time of this writing, the applicant for this project has not submitted an SB 330 pre-application or a Use Permit application for this development, so no additional information is available about this potential project.

Attachments:

- 1) Residential Demolition Application Update Presentation Slides (December 18, 2025)
- 2) December 18, 2025, Residential Demolition Applications Update

Name and Telephone Number of Contact Person:

Lief Bursell, Senior Planner (510) 981-7368



Residential
Dwelling
Demolition
Application Update

Projects involving demolition of
Rent-Controlled Dwellings

December 18, 2025



Attachment 1.

Demo Project Updates Dec. 18, 2025

2703-2705 Benvenue Ave. (4 Units)

- Property is legal triplex with one unpermitted unit
- Proposal to convert building to Single-family home, making property exempt from rent-control.
- One unit is rented & under rent control, unpermitted unit is owner-occupied and 2 units are vacant.
- Proposed under elimination through combination section of Demolition Ordinance (BMC 23.323.040).

2035 Colby Street (2 Units)

- Previously included in Demolition Update report
- Owner claimed Golden Duplex exemption
- Exemption was granted, demolition approved without BMR replacement units.

2022-2024 Development Applications Proposing Demolition of Residential Units

Project Status <i>(As of 12/12/24)</i>	# Projects	Existing Units	Tenant Occupied	# BMR Units	Net Gain/Loss
ZAB Approved	12	100	62	151	+51
App. Complete	3	19	15	44	+25
Under Review	3	13	8	20	+7
Pre-Application	2	9	7	14	+5
Total	20	141	93	229	+88

City of Berkeley Residential Demolition Application Trends

Year	# Applications	Existing Units	Proposed Units
2022	6	54	900
2023	6	29	540
2024	7	55	803
2025	1	3	1
Total	20	141	2,244



Questions

Application Date	Project Address	Application Type	Application Status	Project Description	Proposed Units	# Existing Residential Units Proposed for Demolition	# Tenant Occupied Units	# Replacement Units	One to One Replacement with BMR?	Total BMR Units	Council District
9/5/2025	2703-05 Benvenue Ave.	Use Permit	Incomplete	Combination of 3 Units to create a SFD, building a 4th unpermitted unit. The project would result in a single-family home	1	3	1	0 BMR	No	0	8
9/5/2024	2360 Ellsworth St.	Use Permit	Approved by ZAB	Demo existing 7 units and build 65 new units with 5 BMR units	65	7	7	5 BMR	No	5	7
8/8/2024	2425 Durant Ave.	Use permit	Approved by ZAB	Demo Existing 19 Units in 2 buildings to construct 169 dwelling unit building with 13 affordable housing units designated for VLI households, 9 LI, 13 for moderate-income households. All 19 existing dwelling units, when replaced, will be below-market-rate rentals.	169	19	19	19 BMR	Yes	35	7
8/6/2024	2138 Kittredge	Use Permit	Approved by ZAB	Demo existing 4 units and build 66 new units with 5 BMR units	66	4	1	5 BMR	Yes	5	4
6/20/2024	2036 Bancroft Way (2030 Bancroft Way)	Use Permit	Under Review	Demo 8 existing units and build 87 new units with 4 BMR	87	8	8	4 BMR	No	4	4
6/17/2024	1899 Oxford	Use Permit	Complete	Demo existing 8 units and build 222 units with 34 BMR units (17 VLI, 16 MI)	222	8	6	8 BMR	Yes	35	6
6/14/2024	1581 University	Use Permit	Approved by ZAB	Demo existing 5 units and build 158 new units with 23 BMR units (14 VLI and 9 MOD)	158	5	5	5 BMR	Yes	23	1
6/5/2024	2442 Haste St.	Use Permit	Approved by ZAB	Demo Existing 4plex - build 36 new units, 2 BMR, 1 replacement unit	36	4	4	3 BMR	No	3	7
8/4/2023	1330 Haskell St.	Use Permit	Approved by ZAB	Construct two detached units in place of existing duplex	2	2	0	0 BMR	No	0	2
6/22/2023	2733 San Pablo Ave	Use Permit	Under Review	Construct a new 8-story mixed-use building with 152 dwelling units	152	2	0	2 BMR	Yes	16	2
5/20/2023	1790 University Ave	Use Permit	Complete	Construct a five-story mixed-use building containing 17 dwelling units and ground floor commercial space	17	1	1	1 BMR	Yes	2	4
4/26/2023	2127-59 Dwight Way	Use Permit	Approved by ZAB	Construct a six-story multi-family building, with 58 new dwelling units	58	8	5	8 BMR	Yes	8	4
2/10/2023	2300-10 Ellsworth St.	Use Permit	Approved By ZAB	Construct a seven-story residential building with 69 units.	69	12	12	12 BMR	Yes	12	7
1/23/2023	2601 San Pablo Avenue (1110-12 Parker and 2609 San Pablo)	SB 330 Pre-App	SB 330 Preliminary Application Complete (12/5/2023)	Merge six parcels and construct an eight-story mixed-use residential development with 242 dwelling units	242	4	2	4 BMR	Yes	4	2
12/2/2022	3030 Telegraph (aka 2330-36 Webster)	Use Permit	Approved by ZAB	Construct 5-Story mixed-use building with 144 dwellings	144	4	0	4 BMR	Yes	8	8
11/14/2022	2538 Durant	Use Permit	Approved by ZAB	Demolish 12 dwelling units & develop an eight-story residential building with 83	83	12	8	6 BMR	No	6	7
10/20/2022	2138 Center Street (aka 2128 Oxford)	Use Permit	Approved	Merge two lots to construct a 26 story mixed-used building with 456 dwellings	456	16	0	16 BMR	Yes	40	4
9/22/2022	2427-33 San Pablo Avenue	Use Permit	Approved by ZAB	Construct a five-residential replacement apartment units and Group Living Accomodation (GLA) with 77 private rooms	77	8	8	8 BMR	Yes	8	2
5/10/2022	1827 & 1899 Oxford	SB 330 Pre-App	SB 330 Preliminary Application Under Review	Construct 118 new dwellings with 12 BMR	118	8	6	8 BMR	Yes	12	6
5/10/2022	1773 Oxford	Use Permit	Approved by ZAB	Demolish six units and develop a five-story residential building with 22 units	22	6	0	3 BMR	No	3	6

RESOLUTION 25-30

**REQUESTING THAT THE CITY COUNCIL AND CITY MANAGER DIRECT
INCREASED HOUSING CODE INSPECTION AND POSSIBLE ENFORCEMENT
SERVICES TO EVANS MANOR**

BE IT RESOLVED by the Rent Stabilization Board of the City of Berkeley (“Board”) as follows:

WHEREAS, the Board’s purpose is “to address the City’s housing crisis, preserve the public peace, health and safety, and advance the housing policies of the City with regard to low- and fixed-income persons, marginalized communities, students, persons with disabilities, and older adults” (BMC 13.76.030); and

WHEREAS, the Rental Housing Safety Program was established in 2001 to improve the safety of Berkeley’s rental housing; and

WHEREAS, the City has activated a number of other Departments to enforce various code violations to ensure that Berkeley’s tenant community continues to enjoy safe and decent housing free from various state and local housing code violations; and

WHEREAS, the Board has recently received a number of complaints from residents of Evans Manor (residences at 2315 Haste Street and 2316 Dwight Way), many of whom describe hazardous conditions and extreme neglect of habitability standards; and

WHEREAS, the Board is informed that Evans Manor has a number of students and persons with disabilities occupying the premises; and

WHEREAS, the Board has at various times enlisted the City Manager’s and Council’s support in activating various code enforcement actions through City departments; and

WHEREAS, the Board remains concerned that all Berkeley tenants live in safe conditions; and

RESOLUTION 25-30

REQUESTING THAT THE CITY COUNCIL AND CITY MANAGER DIRECT INCREASED HOUSING CODE INSPECTION AND POSSIBLE ENFORCEMENT SERVICES TO EVANS MANOR (Page 2)

WHEREAS, the Board shall continue to neutrally advise both landlord and tenants at Evans Manor of their rights and responsibilities.

NOW, THEREFORE, BE IT RESOLVED that the Berkeley Rent Stabilization Board formally requests that the City Manager and City Council direct the City's housing code inspection and enforcement services to Evans Manor to ensure that residents are not living in unsafe conditions; and

BE IT FURTHER RESOLVED that, by adopting this resolution, the Board makes no assertions regarding the condition of the residential rental property at Evans Manor or the way it is being managed; rather the Board is requesting that the City investigate complaints as it otherwise would for any other allegedly substandard property.

Dated: December 18, 2025

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

YES:

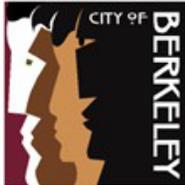
NO:

ABSTAIN:

ABSENT:

Soli Alpert, Chair
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director



DATE: December 18, 2025

TO: Honorable Members of the Rent Stabilization Board

FROM: DéSeana Williams, Executive Director
By: Aimee Mueller, Associate Management Analyst/Board Secretary

SUBJECT: Proposed 2026 Rent Stabilization Board Regular Meeting Schedule

Recommendation:

That the Board adopt attached Resolution 25-31 establishing their Regular Meeting Schedule for the 2026 calendar year.

Background and Need for Board Action:

The Brown Act (Gov. Code §54954 et seq.) requires a legislative body, such as the Rent Stabilization Board (Board), to annually establish a schedule of its regular meetings, including the time and location of those meetings. The Board's longstanding policy was to hold its regular meetings on the first and third Mondays of each month in the City Council Chambers at Old City Hall. In 1996, the Board adopted Resolution 96-13 to formalize this practice. At its December 5, 2005, regular meeting, the Board adopted Resolution 05-27 revising Resolution 96-13 and re-establishing the schedule to meet monthly on the third Monday of each month.

In 2012, the Berkeley Unified School District relocated its administrative offices from the seismically unsafe Old City Hall to the West Campus building at 1231 Addison Street. Old City Hall had remained essentially vacant ever since, unlocked and heated only for purposes of holding public meetings. In late 2018, this space was converted to a homeless shelter used during inclement weather.

Beginning December 4, 2018, the City Council relocated its meetings from Old City Hall to the new Berkeley Unified School District (BUSD) Board Room, located at 1231 Addison Street. In anticipation of the cessation of facilities services to Old City Hall, the City Council negotiated access to the BUSD Board Room for Zoning Adjustment Board (ZAB) Meetings on the second and fourth Thursdays of the month, and for Rent Board Meetings on the first and/or third Thursdays of the month.

At the December 17, 2018, regular meeting, the Board voted to adopt Resolution 18-25 establishing the Regular Meeting Schedule and Location for the 2019 calendar year that relocated the Rent Board's regular meetings to the BUSD Board Room on the third Thursday of each month.

At its December 21, 2019 regular meeting, the Board voted to adopt Resolution 19-28 establishing a regular meeting schedule and location for regular Rent Board meetings in the 2020 calendar year which stated, “that all meetings shall begin at 7:00 p.m. unless otherwise noticed pursuant to the requirements of the Brown Act and that regular meetings scheduled for the third Thursday of each month shall only be operative during the 2020 calendar year unless the change is made permanent by subsequent future Board Resolution, or unless the Board chooses to adopt a similar annual schedule for another year by subsequent Resolution.”

On March 4, 2020, Governor Newsom issued Executive Order N-25-20 which, among other things, suspended the requirement that public meetings be held in-person and required legislative bodies to hold meetings via teleconference. Governor Newsom thereafter issued several more Executive Orders which further required teleconferencing of public meetings until the state legislature adopted a law in 2021 that allowed legislative bodies to make their own rules as to whether they met in person or allowed for teleconferencing during a declared state of emergency. Pursuant to the Governor’s Executive Orders and state law, the Board conducted all public meetings remotely during the declared state of emergency from March 2020 through February 2023.

Starting in March 2023, the Board has conducted all public meetings in a hybrid model with both in-person attendance and virtual participation in accordance with Government Code Section 54953 and all current state and local requirements allowing public participation in meetings of legislative bodies.

Proposed dates for the 2026 Regular Meeting Schedule:

Observed holidays and VTO days are listed on the attached 2026 City Calendar (Attachment 1.). The Board Secretary has reviewed these holidays as well as other major civic and cultural holidays before proposing meeting dates for the Board’s consideration. **All meeting dates below fall on our designated third Thursday of the month.** *Dates with an asterisk coincide with significant religious holidays.*

January 15	April 16	July 16	October 15
February 19	May 21*	August 20	November 19
March 19*	June 18	September 17	December 17

*March 19th falls on Eid al-Fitr. May 21st falls on Shavuot.

