Rent Stabilization Board

RENT STABILIZATION BOARD
Regular Meeting
Thursday, July 17, 2025 – 7:00 p.m.
School District Board Room – 1231 Addison Street, Berkeley, CA

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.

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AGENDA

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

1. **Roll call** – 1 min.*

2. **Approval of Agenda** – 1 min.*

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. – 2 min.*

4. **Public Comment** – 2 min.*

5. **Public Comment for Unions representing Rent Board staff** – 5 min.*

6. **SPECIAL PRESENTATION**: *Shelter in Peace – What We Do and How We Do It*
   Presenter(s): Anna Rossi, Executive Director – 15 min.*

7. **CONSENT ITEMS** – 1 min.*

   a. Approval of the April 17th regular meeting minutes

   b. Approval of the May 15th regular meeting minutes

   c. Approval of the June 16th regular meeting minutes

d. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Registration Unit Manager/Staff)

Ministerial Waivers
Property Address

2716 Webster
38 Brookside Ave
1257 Francisco St
2216 Blake St #B
2216 Blake St #A
1237 Rose St
2108 Grant St
2341 Carleton St
1226 Ordway St
1313 Haskell St
1605 Julia St
2925 Regent St
2004 Parker St
1624 8th St
1633 San Pablo Ave
1822 Woolsey St
2010 10th St

Discretionary Waivers

Waiver No.	Property Address
W5154	1211 University Ave
W5156	1339 Rose St

8. ACTION ITEMS

from Board Members, Committees, Executive Director or Staff

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

a. Chair Update (Chair Alpert):

(1) Recommendation to take a Support position on Senate Bill 655 (Dwelling Units: Indoor Temperature) (Commissioner Twu & Chair Alpert) – 5 min.*

b. Recommendation to adopt Resolution 25-20 to adopt a policy to establish an amnesty period to allow for the automatic waiver of penalties of Measure BB affected properties that did not pay Registration Fees on time (Executive Director) – 10 min.*

c. Recommendation to adopt Regulation 412 [Definition of Occupied Rental Unit Under B.M.C. section 13.76.135] and substantive changes to the following existing Regulations to administer Right to Organize established by Measure BB: Regulation 411 [Property Management Company; definition] and Regulation 1209 [Parties] – *All First Reading* (LIRA Committee & General Counsel) – 20 min.*

d. Recommendation to adopt amendments to Regulation 1312 [Filing Notices and Complaints with Rent Board] – *First Reading* (LIRA Committee & General Counsel) – 5 min.*

e. Recommendation to adopt Resolution 25-21 authorizing the Executive Director to execute a contract with Kinnectics, LLC through June 30, 2026, in an amount not to exceed $40,000 (Executive Director) – 5 min.*

f. Recommendation to adopt Resolution 25-22 authorizing the Executive Director to extend the contract with QuickCaption, Inc. through June 30, 2027, in an amount not to exceed $10,500 for the 2025-2026 fiscal year (Executive Director) – 5 min.*

9. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

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

a. Presentation regarding Brown Act Remote Participation Options for Public Meetings (General Counsel) – 20 min.*

b. Year Over Year Comparison of Registration Fees collected as of July 9, 2025 (Registration Manager Amanda Eberhart) – 5 min.*

c. Berkeley Rent Board Digital Communications presentation (Digital Education & Media Coordinator Kayla Ginsburg) – 20 min.*

d. Updated Appendix B of Rent Board Regulations, Chapter 12 – US Bureau of Labor Statistics CPI Information (Legal Unit) – 1 min.*

e. Updated Appendix C of Rent Board Regulations, Chapter 12 – US Department of Housing and Urban Development Lower Income Limits (Legal Unit) – 1 min.*

f. Deadline to submit agenda items/topics for the **September** regular Rent Board meeting: **Monday, September 8th by 5:00 p.m. –** *Verbal* (Board Secretary)

10. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

a. Budget & Personnel Committee (Vice-Chair Walker, Chair) – 5 min.*
Next regularly-scheduled meeting: To Be Announced (TBA)

b. Climate Resilience & Habitability Committee (Commissioner Martinac, Chair) – 5 min.*
Next regularly-scheduled meeting date: TBA

c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair) – 5 min.*
Next regularly-scheduled meeting: Tuesday, September 9th at 6:00 p.m.