Financial Impact:

There are sufficient funds allocated in the Fiscal Year 2026-27 budget to cover the costs of conducting these monthly hybrid Rent Board meetings in the BUSD Board Room.

Name and Telephone Number of Contact Person:

DéSeana Williams, Executive Director (510) 981-7368

Attachments:

1. City of Berkeley 2026 Calendar (with observed holidays noted)
2. City Policy Regarding the Scheduling of City Meetings on All Significant Religious Holidays

RESOLUTION 25-31

ESTABLISHING THE REGULAR MEETING SCHEDULE FOR THE BERKELEY RENT STABILIZATION BOARD FOR THE 2026 CALENDAR YEAR

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

WHEREAS, the Brown Act (Gov. Code Section 54954 et seq.) requires a legislative body, such as the Rent Stabilization Board (“Board”), to annually establish a schedule of its regular meetings, including the time and location of the meeting; and

WHEREAS, beginning in 2019, the Board relocated its meetings from Old City Hall to the new Berkeley Unified School District (“BUSD”) Board Room, located at 1231 Addison Street; and

WHEREAS, beginning in 2019, the Board changed its regular meeting day to the third Thursday of each month and wishes to continue this arrangement; and

WHEREAS, pursuant to Government Code Section 54953(e) and City Council Resolution 70,030-N.S., the Board held its monthly meetings exclusively through teleconference and Zoom videoconference through the end of the state of emergency on February 28, 2023; and

WHEREAS, since March of 2023, the Board has conducted hybrid meetings in the BUSD Board Room with both in-person attendance and virtual participation in accordance with Government Code Section 54953 and all current state and local requirements allowing public participation in meetings of legislative bodies; and

WHEREAS, pursuant to City Council Resolution 70,066-N.S., it is the policy of the City to avoid scheduling meetings of City Legislative Bodies on religious holidays that incorporate significant work restrictions for common observance in the United States; and

WHEREAS, the City has provided a list of religious holidays that legislative bodies are instructed to avoid when scheduling their respective public meetings which is incorporated and attached to this resolution; and

RESOLUTION 25-31

ESTABLISHING THE REGULAR MEETING SCHEDULE FOR THE BERKELEY RENT STABILIZATION BOARD FOR THE 2026 CALENDAR YEAR

(Page 2)

WHEREAS, any religious holidays that fall on the Board’s designated monthly meeting dates in 2026 are noted via asterisk in the list below.

NOW, THEREFORE, BE IT RESOLVED that the Board will hold their regularly-scheduled meetings during the 2026 Calendar year on the following dates:

January 15	April 16	July 16	October 15
February 19	May 21*	August 20	November 19
March 19*	June 18	September 17	December 17

BE IT FURTHER RESOLVED that all meetings shall begin at 7:00 p.m. unless otherwise noticed pursuant to the requirements of the Brown Act and that regular meetings scheduled for the third Thursday of each month at the BUSD Board Room shall only be operative during the 2026 calendar year unless the change is made permanent by subsequent future Board resolution, or unless the Board chooses to adopt a similar annual schedule for another year by subsequent resolution.

Dated: December 18, 2025

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

YES:
NO:
ABSTAIN:
ABSENT:

Chair
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director



2026 CITY CALENDAR

JANUARY						
Sun	Mon	Tues	Wed	Thur	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY						
Sun	Mon	Tues	Wed	Thur	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

MARCH						
Sun	Mon	Tues	Wed	Thur	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL						
Sun	Mon	Tues	Wed	Thur	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
Sun	Mon	Tues	Wed	Thur	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE						
Sun	Mon	Tues	Wed	Thur	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY						
Sun	Mon	Tues	Wed	Thurs	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST						
Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER						
Sun	Mon	Tues	Wed	Thurs	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER						
Sun	Mon	Tues	Wed	Thur	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER						
Sun	Mon	Tues	Wed	Thur	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER						
Sun	Mon	Tues	Wed	Thur	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

CITY OF BERKELEY RECOGNIZED HOLIDAYS / OBSERVANCES

- 1/1 New Year's Day
- 1/19 Martin Luther King Jr.'s Birthday
- 2/12 Lincoln's Birthday
- 2/16 Washington's Birthday
- 3/31 Cesar Chavez Day - Obs 3/30
- 5/19 Malcolm X's Birthday - Obs 5/18
- 5/25 Memorial Day

- 6/19 Juneteenth
- 7/4 Independence Day - Obs 7/3
- 9/7 Labor Day
- 10/12 Indigenous Peoples' Day
- 11/11 Veterans Day
- 11/26-27 Thanksgiving Day/Day After
- 12/25 Christmas Day

- Pay Day
- Observed Holidays
- Voluntary Time Off (VTO) Days
- New Employee Orientation

City Policy Regarding the Scheduling of City Meetings on All Significant Religious Holidays

Pursuant to Resolution No. 70,066-N.S., it is the policy of the City to avoid scheduling meetings of City Legislative Bodies (City Council, Policy Committees, Commissions, Task Forces) on religious holidays that incorporate significant work restrictions for common observance in the United States. City legislative bodies must avoid scheduling meetings on the religious holidays listed below.

Religion	Holiday	2026 Date(s)
Shinto	New Year	1/1/2026 thru 1/3/2026
Hindu	Makara Sankranti	1/14/2026
Cultural	Chinese New Year (Eve, Day, Lantern Festival)	2/16, 2/17, 3/3
Islam	Ramadan (Eve & First Night)	2/17/2026 thru 2/18/2026
Hindu	Holi	3/3/2026
Islam	Eid al-Fitr	3/19/2026 thru 3/20/2026
Cultural	Nowruz*	3/21/2026
Jewish	Passover Nights 1 & 2 (7*, 8*)	4/1 - 4/2 (4/8, 4/9)
Christian	Good Friday	4/3/2026
Christian	Easter Sunday	4/5/2026
Jewish	Shavuot*	5/21/2026 thru 5/23/2026
Islam	Eid al-Adha	5/26/2026 thru 5/27/2026
Buddhist	Vesak	5/31/2026
Shinto	Obon Ceremony*	8/13/2026 thru 8/15/2026
Jewish	Rosh Hashanah	9/11/2026 thru 9/13/2026
Jewish	Yom Kippur	9/20/2026 thru 9/21/2026
Jewish	Sukkot (1st Day)*	9/25/2026 thru 9/26/2026
Jewish	Shmini Atzeret/ Simchat Torah*	10/2/2026 thru 10/4/2026
Hindu	Dussehra	10/20/2026
Hindu	Diwali	11/8/2026
Baha'i Faith	Birth of Bab	11/10/2026
Baha'i Faith	Birth of Baha'u'llah	11/11/2026
Jewish	Chanukah (1st night)	12/4/2026
Christian	Christmas	12/25/2026
Cultural	Kwanzaa	12/26/2026 thru 1/1/2027
Jewish	Shabbat (Friday sunset to Saturday sunset)*	Weekly

* Meetings not prohibited, but avoid scheduling meetings if possible

RESOLUTION 25-32**EXTENDING A MEASURE BB AMNESTY PERIOD TO WAIVE FISCAL YEAR 2025/2026 REGISTRATION FEE PENALTIES FOR NONPROFIT AFFORDABLE HOUSING PROVIDERS**

BE IT RESOLVED by the Rent Stabilization Board of the City of Berkeley (the “Board”) as follows:

WHEREAS, in November of 2020 the Berkeley voters adopted Measure MM which, with few exceptions, requires landlords of rented single family homes, condominiums, and units that qualify as new construction under the definition of B.M.C. Section 13.76.050B. (formerly B.M.C. Section 13.76.050I.) to register their rental units; and

WHEREAS, in November of 2024 the Berkeley voters adopted Measure BB which, with few exceptions, now requires landlords of government subsidized units to register their rental units as fully covered if the tenancies are in rental units that would otherwise qualify for full coverage under the Rent Ordinance; and

WHEREAS, Measure BB eliminated B.M.C. section 13.76.050.K. which the Board had previously used as justification to establish a lower Measure MM registration fee for nonprofit organizations that owned affordable rental housing units in new construction buildings (“Nonprofit Affordable Housing Providers”); and

WHEREAS, the vast majority of landlords of rental units covered by Measure BB have either never had to register their units with the Rent Board or paid a reduced registration fee due to their affordable housing status; and

WHEREAS, Board staff has endeavored to communicate with landlords impacted by Measure BB beginning in February of this year, but many landlords remain out of compliance at least partly due to the fact that the Board received somewhat unreliable information regarding the units that needed to be registered; and

RESOLUTION 25-32

EXTENDING A MEASURE BB AMNESTY PERIOD TO WAIVE FISCAL YEAR 2025/2026 REGISTRATION FEE PENALTIES FOR NONPROFIT AFFORDABLE HOUSING PROVIDERS (Page 2)

WHEREAS, on March 20, 2025, the Board adopted the 2025/2026 Registration Fee of \$344 for all fully covered units and \$212 for all Measure MM units that are required to be registered; and

WHEREAS, Measure BB was certified and officially became law at the end of December 2024, so the impacted units were subject to registration requirements for half of the 2024/2025 Fiscal Year; and

WHEREAS, the Board decided that instead of billing Measure BB-impacted landlords twice within six months, the agency would send a bill to Measure BB-impacted landlords for half a year of the 2024/2025 Fiscal Year Registration Fee (\$106 for Measure MM units and \$172 for fully covered units) at the same time as staff sent the full 2025/2026 Fiscal Year Registration Fee bill, so that many landlords received a bill for one and a half fiscal years; and

WHEREAS, it is hard-coded in the Rent Ordinance (B.M.C. Section 13.76.080F.) that the annual Registration Fee is due on July 1st of each calendar year, and there is a 100% penalty for failure to timely pay; and

WHEREAS, B.M.C. Section 13.76.080F. gives the elected Commissioners broad authority to waive penalties associated with late payment of annual Registration Fees when landlords can show good cause for failure to timely pay; and

WHEREAS, Rent Board Regulation 883 grants Board staff the authority to administratively waive penalties based on a schedule that takes into account how many times the landlord has paid late over the previous six years if landlords pay the Registration Fee by September 30th of each year; and

RESOLUTION 25-32

EXTENDING A MEASURE BB AMNESTY PERIOD TO WAIVE FISCAL YEAR 2025/2026 REGISTRATION FEE PENALTIES FOR NONPROFIT AFFORDABLE HOUSING PROVIDERS (Page 3)

WHEREAS, all landlords are still entitled to file a waiver application to the elected Board to have the Commissioners review and determine whether there was good cause for late payment of the Registration Fee; and

WHEREAS, the Board generally waives a majority of the Registration Fee penalties when reviewing discretionary waivers and has most often taken the position that encouraging compliance is more important than imposing statutory penalties; and

WHEREAS, Staff and many landlords have expressed that, given that the agency has not received entirely accurate information regarding a number of rental units impacted Measure BB, they are experiencing difficulties reconciling the accounts of units newly subject to registration fees for fully covered units or newly subject to increased Measure MM fees due to the Rent Ordinance amendments mandated by Measure BB; and

WHEREAS, by way of Resolution 21-19 adopted on July 15, 2021, the Board authorized a very successful amnesty program to waive penalties associated with late payment of registration fees newly mandated by Measure MM; and

WHEREAS, Resolution 21-19 allowed staff to administratively waive penalties and ensure that many more units complied with the law which has always been the Board's primary goal when registering units; and

WHEREAS, the Board adopted Resolution 25-20 on July 17, 2025, which similarly waived penalties for all landlords impacted by the new registration fee requirements of Measure BB if they pay the Registration Fees by January 2, 2026; and

RESOLUTION 25-32

**EXTENDING A MEASURE BB AMNESTY PERIOD TO WAIVE FISCAL YEAR
2025/2026 REGISTRATION FEE PENALTIES FOR NONPROFIT AFFORDABLE
HOUSING PROVIDERS (Page 4)**

WHEREAS, the Board has received a number of credible communications from Nonprofit Affordable Housing Providers affected by the changes in registration fee requirements that they would not be able to pay the new fees by January 2, 2026.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby establishes that, all landlords who qualify as Nonprofit Affordable Housing Providers and who are impacted by the new registration fee requirements of Measure BB pay the Registration Fees by March 31, 2026, Board staff may waive all penalties associated with late payment of the Fiscal Year 2025/2026 Registration Fee as well as any portion of the Fiscal Year 2024/2025 Registration Fee that was part of the same billing for those rental units; and

BE IT FURTHER RESOLVED, Landlords shall continue to have the option to have their Registration Fee penalties administratively waived pursuant to Rent Board Regulation 883 which establishes a schedule that takes into consideration how many times the landlord has paid late over the previous six years and has nothing to do with waiving penalties pursuant to Measure BB or any other reason for late payment; and

BE IT FURTHER RESOLVED, that, other than extending the timeframe for waiver of penalties for a portion of the Fiscal Year 2024/2025 Registration Fee and the full Fiscal Year 2025/2026 Registration Fee for all Nonprofit Affordable Housing Providers impacted by Measure BB, Rent Board Regulation 883 shall continue to operate as adopted and Resolution 25-20 shall continue to provide a different waiver period for all other Measure BB-affected landlords.

RESOLUTION 25-32

**EXTENDING A MEASURE BB AMNESTY PERIOD TO WAIVE FISCAL YEAR
2025/2026 REGISTRATION FEE PENALTIES FOR NONPROFIT AFFORDABLE
HOUSING PROVIDERS (Page 5)**

Dated: December 18, 2025

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

YES:

NO:

ABSTAIN:

ABSENT:

Soli R. Alpert, Chairperson
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director

RESOLUTION 25-33

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT AMENDMENT WITH GOLDFARB & LIPMAN, LLP IN AN AMOUNT NOT TO EXCEED \$475,000

BE IT RESOLVED by the Rent Stabilization Board of the City of Berkeley (the “Board”) as follows:

WHEREAS, Measure MM, which was placed on the general election ballot by the Berkeley City Council on July 30, 2020, and subsequently passed by the voters on November 3, 2020, requires the Board to register certain partially covered rental units, including: rented single-family homes, condominiums, and newly-constructed units; and

WHEREAS, on December 17, 2020, by Resolution 20-17, the Board approved the initial implementation of registration for partially exempt units due to the amendments to the Rent Stabilization Ordinance mandated by Measure MM; and

WHEREAS, on October 12, 2023, Alan Wofsy & Associates, a California corporation (dba Hearst Commons), on behalf of itself and all other similarly situated, filed a Class Action Complaint against the Board challenging the constitutionality of Measure MM; and

WHEREAS, class litigation lawsuits are particularly complex and time-consuming to defend; and

WHEREAS, the Board’s legal unit recommended the hiring of outside counsel to assist the Board to defend *Alan Wofsy & Associates, on behalf of itself and all others similarly situated, v. Berkeley Rent Stabilization Board*, a class action, Alameda County Superior Court Case No. 23CV043503; and

WHEREAS, the Board’s legal unit has worked successfully with the lawyers at Goldfarb & Lipman, LLP in past litigation; and

RESOLUTION 25-33

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT AMENDMENT WITH GOLDFARB & LIPMAN, LLP IN AN AMOUNT NOT TO EXCEED \$475,000 (Page 2)

WHEREAS, Goldfarb & Lipman, LLP have particular expertise in litigating matters related to private claims against government agencies; and

WHEREAS, the Board adopted Resolution 24-16 on June 20, 2024, which resolution authorized the Board to pay \$75,000 to Goldfarb & Lipman, LLP to litigate this case; and

WHEREAS, the Board adopted Resolution 25-02 on February 20, 2025, to increase funding to Goldfarb & Lipman, LLP to \$325,000; and

WHEREAS, Plaintiff has litigated this case with far more discovery and time-consuming procedural matters than previously anticipated; and

WHEREAS, Plaintiff has recently switched counsel who is requesting more actions; and

WHEREAS, the Board will need to authorize further spending authority to retain Goldfarb & Lipman, LLP as outside counsel on this case;

NOW, THEREFORE, BE IT RESOLVED, that the City of Berkeley Rent Stabilization Board hereby authorizes the Executive Director to execute a contract amendment with Goldfarb & Lipman, LLP to pay for work performed in the matter of *Alan Wofsy & Associates, on behalf of itself and all others similarly situated, v. Berkeley Rent Stabilization Board*, a class action, Alameda County Superior Court Case No. 23CV043503 in an amount not to exceed \$475,000 (a \$150,000 increase to the current contract); and

RESOLUTION 25-33

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT AMENDMENT WITH GOLDFARB & LIPMAN, LLP IN AN AMOUNT NOT TO EXCEED \$475,000 (Page 3)

BE IT FURTHER RESOLVED that the Board will reconsider these matters should more funds be necessary to provide further assistance with matters related to this litigation.

Dated: December 18, 2025

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

YES:

NO:

ABSTAIN:

ABSENT:

Soli Alpert, Chairperson
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director
Rent Stabilization Board



DATE: December 18, 2025

TO: Honorable Members of the Berkeley Rent Stabilization Board

FROM: Honorable Members of the LIRA Committee
By: Matt Brown, General Counsel

SUBJECT: Recommendation to adopt proposed Regulation 1283 (Individual Rent Adjustment for Certain Government-Subsidized Tenancies) – First Reading

Recommendation

That the full Board adopt Regulation 1283 (Individual Rent Adjustment for Certain Government-Subsidized Tenancies) as approved by the LIRA Committee at its December 3 meeting.

Background

After hearing comment from several stakeholders the LIRA Committee asked staff to prepare a regulation that would allow landlords of fully covered units rented under certain subsidy programs to raise the rent ceiling to the maximum amount allowed by that subsidy program.

Prior to the amendment of the Rent Stabilization Ordinance at the November 2024 General Election (Measure BB), many subsidized rental units were exempt from the rent control and registration sections of the Ordinance through a specific exemption for units leased to tenants assisted under the Section 8, Shelter Plus Care, or other similar federally funded rent subsidy programs. Under these programs, the tenant household's portion of rent is generally 30% of their income. The total rent for the unit (often called the contract rent) is set based on the federal Department of Housing and Urban Development's (HUD) rent reasonableness market comparison process and may be increased annually by an amount based on HUD's Fair Market Rent calculations. The subsidizing agency pays the landlord the difference between the tenant household's portion of rent and the contract rent.

After the Berkeley voters adopted Measure BB, the Ordinance no longer exempts a rental unit solely because it is rented under the Section 8 or Shelter Plus Care programs. Therefore, many rental units in these programs are now fully covered by the Ordinance and subject to a rent ceiling. Under Berkeley Municipal Code section 13.76.110, the rent ceiling for a fully covered unit increases annually at a rate of 65% of the change in the Consumer Price Index for the San Francisco-Oakland-San Jose Region. In many years, this rate is lower than the annual rate of increase in HUD's Fair Market Rent calculations. Therefore, the landlord of a fully covered property rented in these subsidy programs may have a rent ceiling which is lower than the maximum contract rent the subsidy program would allow. Stakeholders voiced the concern that this may disincentivize landlords from participating in these programs.

At its July 22, 2025 meeting, the LIRA Committee discussed this topic and received input from the public. The Committee directed staff to draft a proposed regulation which allows landlords of fully covered rental units in the Section 8 Housing Choice Voucher Program and the Shelter Plus Care Program to petition for a rent ceiling increase to the applicable subsidy program maximum contract rent. A landlord would only be eligible for this rent ceiling increase if the landlord has fully registered the property, the rental unit meets applicable habitability standards, and any rent ceiling increase would not increase the tenant household's portion of rent.

Staff engaged with the Berkeley Housing Authority, which administers the Section 8 Housing Choice Voucher, and the City's Health, Housing, and Community Services Department, which administers the Shelter Plus Care Program, to determine each agency's process for evaluating a participating landlord's request for a contract rent increase. Although these programs have similar essential elements, there are operational differences between the two. These differences affect how a landlord would be able to prove their eligibility for this process.

At its October 9 meeting, the LIRA Committee reviewed staff's initial draft of proposed Regulation 1283. The Committee received a comment from an affordable housing provider who requested that the process be expanded to include Project-based vouchers. The Committee directed staff to discuss this potential addition with the affordable housing provider. Staff engaged with landlords who rent subject to Project-based vouchers and with the Berkeley Housing Authority. Staff determined that rent increases for Project-based vouchers are substantially similar to those for Housing Choice vouchers; therefore, the inclusion of Project-based vouchers would be appropriate. Staff updated the draft language accordingly.

At its December 3 meeting, the Committee reviewed staff's draft again. The Committee moved to bring this proposed regulation to the full Board with two additions. First, the Committee asked staff to add to the draft approved at the December meeting an

explicit reference that the regulation also applies to rental unit rented under the Veterans Affairs Supportive Housing (“VASH”) voucher program.

Second, the Committee asked for options expanding a tenant’s right to object to a rent increase petition on the grounds that the tenant had experienced a loss of services or harassment. Doing so would likely alter the intended streamlined character of the proposed regulation and place the Board’s hearing examiner in the position of adjudicating whether prohibited harassment has occurred. State law limits the agency, when acting in its quasi-judicial capacity, to awarding only restitutive “damages” in the form of rent ceiling decrease.¹ Therefore, the Board does not have a practice of evaluating tenant claims of harassment.

The text of Regulation 1283 as approved at the December 3 LIRA Committee meeting appears below, which includes explicit confirmation that the Board intends this process to apply to VASH tenancies.

1283. Individual Rent Adjustment for Certain Government-Subsidized Tenancies

(A) Purpose. The purpose of this regulation is to allow qualifying landlords of rental units under the Section 8 Voucher Program (which includes the Housing Choice Vouchers, Project-based vouchers, and the Veterans Affairs Supportive Program [“VASH”]) and the Shelter Plus Care Program to raise the rent ceiling of such units to the maximum rent permitted by the government agency which administers each program.

Under both the Section 8 Voucher and the Shelter Plus Care programs, tenant households select and rent units that meet program housing quality standards. Once the administering government agency (the public housing authority or “PHA” for the Section 8 Voucher Program and the “recipient” for the Shelter Plus Care program) approves a tenant household’s unit and tenancy, the PHA or recipient contracts with the owner to make rent subsidy payments on behalf of the family. Across all three programs, the PHA or recipient may not approve a tenancy unless the rent is reasonable. The “contract rent” is the total rent paid to the landlord which is the sum of the tenant household’s portion and the PHA or recipient’s portion.

Subsidies in these programs are based on a local “payment standard” that reflects the cost to rent a unit in the local housing market. If the rent is equal or less

¹ See *McHugh v. Santa Monica Rent Control Board* (1989) 49 Cal.3d. 348; *Larson v. City and County of San Francisco* (2011) 192 Cal.App.4th 1263

than the payment standard, the tenant household pays 30 percent of its monthly income for rent; the subsidy from the PHA or recipient adjusts to make up the difference to the contract rent. Therefore, the contract rent can increase and not affect the tenant household's portion of rent, so long as the contract rent remains below the payment standard.

Before this Chapter was amended in the November 2024 General Election, rental units under the Section 8 Voucher Program and the Shelter Plus Care Program were exempt from the Registration, Rent Ceiling, and Rent Adjustment sections of this Chapter. This exemption applied if the rent demanded did not exceed the authorized Payment Standard, which, for purposes of the prior exemption, was the maximum monthly rental assistance potentially available to an assisted household before deducting the household share of income paid for rent and utilities as established by the Berkeley Housing Authority.

Following the November 2024 amendment to this Chapter, rental units under the Section 8 Voucher Program and the Shelter Plus Care Program are now subject to Sections 10, 11, and 12 of the Ordinance, unless they qualify as Partially covered as set forth in Berkeley Municipal Code section 13.76.050.B. or Fully exempt units as set forth in Berkeley Municipal Code section 13.76.050.C. As a result, landlords of these rental units may only increase the contract rent to the rent ceiling, which increases as set by the annual general adjustment. The rent ceiling for a rental unit participating in these programs may be lower than the local payment standard or HUD Fair Market rent, if these two measures increase at a greater rate than the annual general adjustment. However, if the contract rent remains at or below the payment standard or HUD Fair Market rent, the tenant's portion of rent would be no different than if the contract rent were set at the rent ceiling.

The Board received community comment that restricting the increase in contract rents to the annual general adjustment may disincentivize landlords from participating in these programs but that allowing the contract rent to reach the payment standard or fair market rent would not increase the tenant household's portion. Therefore, the Board promulgated this regulation to allow a rent ceiling increase to qualifying rental units that reflects the allowable contract rent increases to landlords participating in these programs.

(B) Qualifying Units and Allowable Rent Increase A rental unit is a qualifying unit if it is a Fully covered Unit under Berkeley Municipal Code section 13.76.050.A and

is currently rented under the Housing Choice Voucher Program, the Project-based Voucher Program, or the Shelter Plus Care Program.