July 8th agenda

d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair) – 5 min.*
Next regularly-scheduled meeting: Tuesday, July 22nd at 5:30 p.m.

June 24th agenda

e. Outreach Committee (Commissioner Kelley, Chair) – 5 min.*
Next regularly-scheduled meeting: Monday, July 14th at 6:30 p.m.

July 14th agenda

f. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Commissioner Marrero, Chair) – 5 min.*
Next meeting date: TBA

g. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board – 5 min.* (Councilmember Lunaparra & Chair Alpert, Co-Chairs)
Next regularly-scheduled meeting: TBA

h. Updates and Announcements – 5 min.*

i. Discussion of items for possible placement on future agenda – 5 min.*

11. Adjournment

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

Rent Stabilization Board

RENT STABILIZATION BOARD
Regular Meeting
Thursday, April 17, 2025 – 7:00 p.m.
School District Board Room – 1231 Addison Street, Berkeley, CA
Teleconference location: 1700 17 Mile Drive, Pebble Beach, CA
Teleconference location: 5 Embarcadero Center, San Francisco, CA

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Regular Meeting
Thursday, April 17, 2025
7:00 p.m.
School District Board Room – 1231 Addison Street, Berkeley, CA
Teleconference location: 1700 17 Mile Drive, Pebble Beach, CA
Teleconference location: 5 Embarcadero Center, San Francisco, CA

MINUTES – *Unapproved*

1. **Roll call** – Chair Alpert called the meeting order at 7:03 p.m.
   Aimee Mueller called roll.
   Commissioners present: Elgstrand, Johnson (arrived at 7:20 p.m.), Kelley (via Zoom), Marrero (arrived at 7:50 p.m. via Zoom), Martinac, Mizell, Twu, Walker, Alpert
   Commissioners absent: None
   Staff present: Brown, Bursell, Lapira, Lecky, Mueller, Williams

2. **Approval of Agenda** – M/S/C (Twu/Mizell) APPROVE AGENDA WITH ONE CHANGE: MOVE ITEM 7.A. TO BE HEARD AFTER ITEM 7.C. Roll call vote. YES: Elgstrand, Kelley, Martinac, Mizell, Twu, Walker Alpert; NO: None: ABSTAIN: None; ABSENT: Johnson, Marrero. Carried: 7-0-0-2.

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. – 2 min.*

   The Land Acknowledgement Statement was played aloud.

4. **Public Comment** – No speakers.

5. **Public Comment for Unions representing Rent Board staff** – No speakers.

6. CONSENT ITEMS – 1 min.*

a. Approval of the March 20th regular meeting minutes

b. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Registration Unit Manager/Staff)

Ministerial Waivers
Property Address

1926 Alcatraz Ave
2946 Harper St
2410 9th St
2604 Fulton St
714 Gilman St
2216 Curtis St
2118 8th St
1912 7th St
3111 College Ave #B
2226 9th St
2620 Marin Ave

Discretionary Waivers

Waiver No.	Property Address
W5147	758 Ensenada Ave
W5148	1410 La Loma Ave
W5149	1638 8th St
W5150	2907 Dwight Way

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

7. ACTION ITEMS
from Board Members, Committees, Executive Director or Staff

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

a. Chair Update (Chair Alpert) – 3 min.*

(1) Recommendation to adopt Resolution 25-11 endorsing the Recreational Equipment, Inc. Co-op (REI) Community Hearing on April 26, 2025 (Chair Alpert & Vice-Chair Walker)

M/S/C (Marrero/Martinac) ADOPT RESOLUTION 25-11 AS WRITTEN.

Roll call vote. YES: Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker Alpert; NO: None: ABSTAIN: Elgstrand; ABSENT: None. Carried: 8-0-1-0.

(2) Demolition Ordinance Update: City of Berkeley Demolition projects status (Senior Planner Lief Bursell) – Rent Board Associate Planner Katrina Lapira presented to the Board. No action was taken.

b. SPECIAL PRESENTATION: Tolemi Building Blocks demonstration (Executive Director) – Cristian Suarez provided a demonstration of Tolemi's "BuildingBlocks" tool and answered questions from the Board.