Qualifying units shall be eligible to an increase in rent ceiling under this regulation up to the maximum contract rent permitted by the government agency which administers the program if all the following conditions are met:

(1) The rent ceiling increase is reasonable as determined by:

(a) The Berkeley Housing Authority in accordance with 24 CFR 982.507(a)(2)(i) for Housing Choice Voucher tenancies or 24 CFR 983.303 for Project-based Voucher tenancies; or

(b) The City of Berkeley Health, Housing and Community Services Department in accordance with 24 CFR 582.305(b) for Shelter Plus Care tenancies.

(2) For Housing Choice Voucher and Project-based Voucher tenancies, the rent ceiling increase will not lead to an increase in the Family Share of the contract rent as defined in 24 CFR 982.515 and 24 CFR 983.353 respectively.

If the tenant in qualifying rental unit is subject to a change in the Family Share for reasons not related to a landlord's petition under this section, the rental unit shall still be eligible for a rent ceiling increase.

(3) The rental unit is in compliance with the implied warranty of habitability. Such compliance means the unit substantially complies with:

(a) Housing Quality Standards, as defined in 24 CFR 982.401 and 24 CFR 981.301;

(b) the City of Berkeley's building, housing and health codes which materially affect the health and safety of tenant; and

(c) applicable state law, including but not limited to Civil Code section 1941.1 and Health and Safety Code section 17920.3.

(4) The landlord is in full compliance with the registration requirements as defined in Berkeley Municipal Code section 13.76.080 and corresponding regulations for all Berkeley rental property subject to the Ordinance. A landlord is not in compliance with registration requirements for purposes of this section if the landlord is delinquent on registration fees or penalties for any property in the City of Berkeley.

(C) Petition and Process

(1) Landlords of qualifying units may petition for individual rent adjustments pursuant to this section on a form prescribed by the Board. The petition must be accompanied by supporting documentation establishing the rental unit's eligibility for a rent increase. The petition shall be served on tenants pursuant to Regulation 1205(B)(1).

(2) The petition may be accompanied by a form prescribed by the Board and signed by all tenants in the rental unit that indicates all tenants have agreed to the contract rent increase, are informed that such an increase will not affect the tenant household's portion of the rent and waived their right to a hearing. If the petition is not accompanied by such a form, the Board shall notify each tenant as set forth in Section (C)(3) of this regulation.

(3) The Board shall notify each tenant of a unit subject to a petition under this section following receipt of the petition. The notice shall state that the tenant has a right to object to the petition, and that if the tenant does not object within the time allowed, or the tenant's objection does not specify one or more grounds listed in section (D), the rent for the tenant's unit may be increased by the applicable amount under subsection (B) of this regulation, based on the information in the landlord's petition and the Board's files without further hearing.

(4) No rent increase pursuant to this regulation shall be effective until approved by the appropriate government agency and properly noticed under state law.

(D) Grounds for Tenant Objection. Tenants subject to petitions under section (C) may file objections with the Board within 15 working days of the date the Board gives notice that the petition has been filed. The Board shall not charge a fee to file tenant objections. Such objections must be made on the grounds that the rental unit does not meet one or more of the eligibility factors set forth in section (B) of this regulation.

(E) Successor Administering Agencies and Potential Future Recodification. At the time of the adoption of this Regulation, the public housing agency which administers the Housing Choice and Project-based voucher programs within the City of Berkeley is the Berkeley Housing Authority.

At the time of the adoption of this Regulation, the Recipient, as defined by the 24 CFR section 582.5, of the Shelter Plus Care grant within the City of Berkeley is the City of Berkeley through the Health, Housing, and Community Services Department.

This regulation shall apply to the processes and rent reasonableness determinations of any successor public housing agencies or recipients.

The Board intends this regulation to apply to the Housing Choice Voucher, Project-based Voucher, VASH, and Shelter Plus Care programs, including in the event the governing regulations for these programs are recodified, if such recodification is nonsubstantive in effect.

Text of Regulation 1283(D) with new language allowing a tenant objection if the tenant alleges a loss of services or harassment appears below.

(D) Grounds for Tenant Objection.

(1) Tenants subject to petitions under section (C) may file objections with the Board within 15 working days of the date the Board gives notice that the petition has been filed. The Board shall not charge a fee to file tenant objections. Such objections must be made on the grounds that the rental unit does not meet one or more of the eligibility factors set forth in section (B) of this regulation.

(2) Additionally, a tenant may object on the grounds that:

- (a) The landlord has caused the tenant to suffer a decrease in housing service or living space from that which was provided at the beginning of the tenancy, in accordance with Regulation 1269(B)(1).
- (b) The landlord has engaged in conduct that constitutes a substantial violation of Berkeley Municipal Code section 13.79.060 and:
 - i. The tenant has brought a civil action under Berkeley Municipal Code section 13.79.060.H.1 which remains pending at the time of the filing of a petition under this section; or
 - ii. A court has issued a judgment finding the landlord engaged in

such conduct.

(3) The tenant bears the burden of proof to establish any objection.

(4) Notwithstanding subsection (C), if the hearing examiner finds that an objection raised under subsection (D)(2)(a) is valid, any rent increased authorized by this section shall be decreased by the value of the service or space removed.

If the hearing examiner finds that an objection raised under subsections (D)(1) or (D)(2)(b) is valid, the rent increase shall be denied.

Fiscal Impact

None.

Conclusion

Staff recommends that the full Board adopt on first reading proposed regulation 1283 as approved by the LIRA Committee.

Name and Telephone Number of Contact Person

Matt Brown, General Counsel: (510) 981-4930



MEMORANDUM

To: Honorable members of the Rent Stabilization Board

From: DéSeana Williams, Executive Director

Cc: Lief Bursell, Senior Planner / Planning Unit Lead

Date: December 18, 2025

Re: The addition of an Assistant Planner to the Rent Board Staffing Model

Recommendation

That the Board authorize the addition of 1.0 FTE Assistant Planner to the staffing model to meet programmatic, analytical, and property research needs associated with the Empty Homes Tax (EHT) Program and the expanded Planning Unit workload.

I. Background

As detailed in the Staffing Systems Capacity Report (2025), the Planning Unit plays a central role in property research, program implementation, and data verification. The introduction of the Empty Homes Tax (EHT) Program created significant new responsibilities for the Unit, including:

- Property use verification and exemption review;
- Coordination with City EHT administration;
- Substantial increases in property-level research tied to 2,500+ newly covered units.

The Planning Unit is currently staffed by a Senior Planner and an Associate Planner. To meet workload demands, an Assistant Planner is required.

II. Rationale for Establishing an Assistant Planner Position

The Assistant Planner classification aligns with City standards for professional planning work.

The position will strengthen capacity in:

- Research, analysis, and property-use verification;
- EHT administrative support;
- Preparation of planning materials and documentation;
- Cross-unit coordination and data accuracy.

Adding this position expands the Planning Unit to three staff members.

III. Financial Impact

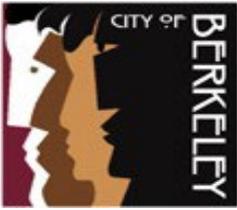
The estimated annual cost for the Assistant Planner is approximately \$155,800 annually in salary and benefits. Funds are available through the Empty Homes Tax Program budget allocation, vacancy savings, and FY 2025–2026 staffing realignment. This position will be funded 80% by the Empty Homes Tax and 20% by the Rent Board 801 funds.

Name and Telephone Number of Contact Person:

DéSeana Williams, Executive Director (510) 981-7368

Attachments

Assistant Planner Classification



Assistant Planner

Based On 2080
 Bargaining Unit SEIU1021 (CS)
 EEO EEO4-Professionals

Class Spec Code 2042

Salary Range

\$43.48 - \$51.35 Hourly
 \$3,478.58 - \$4,108.14 Biweekly
 \$7,536.93 - \$8,900.98 Monthly
 \$90,443.18 - \$106,811.74 Annually

DEFINITION

Under general supervision, performs a variety of professional activities in support of the city's planning services, including the collection and presentation of planning data, report preparation, public contact, and performs related work as assigned.

CLASS CHARACTERISTICS

The Assistant Planner is an entry-level professional class responsible for providing general assistance to higher-level planners in research, data collection, report preparation, and conducting independent planning assignments. Work is initially performed under close supervision, with the expectation that incumbents will become increasingly more knowledgeable and progressively able to carry out assignments with increasing independence. This class differs from that of Associate Planner in that the latter performs more complex planning studies and broader professional assignments independent of close supervision.

EXAMPLES OF ESSENTIAL FUNCTIONS

The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

1. Gathers specified factual data in the field, office, or library to ascertain present use of land, location of structures, citizen needs and desires, etc.; submits data in an organized format to staff members for review and analysis;
2. Searches official records to determine the location of streets, property and zoning boundaries, the population and value of given land areas, and other basic information;
3. Prepares written reports or partial reports as directed on land use, environmental impact, population patterns, transportation, ordinance revisions, and a variety of other matters essential to planning;

4. Records zoning changes and other actions on departmental maps;
5. Classifies, indexes, files maps, plans, and reports; maintains a library and required records and documentation of actions taken;
6. Works with other staff members in analyzing and evaluating factual data, acquires familiarity with and understanding of the basic principles and practices of municipal planning;
7. Answers inquiries from the public at a public counter, on the telephone, or in the field regarding the master plan, zoning, land use, and other planning matters, ordinances, and regulations;
8. Performs common statistical analysis as directed;
9. May draw or draft maps or graphic illustrations and assist with the presentation of graphic materials;
10. May be required to work or perform related assignments in the evening;
11. Performs related work as assigned.

KNOWLEDGE, SKILLS, AND ABILITIES

Note: The level and scope of the knowledge and skills listed below are related to job duties as defined under Class Characteristics.

KNOWLEDGE OF:

1. Understanding ordinances and regulations and explaining them to the public;
2. Simple technical and mathematical computations;
3. Basic principles and practices of municipal planning.

SKILL IN:

1. Collecting and organizing data about land use, development, and demographic trends;
2. Learning to prepare and interpret maps and legal descriptions;
3. Following complex written and oral instruction;
4. Communicating effectively verbally and in writing (preparing reports and other written materials);
5. Interpreting data and analyzing how it relates to the planning process.

MINIMUM QUALIFICATIONS

A TYPICAL WAY OF GAINING THE KNOWLEDGE AND SKILLS OUTLINED ABOVE IS:

Equivalent to graduation from a four-year college with major coursework in city, regional, or urban planning, or a closely related field. Progressively responsible related experience may be substituted for the college coursework on a year-for-year basis.

OTHER REQUIREMENTS

A valid California driver's license is desirable. Must be able to attend evening meetings as required.

Occupation Group L

FLSA

Non-Exempt

Benefit Code

SEIU

Probationary Period

6 Months

FLSA Compensation

Overtime

RESOLUTION NO. 25-34

ADJUSTING THE FISCAL YEAR 2025–2026 STAFFING MODEL TO ADD AN ASSISTANT PLANNER POSITION

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

WHEREAS, at its regular meeting approving the Fiscal Year 2025–2026 staffing model, the Rent Stabilization Board adopted a staffing structure designed to support the agency’s expanding regulatory, analytical, and programmatic responsibilities; and

WHEREAS, the Budget & Personnel Committee and the Executive Director continuously monitor staffing capacity to ensure the agency can effectively administer new and expanded programs; and

WHEREAS, the Planning Unit plays a central role in property research, program implementation, and data verification, including responsibilities associated with the Empty Homes Tax (EHT) Program and expanded Planning Unit workload; and

WHEREAS, implementation of the Empty Homes Tax Program has resulted in significant new duties for the Planning Unit, including property-use verification, exemption review, coordination with City EHT administration, and substantial increases in property-level research related to more than 2,500 newly covered units; and

WHEREAS, the Planning Unit is currently staffed by one Senior Planner and one Associate Planner, and the Executive Director and Budget & Personnel Committee have determined that additional professional planning capacity is necessary to meet workload demands and ensure program integrity; and

WHEREAS, the addition of a 1.0 FTE Assistant Planner will strengthen the agency’s capacity for research, analysis, property-use verification, Empty Homes Tax administrative support, preparation of planning materials, and cross-unit coordination; and

WHEREAS, the addition of this position is projected to cost approximately \$155,800 annually in salary and benefits and will be funded through a combination of Empty Homes Tax Program allocations, vacancy savings, and Fiscal Year 2025–2026 staffing realignment, with 85 percent of the position funded by the Empty Homes Tax and 15 percent funded by Rent Board 801 funds; and

WHEREAS, the Board finds that adding an Assistant Planner position and increasing the Planning Unit’s staffing is necessary to maintain effective operations and ensure accurate administration of expanded programs.

RESOLUTION NO. 25-34

ADJUSTING THE FISCAL YEAR 2025–2026 STAFFING MODEL TO ADD AN ASSISTANT PLANNER POSITION (Page 2)

NOW, THEREFORE, BE IT RESOLVED that the Rent Stabilization Board hereby authorizes the addition of one (1.0) Full-Time Equivalent Assistant Planner position to the agency’s staffing model for Fiscal Year 2025–2026.

Dated: December 18, 2025

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

YES:

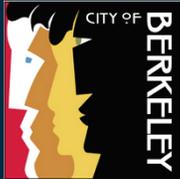
NO:

ABSTAIN:

ABSENT:

Soli Alpert, Chairperson
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director
Rent Stabilization Board



Registration 365: Annual Review of the 24-25 Cycle

PRESENTED FOR
Rent Board

PRESENTED BY

Berkeley Rent Board Staff:
Amanda Eberhart

Item 10.a.



Overview

Registration Opens

Internal Rent Registry Updates

Registration Compliance

Property and Unit Data Review

YouTube Data Review

Registration Opens and Operations

2024-25 Registration Cycle Begins

The Rent Registry Portal Opened on April 29, 2024.

11,527 Open Registrations

Over 40,000 units under the Rent Board's purview

Registration Operations

Assistance Type	2023-2024	2024-2025	2025-2026
Email	1,744	1,743	1,109
Registration Extension	1,376	2,667	1,300
Registration Voicemails	327	1,375	552
Information Line	NA	106	48
Information Line Voicemails	NA	52	26

Internal Rent Registry Updates

Internal Rent Registry Enhancements

Added additional unit status codes for Sabbaticals and Inactive units

Removed outdated internal user codes

Completed a housing services audit

Completed a Unit Exempt unit audit

Focused on filling in data gaps to improve database integrity

Deleted 171 non-verified user accounts

Upcoming Enhancements

Monthly Automatic Payment Reminders

“Get to know the Rent Registry in 5 minutes” How to Video

Partially Covered unit status updates

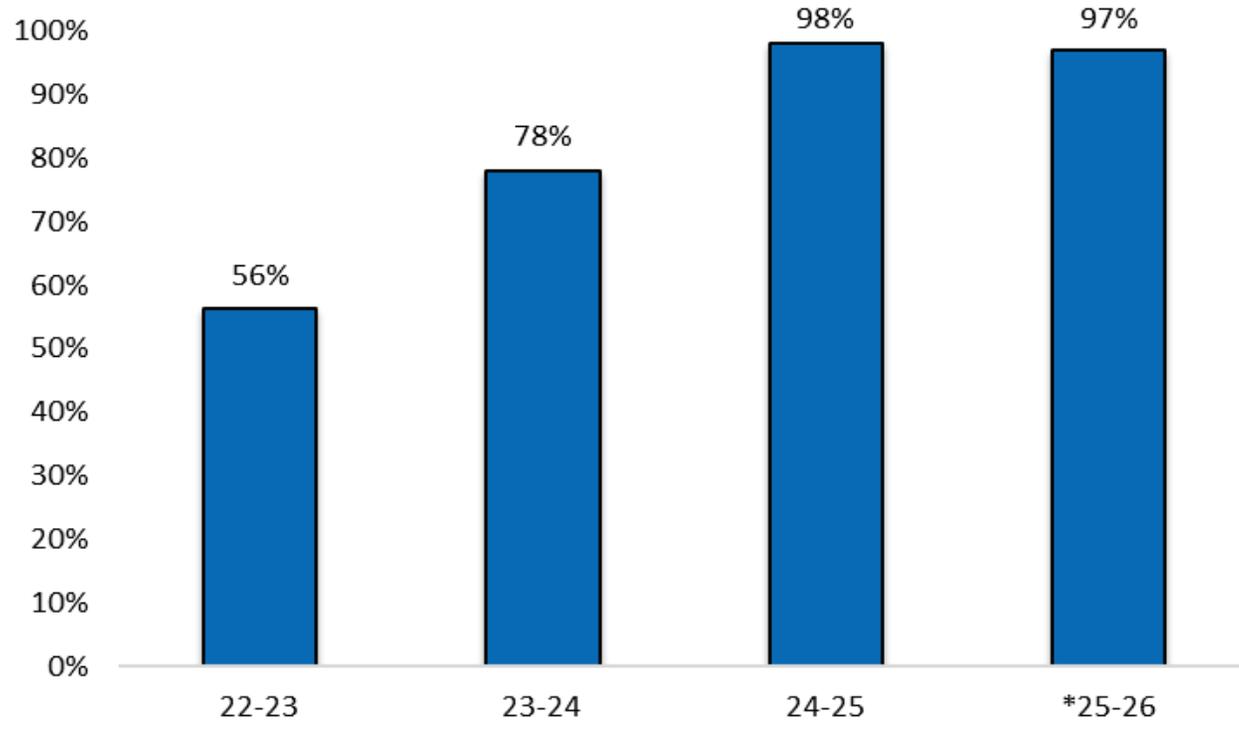
Improving the automatic exemption workflow