(1) Recommendation to adopt Resolution 25-12 authorizing the Executive Director to execute a contract with Tolemi through June 30, 2027, in an amount not to exceed $125,000 (Executive Director/Senior Planner)

M/S/C (Twu/Mizell) ADOPT RESOLUTION 25-12 AS WRITTEN. Roll call vote. YES: Elgstrand, Johnson, Kelley, Martinac, Mizell, Twu, Walker Alpert; NO: None: ABSTAIN: None; ABSENT: Marrero. Carried: 8-0-0-1.

c. SPECIAL PRESENTATION: Spring Legislative Update (Brian Augusta, Rent Board Legislative Advocate) – Mr. Augusta presented on housing-related legislation and took questions from the Board.

(1) Discussion and possible action for the Board to take a position on state legislative bills discussed at the meeting

M/S/C (Alpert/Kelley) MOTION TO ADOPT POSITIONS ON LEGISLATION LISTED BELOW AS AMENDED THIS EVENING AND GIVE THE CHAIR THE AUTHORITY TO REMOVE THE BOARD'S SUPPORT IF A BILL IS SUBSTANTIALLY CHANGED. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker Alpert; NO: None: ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

Support – Priority

AB 1157 (Kalra) - Tenant Protection Act Changes
AB 1248 (Haney) - Definition of Rent
AB 246 (Bryan) - Social Security Tenant Protection Act of 2025
AB 878 (Kalra) - Victims of abuse or violence: reasonable accommodations
SB 436 (Wahab) - Extending Rent Repayment Period

Support
SB 52 (Pérez) - Rental Algorithmic Price Fixing
SB 522 (Wahab) - Application of TPA to Post-Disaster Replacement Housing
AB 863 (Kalra) - Residential rental properties: language requirements
AB 628 (McKinnor) - Requires stove and fridge in good working condition
AB 1414 (Ransom) - Bans landlords from requiring tenants to use a specific internet service provider

Oppose
AB 1183 (Lowenthal) - Creates presumption of compliance with habitability standards if landlords have an inspection before tenancy

8. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

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

a. Copy of Measure BB informational postcards mailed to Berkeley property owners and tenants (Executive Director) – 3 min.*

b. Deadline to submit agenda items/topics for the May regular Rent Board meeting: **Monday, May 5th by 5:00 p.m.** (Board Secretary)

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

a. Budget & Personnel Committee (Vice-Chair Walker, Chair) – Chair Alpert reported that at the Committee's last meeting, they reviewed the mid-year Budget and Registration Fee report which was brought to the Board in March.
Next regularly-scheduled meeting: To Be Announced (TBA)

b. Climate Resilience & Habitability Committee (Commissioner Martinac, Chair) – Committee Chair Martinac reported the Committee had a productive meeting on April 7th. They discussed several items including their annual work plan.
Next regularly-scheduled meeting date: Monday, May 5th at 6:00 p.m.

April 7th agenda

c. Eviction/Section 8/Foreclosure Committee (Chair TBA) – Commissioner Elgstrand reported that the Committee hasn't met yet but he will contact Committee Staffer Ollie Ehlinger to schedule their next meeting. Proposed agenda items will include proposals from providers of eviction defense services.
Next regularly-scheduled meeting: TBA

d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair) – Committee Chair Alpert reported that the Committee discussed the implementation of the Right to Organize, banking as it relates to rent ceilings, and possibly standardizing the calculations related to petitions for a decrease in services.
Next regularly-scheduled meeting: Thursday, May 8th at 6:00 p.m.

April 10th agenda

e. Outreach Committee (Commissioner Kelley, Chair) – Committee Chair Kelley reported that the Committee had a substantial discussion about communities that need special outreach, including seniors, people with disabilities, undocumented people, and those who would benefit from materials in languages other than English. He highlighted Housing Counselor Moni Law's recent work at the Cal campus and senior centers, and excitement about the imminent start of our Digital Education & Media Coordinator. He also mentioned appreciation for the summary letter being drafted by the Executive Director that will highlight the key findings from the Tenant Survey that is coming soon.
Next regularly-scheduled meeting: Monday, April 14th at 6:30 p.m.

April 14th agenda

f. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Commissioner Marrero, Chair) – Committee Chair Marrero said the Committee's next meeting should be in May.
Next meeting date: TBA

g. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board – 5 min.* (Councilmember Lunaparra & Chair Alpert, Co-Chairs) – Chair Alpert said that the Committee recently met and discussed rental assistance funding, eviction emergency legislation, the impacts of the permanent amnesty program on rent-controlled units and how to work together to protect non-citizen renters.
Next regularly-scheduled meeting: TBA

April 7th agenda packet

h. Updates and Announcements – Commissioner Martinac noted that workers from Urban Ore are on strike. Chair Alpert noted that Measure BB notices are posted in the common areas of his building and encouraged other property owners to do the same. Commissioner Mizell discussed the disturbing disparity he has experienced between the values that the City of Berkeley espouses and the lack of policy and accountability related to policing in the city and the lack of recourse for those who have witnessed or endured racist treatment by Berkeley public safety personnel.

i. Discussion of items for possible placement on future agenda – Commissioner Twu reported the Council passed fire safety regulations which may impact housing services and suggested that the Climate Resilience & Habitability Committee look into corresponding Board regulations that may be needed to address affected properties.

10. Adjournment – M/S/C (Johnson/Walker) ADJOURN THE 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 9:03 p.m.

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Regular Meeting
Thursday, May 15, 2025
7:00 p.m.
School District Board Room – 1231 Addison Street, Berkeley, CA

MINUTES – *Unapproved*

1. **Roll call** – Chair Alpert called the meeting order at 7:05 p.m.
   Aimee Mueller called roll.
   Commissioners present: Elgstrand, Johnson, Kelley, Marrero, Mizell (arrived at 7:14 p.m.), Twu, Walker, Alpert
   Commssioners absent: Martinac
   Rent Board staff present: Brown, Bursell, Eberhart, Law, Lecky, Mueller, Williams
   City staff present: Tatarevic, Horner (Planning Dept.)

2. **Approval of Agenda** – M/S/C (Twu/Kelley) APPROVE AGENDA WITH THE FOLLOWING CHANGES: MOVE DISCRETIONARY WAIVERS W5151 AND W5152 TO BE THE LAST ACTION ITEMS; AND ADJOURN TONIGHT'S MEETING IN HONOR AND MEMORY OF FORMER RENT BOARD COMMISSIONER AND COMMUNITY ACTIVIST CHRISTINA MURPHY, AND IN HONOR AND MEMORY OF POPE FRANCIS. Voice vote. Carried 7-0-0-2. ABSENT: Martinac, Mizell.

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. – 2 min.*

   The Land Acknowledgment Statement was read aloud.

4. **Public Comment** – There were nine speakers: Moni T. Law, Willie Phillips, Linda Olivenbaum, Gene Turitz and Carol Crooks spoke in honor and memory of Christina Murphy; Jordan Brysk spoke about Section 8 housing; Finis Teague spoke about his

landlord, Jordan Brysk; Derek C. Wallace spoke about his and his fellow tenants' housing situation; and Angela Cavanaugh spoke about Measure BB.

5. **Public Comment for Unions representing Rent Board staff** – No speakers.

6. **CONSENT ITEMS** – 1 min.*

   a. Approval of the April 17th regular meeting minutes

   b. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Registration Unit Manager/Staff)

   Ministerial Waivers
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   1639 San Pablo Ave
   1931 San Pablo Ave
   1092 Dwight Way
   1818 Alcatraz Ave
   803 Alvarado Rd
   2501 Dana St #5
   2109 Byron St
   2942 Hillegass Ave
   3224 Sacramento St
   1522 Alcatraz Ave
   1349 Channing Way

   Discretionary Waivers

Waiver No.	Property Address
W5151	1850 Arch St
W5152	1862 Arch St
W5153	2230 Blake St

   M/S/C (Kelley/Elgstrand) MOVE ALL CONSENT ITEMS AS WRITTEN WITH THESE EXCEPTIONS: DISCRETIONARY WAIVERS W5151 AND W5152 MOVED TO ACTION BY AN EARLIER VOTE; AND ITEM 6.A. TABLED TO THE NEXT MEETING. Voice vote. Carried: 8-0-0-1. ABSENT: Martinac.

7. **ACTION ITEMS**
   from Board Members, Committees, Executive Director or Staff

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

Discretionary Waivers W5151 And W5152 from Consent Item 6.b. were moved to Action by a prior vote of the Board.

a. Chair Update (Chair Alpert):

(1) Discussion and possible action on the impact of the Measure BB Fee structure on non-profit affordable housing (Chair Alpert & Vice-Chair Walker) – No action was taken.