Creating a system validation process for tenancy records

Continue working on completing missing data fields

Registration Compliance

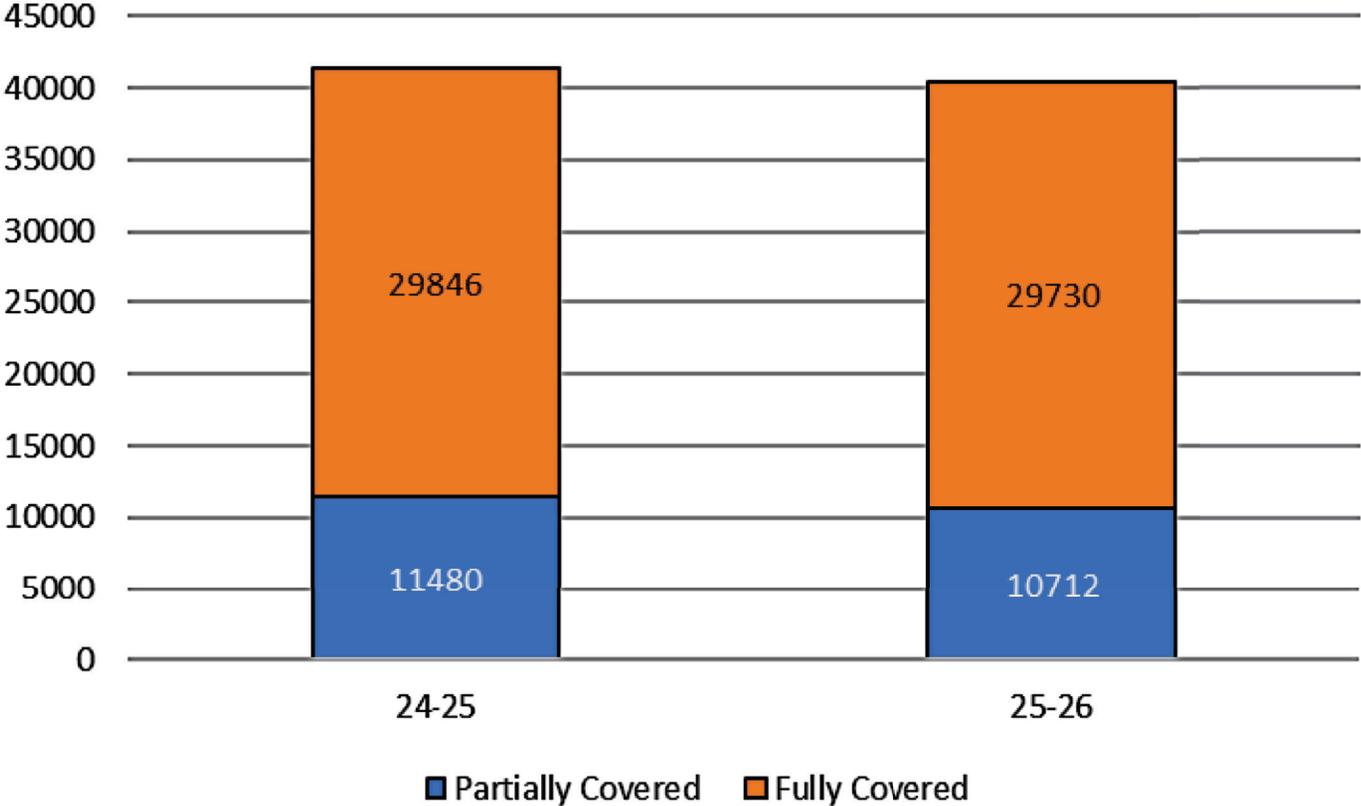
Registration Compliance



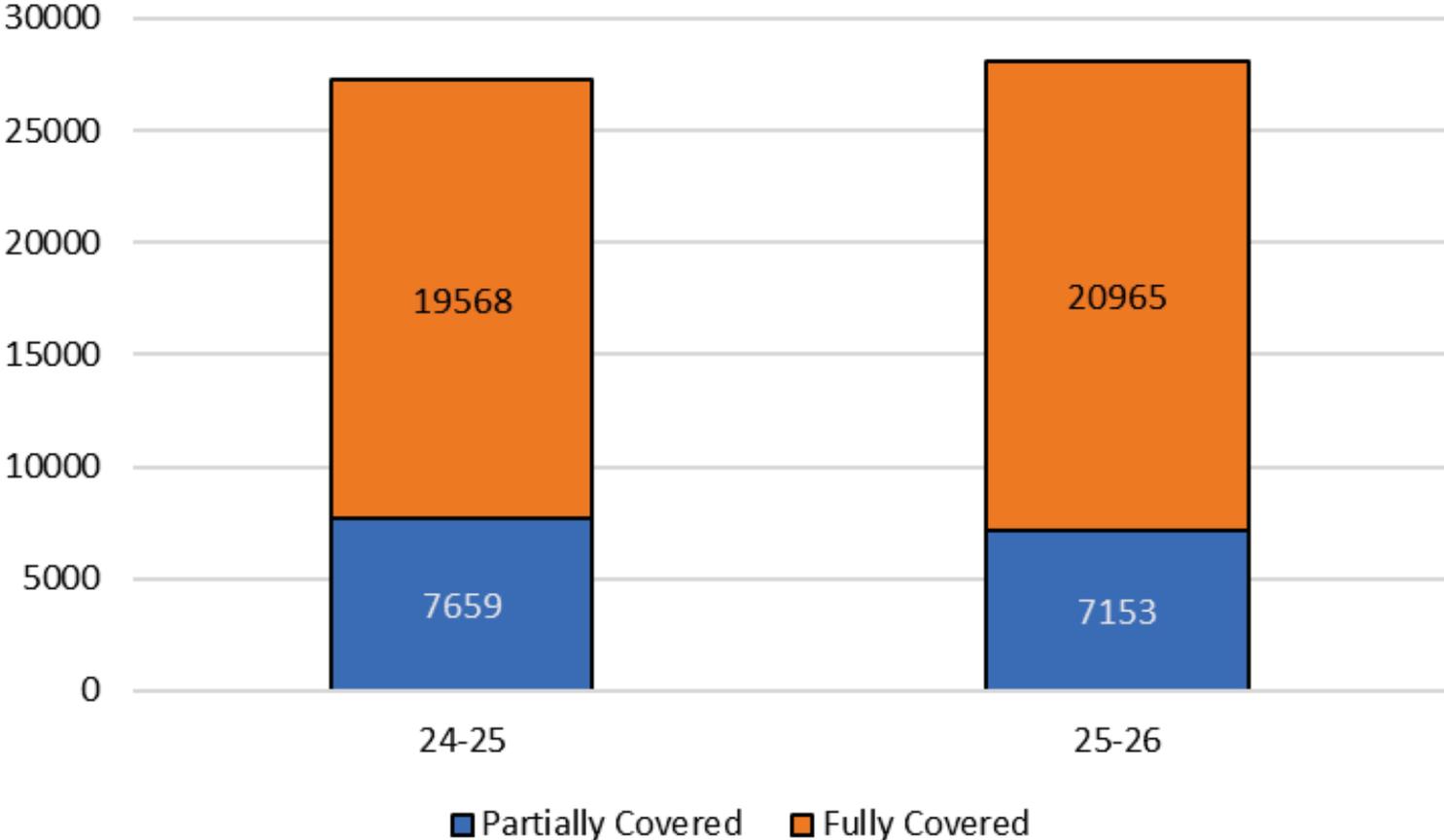
Property and Unit Data Review

PLACEHOLDER TEXT FOR TITLE OF PRESENTATION | 1

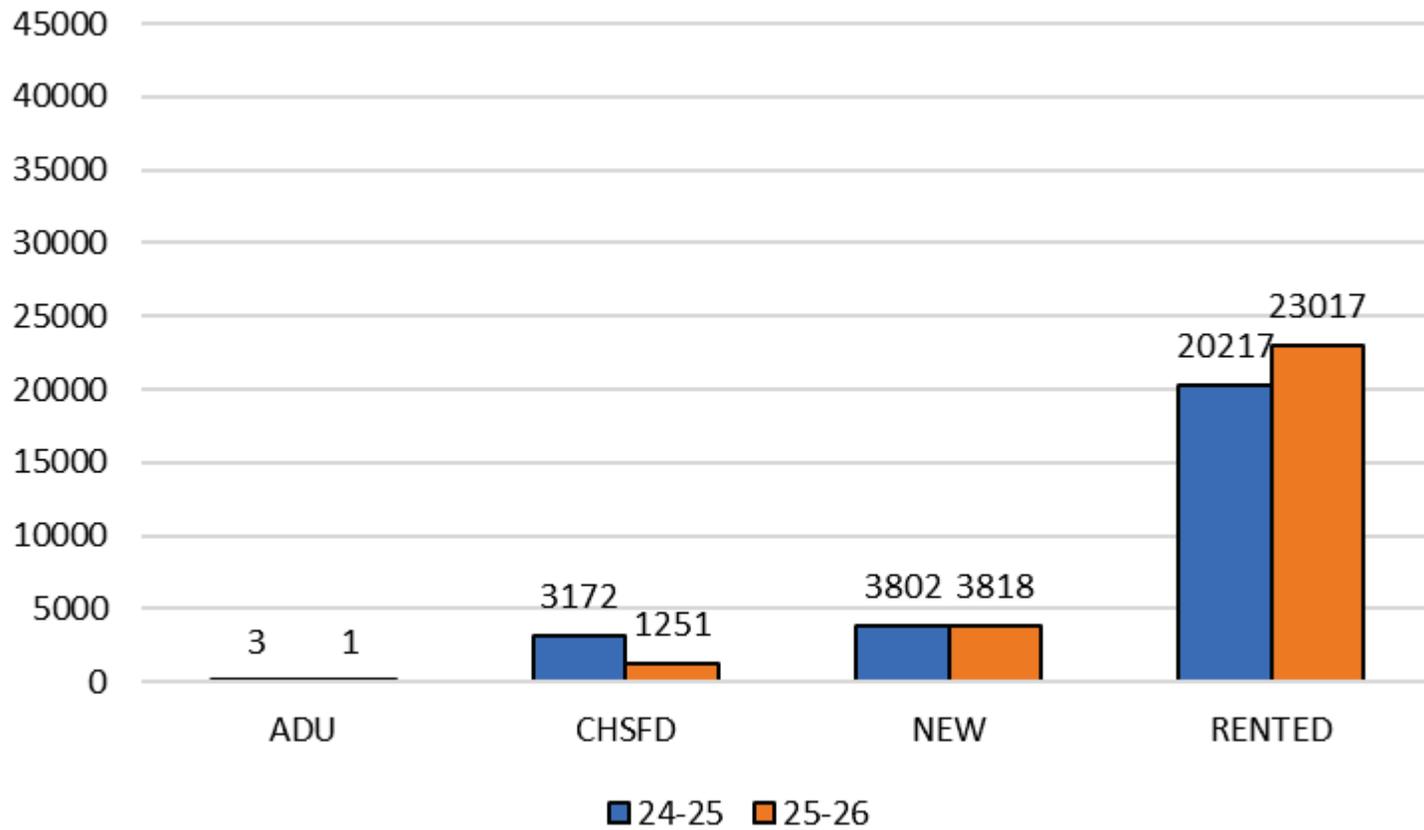
Total Number of Fully Covered Units vs Partially Covered Units



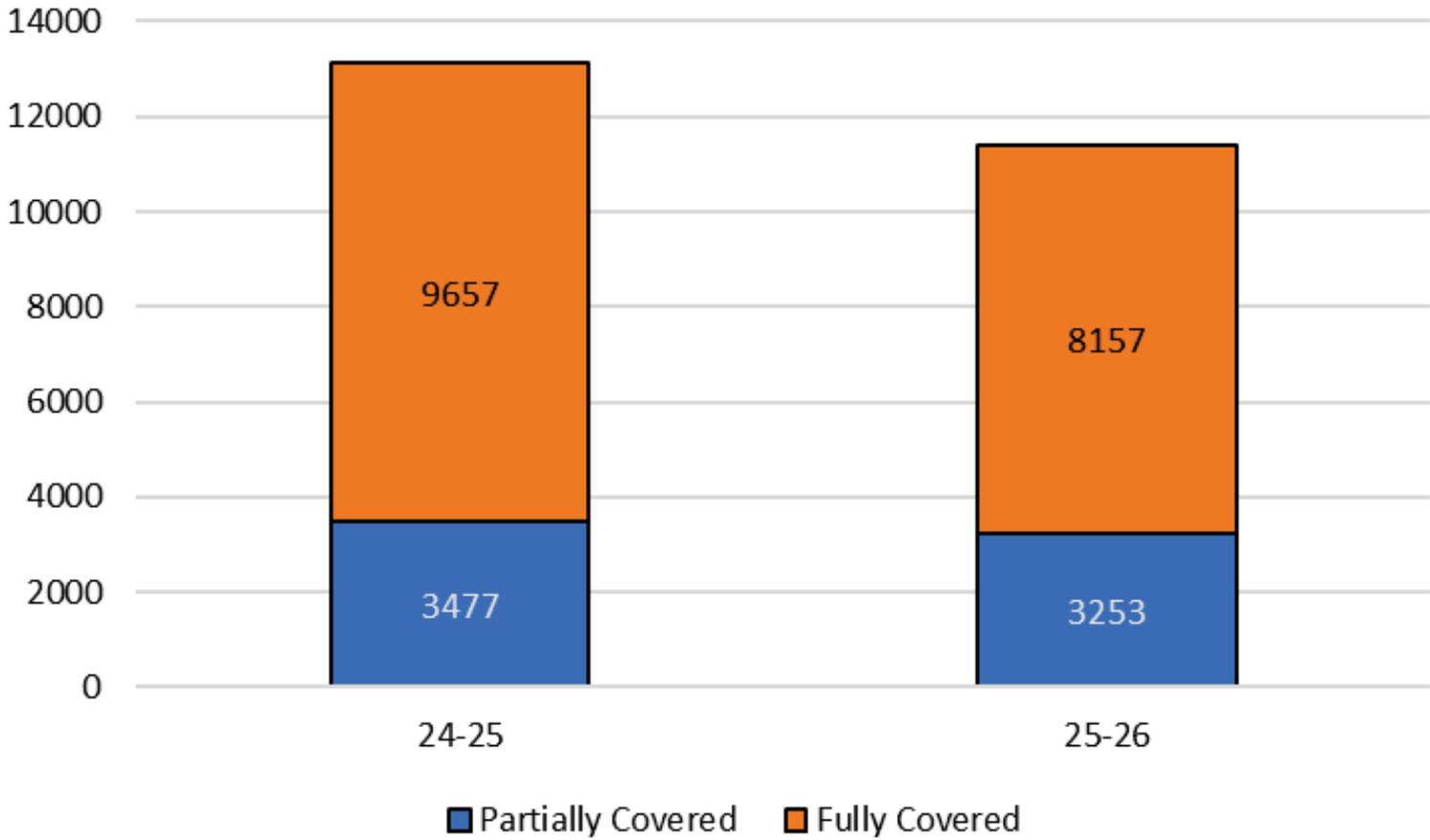
Fully Covered vs Partially Covered Non-Exempt Units



Non-Exempt Unit Status Breakdown



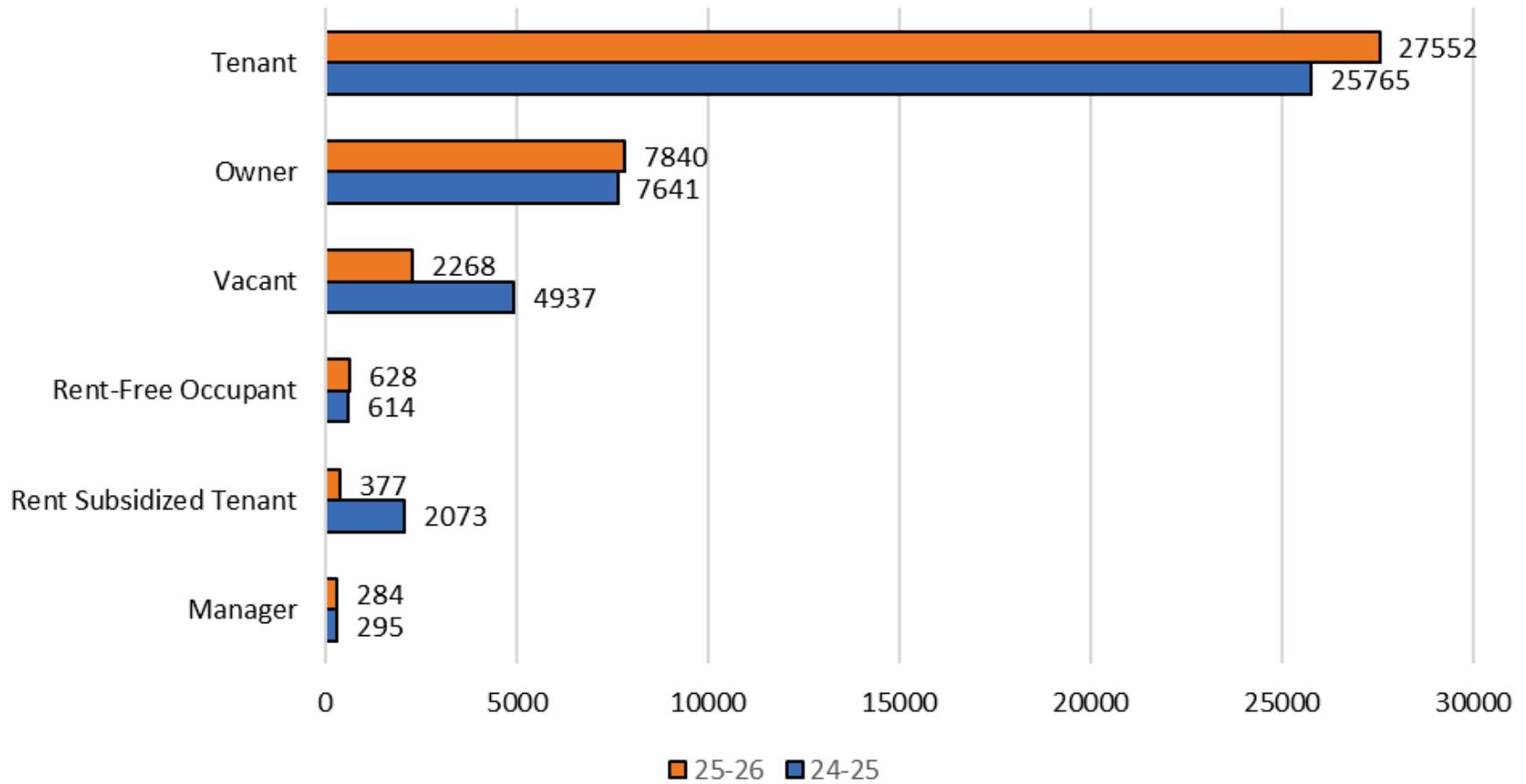
Fully Covered vs Partially Covered Exemptions



Exemption Unit Breakdown

Exemption Type	# of Units 24-25	# of Units 25-26	Change	% Change
OCC	7161	7108	-53	-1%
NAR	1242	1125	-117	-9%
FREE	600	647	47	8%
OWNUSE	565	623	58	10%
DUPLEX	490	496	6	1%
GREEK	330	428	98	30%
COMM	264	417	153	58%
HOTEL	266	272	6	2%
COOP	128	137	9	7%
INACT	36	159	123	342%
MGTU	44	53	9	20%
ADU	20	31	11	55%
CONDO PLUS	30	N/A	N/A	N/A
GOV	16	14	-2	-13%
MISC	N/A	4	N/A	N/A
HNF	N/A	12	N/A	N/A
OCC ADU	1	1	0	0%