(2) Discussion and possible action on the new Accessory Dwelling Unit (ADU)-Condo Conversion rules chapter in Title 21 (Senior Planner Lief Bursell & City of Berkeley Planning Staff) – City of Berkeley Associate Planner Branka Tatarevic presented, and she and Senior Planner Lief Bursell took questions from the Board.

M/S/C (Alpert/Kelley) MOTION THAT THE BOARD SEND A LETTER TO COUNCIL RECOMMENDING THAT THEY ADOPT THE PROPOSED AMENDMENTS TO TITLE 21 (Subdivisions) IN THE STAFF RECOMMENDATION THAT WOULD ALLOW THE SEPARATE SALE OF ADU'S AS CONDOMINIUMS; AND ALSO RECOMMEND THAT TENANT-OCCUPIED OR FORMERLY TENANT-OCCUPIED UNITS WOULD STILL BE SUBJECT TO THE AFFORDABLE HOUSING MITIGATION FEE BUT THAT FEE WOULD BE ENTIRELY WAIVABLE IF THE PROPERTY OWNER AGREED BY CONTRACT TO PROVIDE RENT INCREASE PROTECTIONS FOR THE SITTING TENANTS. Voice vote. Carried: 8-0-0-1. ABSENT: Martinac.

b. SPECIAL PRESENTATION: Spring Legislative Update (Brian Augusta, Rent Board Legislative Advocate) – Due to technical difficulties, Mr. Augusta's presentation could not be heard.

(1) Discussion and possible action for the Board to take a position on state legislative bills discussed at the meeting

M/S/C (Alpert/Johnson) MOTION TO CONTINUE ITEMS 7.B., 7.B.(1), AND BOTH DISCRETIONARY WAIVERS W5151 AND W5152 TO THE NEXT MEETING. Voice vote. Carried: 8-0-0-1. ABSENT: Martinac.

c. Recommendation to adopt Resolution 25-13 authorizing the Executive Director to execute a contract amendment with 3Di through September 30, 2027, in an amount not to exceed $712,700 (Executive Director)

M/S/C (Kelley/Elgstrand) ADOPT RESOLUTION 25-13 AS WRITTEN. Voice

vote. Carried: 8-0-0-1. ABSENT: Martinac.

8. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

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

a. Copy of Measure BB informational postcards mailed to Berkeley property owners and tenants (Executive Director) – 3 min.*

b. Outreach: Rent Board services on City of Berkeley Kiosks (Executive Director) – *Verbal* – 5 min.*

c. Copy of Tenant Survey Cover Letter from the Executive Director (Outreach Committee) – 3 min.*

d. Board-generated forms for tenants to use when creating Tenant Associations under B.M.C. Section 13.76.135 (LIRA Committee) – 3 min.*

e. Deadline to submit agenda items/topics for the June regular Rent Board meeting: **Friday, June 6th by 5:00 p.m.** (Board Secretary)

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

a. Budget & Personnel Committee (Vice-Chair Walker, Chair) – Committee Chair Walker reported that the Committee met on May 1st and received a verbal update on the fiscal year 2025-26 budget and approved the recommendation to amend the 3Di contract which came before the Board this evening.
Next regularly-scheduled meeting: To Be Announced (TBA)

May 1st agenda

b. Climate Resilience & Habitability Committee (Commissioner Martinac, Chair) Commissioner Twu reported that the Committee discussed the wildfire policy that the City is scheduled to vote on again in the coming months and its likely downstream effects on housing.
Next regularly-scheduled meeting date: TBA

May 5th agenda

c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair) – Committee Chair Elgstrand said the Committee received a few reports on recent eviction data, foreclosure and distressed properties, and owner move-in evictions. The Committee's next meeting is on Tuesday, July 8th.
Next regularly-scheduled meeting: Tuesday, May 13th at 6:00 p.m.

May 13th agenda

d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair) – Chair Alpert reported that the Committee discussed a number of issues related to the new tenant Right to Organize.
Next regularly-scheduled meeting: Thursday, June 12th at 5:30 p.m.