Unit Occupancy Trends

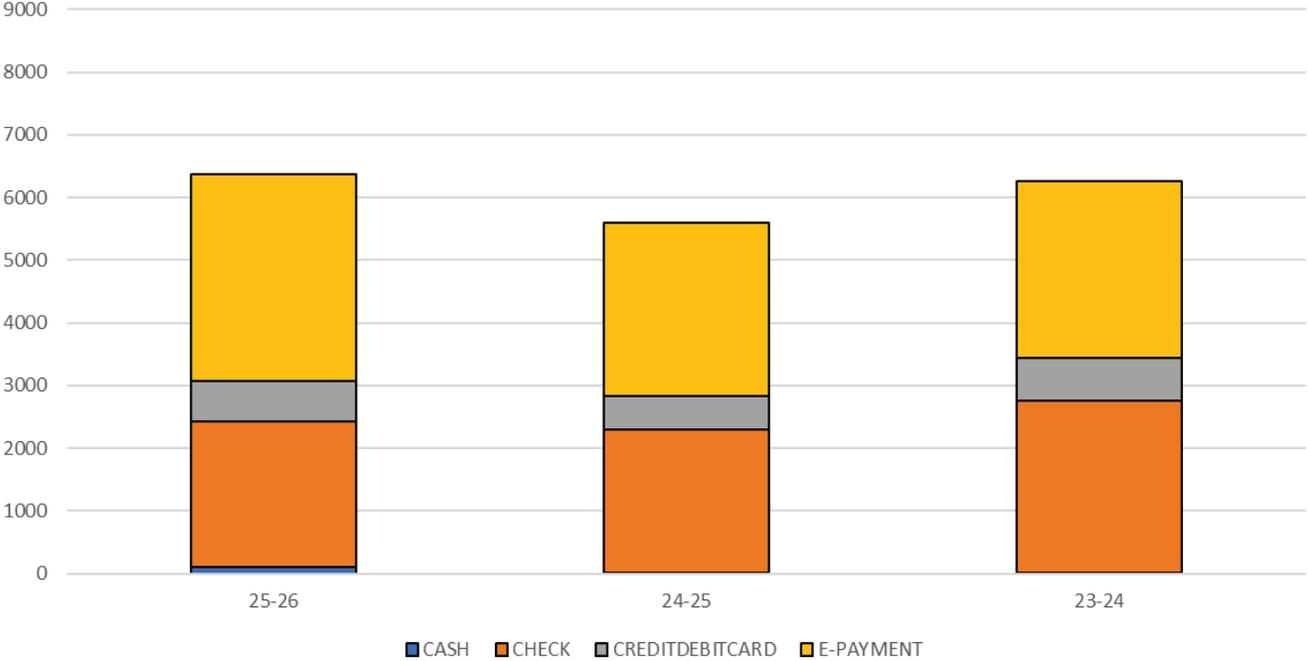


Paperless Billing Enrollment

21.7%
2024-25

28.2%
2025-26

Payment Types



YouTube Data Review

YOY - Total Views Per Video





Thank you!

Questions?



Contact Us

2000 Center Street Suite 400
Berkeley, CA 94707
Open Hours: M, T, Th, F, 9 am - 4:45 pm
(510) 981-RENT (7368)
rent@berkeleyca.gov
rentboard.berkeleyca.gov/



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November 24, 2025

Berkeley City Council
2180 Milvia Street
Berkeley, CA 94704

Re: Measure BB Implementation, Affordable Housing Registration Fees, and Amnesty Extension

Dear Honorable Mayor and Councilmembers,

We are writing on behalf of the Berkeley Rent Stabilization Board to provide an update on the implementation of Measure BB and to share concerns raised by several non-profit affordable housing providers regarding the newly required registration fees. We also want to inform you of a forthcoming Board discussion regarding the extension of our current Measure BB Amnesty period, and the continued efforts to support a smooth transition for all affected properties.

Measure BB Implementation and Expanded Tenant Protections

Measure BB significantly expanded Rent Board jurisdiction, extending key tenant protections, including counseling services, petition rights, enforcement, and compliance monitoring, to residents of government-subsidized housing and other previously exempt units. These tenants now receive the same level of services and protections available to fully covered units, consistent with voter intent to broaden access to housing stability resources across the city.

Registration Fee Structure and Statutory Constraints

With Measure BB, all covered units are subject to the same annual registration fees based on building age. Prior to Measure BB, government-subsidized units paid no fee; now, they are assessed at the same level as other covered rentals. As a Charter agency, the Rent Board is required to apply fees uniformly when properties receive the same level of service. For this reason, the Board cannot create alternate fee tiers or exemptions for particular ownership types; it must charge fees only based on the services provided.

Nonprofit affordable housing providers have communicated to us that the shift to the Measure BB fee structure has created operational challenges, particularly given rising insurance, utility, and staffing costs, and the inability to increase rents to absorb new

expenses. They have also noted that registration fees represent a higher percentage of rent revenue in deeply affordable buildings than in the private market.

Current Six-Month Amnesty Period and Proposed 90-Day Extension

Prior to Measure BB registration fee requirements taking effect, the Rent Board proactively adopted a **six-month Amnesty period** for all Measure BB affected properties. This ensured that penalties would not accrue while providers worked to understand the new requirements, submit the necessary documentation, and receive updated invoices.

However, nonprofit affordable housing providers have shared that a variety of challenges, including receiving corrected invoices, inconsistent early guidance, and complex subsidy-layering considerations, have left many properties unable to complete the process within the current timeframe. Their formal request asks the Board to extend the Amnesty through **March 31, 2026**, an additional 90 days beyond the current deadline.

We intend to bring an extension of the amnesty period specifically for nonprofit affordable housing providers to the December Rent Board meeting for a vote by the full Board. Our goal is to continue the collaborative approach we established at the outset of implementation, providing an easing-in phase that allows affordable housing providers adequate time to comply, while we strengthen internal processes, standardize verification procedures, and ensure consistent communication across all stakeholders.

Request for Partnership with the City

While the Rent Board cannot alter the fee structure set forth in Measure BB, we recognize the legitimate financial concerns raised by non-profit providers. To support a stable transition, we request the City's partnership in exploring approaches that do not conflict with the Ordinance, such as:

- Identifying potential City or external funding sources to help providers absorb the initial Measure BB-related costs.
- Coordinating cross-departmentally to streamline verification of subsidized units.
- Supporting efforts to improve the early implementation experience for all Measure BB-affected properties.

We aim to uphold the intent of Measure BB, ensuring tenants in affordable housing and other government-subsidized units receive full Rent Board protections, while collaborating with the City to mitigate undue hardship on the organizations that house Berkeley's lowest-income residents.

Closing

The Rent Board is committed to implementing Measure BB in a way that is thorough, equitable, and aligned with voter direction. We also recognize the essential role non-profit providers play in Berkeley's housing ecosystem. Extending the existing Amnesty period supports a smoother transition while preserving the uniformity requirements of the Ordinance.

We look forward to continued collaboration with the Council as we navigate this important implementation phase together.

Sincerely,



Soli Alpert

Chair, Berkeley Rent Stabilization Board



DéSeana Williams

Executive Director, Berkeley Rent Stabilization Board



Memorandum

DATE: December 9, 2025

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 2022– June 2025)

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. Under 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 occupy 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. 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.)

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.
- 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.
- 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.

The 2025 standard relocation assistance amount is \$19,126, and is 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. The current additional relocation assistance amount is \$6,375, which may also be adjusted each year as described above.

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.)

OMI Report: July 1, 2022-June 30, 2025

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 database 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.

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. 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 "transition" period of the moratorium, owners who owned only one rental property in Berkeley were permitted to initiate an owner move-in eviction. However, the Rent Board did not receive any owner move-in requests during the "transition" period of the moratorium.

OMI NOTICES AND RELOCATION ASSISTANCE PAYMENTS

Notices Filed with the Rent Stabilization Board

Between July 1, 2022, and June 30, 2025, a total of eight OMI eviction notices were filed. Five were for owner-move-in, and three were for a qualifying relative move-in.

Unit designation	Number of notices sent	Unit currently tenant-occupied
Single family home	0	0
Duplex	1	0
Triplex	2	0
Fourplex	5	4
Five units & more	0	0

Relocation Assistance

In four cases, the tenants received the standard relocation payment. In three of those four cases, the tenant also received the additional relocation assistance payment. Four notices from this reporting period were rescinded and the relocation assistance payments deposited with the Rent Board were refunded to the owner.

Grounds for Additional Relocation Assistance Payment	Number of Claims
Minor Child	1
Disabled	1
Low Income	1
60 or more years old	1
Long-term Tenant	0

The number of grounds in the table above may exceed the number of additional relocation claims for the reporting period because tenants can specify multiple grounds.

NARRATIVE DATA FROM STAFF RESEARCH

Single Family Homes

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

Duplexes

A tenant at one duplex property received a notice. Staff verified that the tenant who received the notice has vacated, and the unit has been updated to the rent-free occupant exemption in the online rent registry. Staff have not yet verified that the designated family member has moved in. This property is eligible for the owner-occupied duplex exemption if it becomes owner-occupied, but the OMI notice was for a qualified family member.

Triplexes

There were two OMI notices served on triplex properties during the current reporting period. In one case, staff have verified the unit is owner-occupied. The other case remains under investigation.

Fourplexes

Five notices were served fourplex properties during the current reporting period. In four cases, the notices were rescinded, and the tenants appear to remain in their units. In the fifth case, staff has verified the unit is owner-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

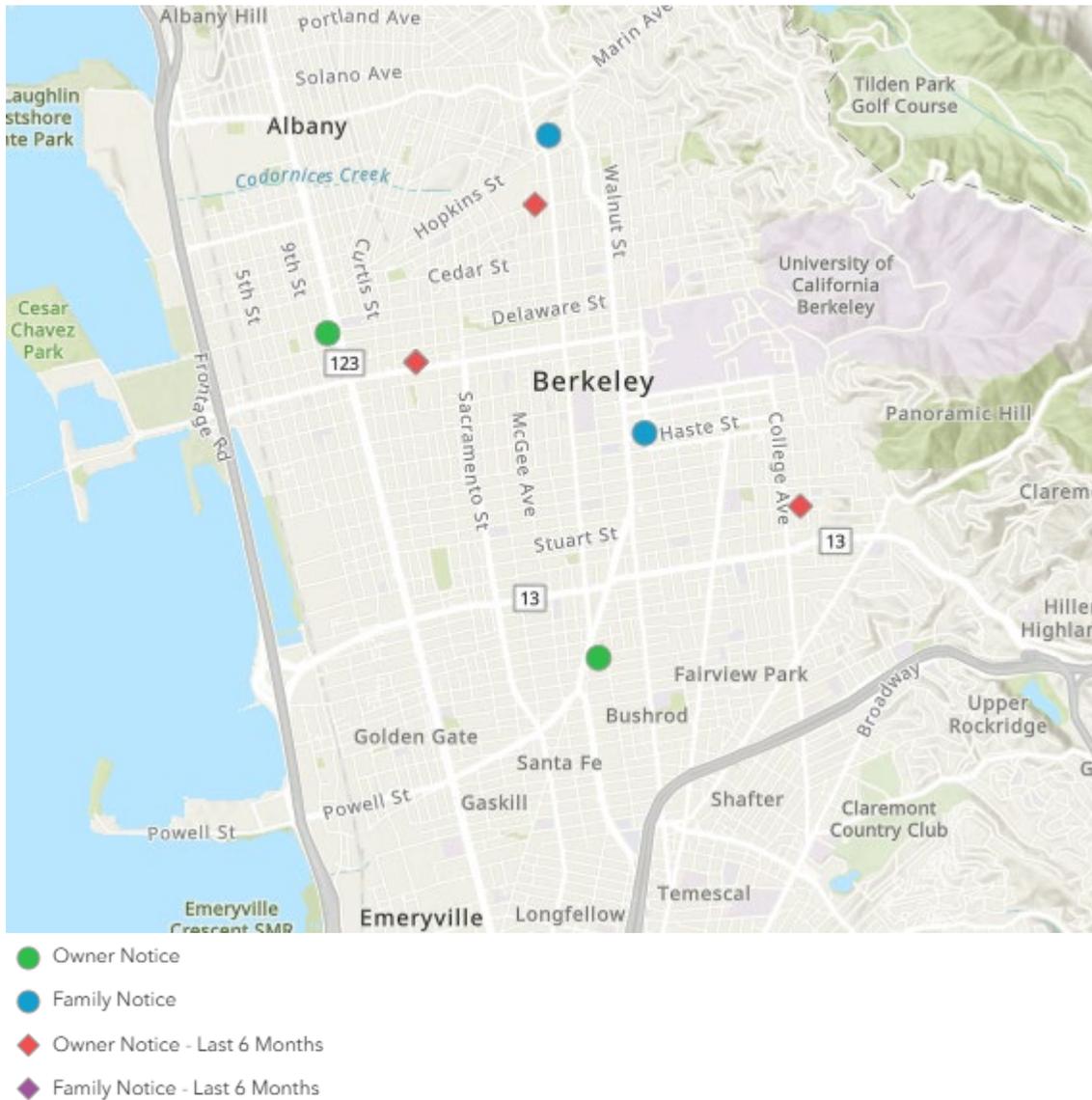
Previously, the committee requested data showing how long a landlord owned the property prior to filing an OMI notice.

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

LOCATION OF OMI PROPERTIES

General Distribution

The map below shows the general distribution of OMI notices for the current reporting period of July 2022-June 2025. Though there are eight notices in the current reporting period, the map shows seven points because two notices were served at the same address (for different units).



Geographic Location and Market Area

The table below shows the geographic location and market area of properties that received an OMI Notice 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
2/12/2025	2729 Stuart St.	University Area (Area 3)
2/12/2025	1310 Berkeley Way #1	Central Berkeley (Area 2)
2/12/2025	1310 Berkeley Way #4	Central Berkeley (Area 2)
4/7/2025	1817 Rose St.	North Berkeley (Area 1)

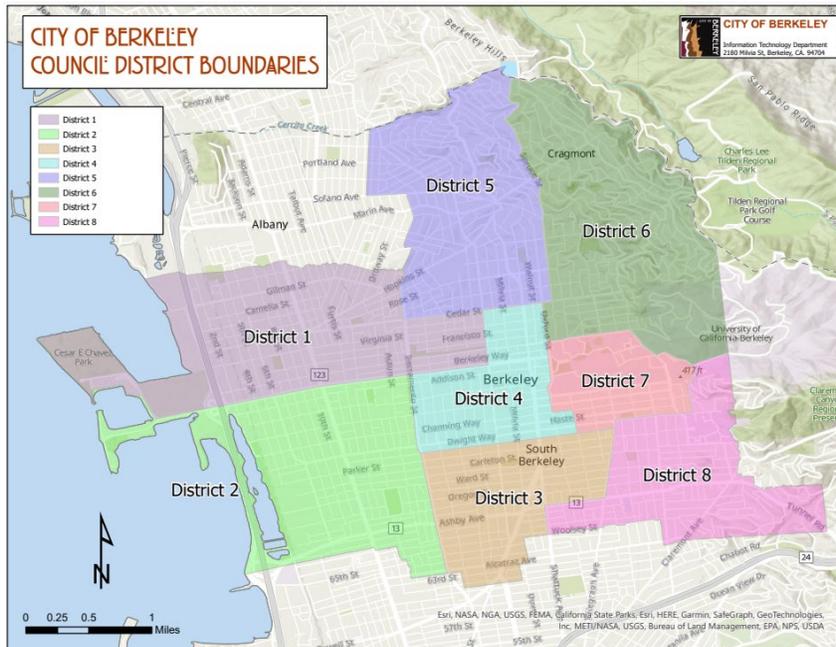
City of Berkeley Census Tract Map & Market Areas



Council Districts

At its April 13, 2017, meeting, the Committee requested information about the City Council District for OMI properties. The table below shows this information for the properties that received an OMI Notice in the last six months of the current reporting period. Attachment 3 shows the Council District for all properties subject to OMI notices during the current reporting period.

Date Filed	Street	Council District
2/12/2025	2729 Stuart St.	8
2/12/2025	1310 Berkeley Way #1	1
2/12/2025	1310 Berkeley Way #4	1
4/7/2025	1817 Rose St.	5



CONCLUSION

During this reporting period (July 1, 2022 - June 30, 2025), the Board received a total of eight 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, 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. Two notices were filed in 2021 despite the moratorium and were subsequently rescinded. From May 1, 2023 through August 31, 2023, the moratorium was amended to allow the owner of a single rental property in Berkeley to perform an owner move-in eviction, but no notices were filed during that period. Since the expiration of the moratorium on August 31, 2023, eight notices have been filed. Four of those notices were filed in the last six months of the current reporting period.

Attachment 1: Table reflecting geographic location and market area of properties subject to OMI notices for the period of July 2022 – June 2025.

Attachment 2: Table reflecting council district of properties subject to OMI notices for the period of July 2022 – June 2025.

Attachment 3: Table of OMI notices filed with the Rent Board for the period of September 2000 through June 2025.

ATTACHMENT 1

Geographic Location and Market Area of Properties Subject to OMI Notices Included in the Current Reporting Period

Date filed	Street	Market Area
12/13/2023	1929 Hopkins St.	North Berkeley (Area 1)
12/21/2023	1725 10 th St.	West Berkeley (Area 4)
9/30/2024	1898 Harmon St., #A	South Berkeley (Area 5)
12/26/2024	2416 Fulton St., #1	University Area (Area 3)
2/12/2025	2729 Stuart St.	University Area (Area 3)
2/12/2025	1310 Berkeley Way #1	Central Berkeley (Area 2)
2/12/2025	1310 Berkeley Way #4	Central Berkeley (Area 2)
4/7/2025	1817 Rose St.	North Berkeley (Area 1)

ATTACHMENT 2

Council Districts of Properties Subject to OMI Notices Included in the Current Reporting Period

Date Filed	Street	Council District
12/13/2023	1929 Hopkins St.	5
12/21/2023	1725 10 th St.	1
9/30/2024	1898 Harmon St. # A	3
12/26/2024	2416 Fulton St., #1	4
2/12/2025	2729 Stuart St.	8
2/12/2025	1310 Berkeley Way #1	1
2/12/2025	1310 Berkeley Way #4	1
4/7/2025	1817 Rose St.	5

ATTACHMENT 3

OMI Eviction Notices Filed with the 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

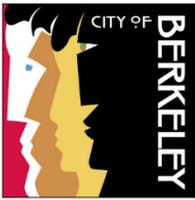
Date of Eviction Notice	Number of Notices Received
January – June 2015	16
July – December 2015	10
January- June 2016	17
July-December 2016	8
January-June 2017	15
July-December 2017	4
January – June 2018	6
July-December 2018	3
January-June 2019	12
July – December 2019	2
January – June 2020*	0
July – December 2020*	0
January – June 2021*	0
July – December 2021**	2
January – June 2022*	0
July – December 2022*	0
January-June 2023***	0
July – December 2023****	2
January – June 2024	0
July – December 2024	2
January – June 2025	4
Total Notices Filed	411

* 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.

**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 eviction moratorium was amended to allow the owner of a single rental property in Berkeley to perform an owner move-in eviction.

****Berkeley’s eviction moratorium expired on August 31, 2023.



BUDGET & PERSONNEL COMMITTEE MEETING

Tuesday, December 2, 2025 – 5:30 p.m.

Berkeley Rent Board Conference Room B – 2000 Center Street, Ste. 400- 4th floor, Berkeley

Public Participation

This meeting will be conducted in a hybrid model with both in-person and remote participation, and 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.

To access this meeting by Zoom

[Join the from a PC, Mac, iPad, iPhone, or Android device](#). If you do not want your name to appear on the screen, 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, enter Webinar ID: 863 2032 1806 and Passcode: 207103. To comment during the public comment part of the agenda, Press *9 and wait to be recognized by the Committee Chair.

Email comments

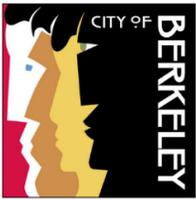
Email comments must be submitted to DeWilliams@berkeleyca.gov by **3:30 p.m.** on the day of the meeting in order to be considered by the Committee and included in the public record. Format your subject line: "PUBLIC COMMENT ITEM FOR BUDGET AND PERSONNEL COMMITTEE." Please observe a 150-word limit. Time limits on public comments will apply.

Decorum

All rules of procedure and decorum apply for both in-person attendees and those participating remotely. Attendees at public meetings are reminded that other attendees may be sensitive to various scents. Please help the City respect these needs.

Communications access information

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BUDGET & PERSONNEL COMMITTEE MEETING

Tuesday, December 2, 2025 – 5:30 p.m.

Berkeley Rent Board Conference Room B – 2000 Center Street, Ste. 400- 4th 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. Public Comment
5. Approval of October 30, 2025, meeting minutes (attached to agenda)
6. Discussion and possible action on the Returned Check Policy Development (attached staff report)
7. Discussion and possible action to recommend a Rent Board Staffing Model Change (attached staff report)
8. Discussion on Measure BB and the Setting of Registration Fee for FY26/27 (Verbal)
9. Future agenda items
10. Discussion and possible action to set the next meeting
11. Adjournment

STAFF CONTACT: DéSeana Williams, Executive Director (510) 981-7368

COMMITTEE: Committee Chair Dominique Walker, Soli Alpert, Nathan Mizell, Andy Kelley.



LEGISLATION, IRA / AGA & REGISTRATION COMMITTEE MEETING

Wednesday, December 3, 2025- 6:00 pm

Rent Stabilization Board Conference Room B – 2000 Center Street, Suite 400, Berkeley, CA

Public Participation

This meeting will be conducted in a hybrid model with both in-person and remote participation, and 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 Matt Brown, General Counsel of the Rent Board, at 510-981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.

To access this meeting by Zoom

[Join the from a PC, Mac, iPad, iPhone, or Android device](#). If you do not want your name to appear on the screen, 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, enter Webinar ID: 818 0627 4073 and Passcode: 910005. To comment during the public comment part of the agenda, Press *9 and wait to be recognized by the Committee Chair.

Email comments

Email comments must be submitted to mbrown@berkeleyca.gov by 4:00 p.m. on the day of the meeting in order to be considered by the Committee and included in the public record. Format your subject line: "PUBLIC COMMENT ITEM FOR LIRA COMMITTEE." Please observe a 150-word limit. Time limits on public comments will apply.

Decorum

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Communications access information

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RENT STABILIZATION BOARD
LEGISLATION, IRA / AGA & REGISTRATION COMMITTEE MEETING

Wednesday, December 3, 2025 – 6:00 p.m.

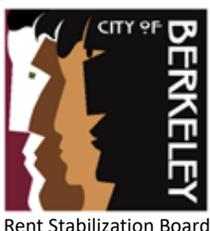
Rent Stabilization Board Conference Room B – 2000 Center Street, Suite 400, Berkeley, CA

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 October 9, 2025 meeting (see attached)
5. Public Comment
6. Discussion and possible action regarding rent ceiling increases for government-subsidized tenancies that are now subject to rent control due to the Ordinance amendments of Measure BB- (see attached staff report)
7. Discussion and possible action regarding future agenda items
8. Confirm next meeting date
9. Adjournment

STAFF CONTACT: Matt Brown, General Counsel (510) 981-4930

COMMITTEE: Soli Alpert (Chair), Stefan Elgstrand, Ida Martinac, Nathan Mizell



RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING

Thursday, December 4, 2025 – 6:30 p.m.

Rent Stabilization Board Conference Room B – 2000 Center Street, 4th floor, Berkeley, CA
Teleconference location - 6100 Center Drive, Room 331, Los Angeles, CA 90045

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/88965755345?pwd=342NlcSSjajiSr239LNrembf0MYKgi.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: 889 6575 5345 and Passcode: 467485. 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 corozco@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 4:30 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
OUTREACH COMMITTEE MEETING

Thursday, December 4, 2025 – 6:30 p.m.

Rent Stabilization Board Conference Room B – 2000 Center Street, 4th floor, Berkeley, CA
Teleconference location - 6100 Center Drive, Room 331, Los Angeles, CA 90045

REVISED 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. Review and approval of November 7, 2025, Meeting Minutes (2 min.)
5. Public Comment (5 min.)
6. Rent Board Outreach Staff Report (10 min.)
7. Digital Education and Engagement Update (13 min.)
8. Discussion on Language Access (15 min.)
9. Next meeting date and time - January (5 min.)
10. Future Agenda Items (5 min.)
11. Adjournment (2 min.)

STAFF CONTACT: Carla Orozco, Community Development Project Coordinator (510) 981-4934
COMMITTEE: Andy Kelley (Chair), Vanessa Marrero, Ida Martinac, Alfred Twu