May 8th agenda

e. Outreach Committee (Commissioner Kelley, Chair) – Committee Chair Kelley reported that the Committee members came to the meeting but were unable to complete the meeting due to a technical issue. The Committee will meet again in June but there is helpful information in their May 12th agenda packet about upcoming outreach events.
Next regularly-scheduled meeting: Monday, May 12th at 6:30 p.m.

May 12th agenda

f. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Commissioner Marrero, Chair) – Committee Chair Marrero reported that the Committee couldn't meet due to a quorum issue, but they hope to meet on June 2nd dependent on the Berkeley Unified Director availability.
Next meeting date: TBA

g. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board – 5 min.* (Councilmember Lunaparra & Chair Alpert, Co-Chairs) – Chair Alpert said the Committee is scheduled to meet tomorrow and he'll have updates at next month's meeting.
Next regularly-scheduled meeting: TBA

h. Updates and Announcements – Executive Director Williams announced that Finance Director Shamika Cole just became a grandmother. Commissioner Twu announced that the Cal Move-Out Program is happening this from May 23rd - June 1st. Students and staff can get furniture and electronics dropped off and any member of the public is able to grab items for free at the park – details are at calmoveout.com. Commissioner Kelley announced that the City's Tree Planting Program is making its way through District 2 but is wrapping up soon. Tenants can request that a tree be planted and don't need permission from their landlord.

i. Discussion of items for possible placement on future agenda

10. Adjournment – M/S/C (Kelley/Walker) ADJOURN THE MEETING. Voice vote. Carried: 8-0-0-1. ABSENT: Martinac.

The meeting adjourned at 9:30 p.m.

Rent Stabilization Board

RENT STABILIZATION BOARD
Regular Meeting
Monday, June 16, 2025 – 7:00 p.m.
School District Board Room – 1231 Addison Street, Berkeley, CA

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/86059541676?pwd=6dxz13N2cllTPHbkeC5K85MF71QacI.1. If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself to be anonymous. To request to speak, use the "Raise Hand" icon by rolling over the bottom of the screen.

To join by phone: Dial 1-669-444-9171 and enter Webinar ID: 860 5954 1676 and Passcode: 738992. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.

To submit a written communication for the Board's consideration and inclusion in the public record, please email amueller@berkeleyca.gov with the Subject line in this format: "RENT BOARD MEETING PUBLIC COMMENT ITEM." Please observe a 150-word limit. Email comments must be submitted to the email address above by **4:00 p.m.** on the day of the meeting in order to be included.

Please be mindful that this will be a public meeting, and all rules of procedure and decorum apply for both in-person attendees and those participating by teleconference or videoconference.

This meeting will be conducted in accordance with Government Code Section 54953 and all current state and local requirements allowing public participation in meetings of legislative bodies. Any member of the public may attend this meeting at the posted location(s). Questions regarding this matter may be addressed to DéSeana Williams, Executive Director, at (510) 981-7368 (981-RENT). The Rent Board may take action related to any subject listed on the Agenda.

COMMUNICATION ACCESS INFORMATION:
This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at (510) 981-6418 (voice) or (510) 981-6347 (TDD) at least three (3) business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.

RENT STABILIZATION BOARD
Regular Meeting
Monday, June 16, 2025
7:00 p.m.
School District Board Room – 1231 Addison Street, Berkeley, CA

MINUTES – *Unapproved*

1. **Roll call** – Chair Alpert called the meeting to order at 7:08 p.m.
   Aimee Mueller called roll.
   Commissioners present: Elgstrand, Johnson, Kelley (arrived at 7:39 p.m.), Marrero, Martinac, Mizell, Twu, Walker, Alpert
   Commissioners absent: None
   Staff present: Brown, Calimbas, Cole, Eberhart, Ginsburg, Lecky, Mueller, Smith, Williams

2. **Approval of Agenda** – M/S/C (Twu/Elgstrand) APPROVE AGENDA WITH THE FOLLOWING CHANGES: TABLE CONSENT ITEM 7.A. TO NEXT MEETING; AND ADJOURN TONIGHT'S MEETING IN HONOR AND MEMORY OF THE VICTIMS OF THE JUNE 16, 2015 LIBRARY GARDENS' BALCONY COLLAPSE (Ashley Donohoe, Olivia Burke, Eoghan Culligan, Niccolai "Nick" Schuster, Lorcán Miller, Eimear Walsh and Aoife Beary); AND IN HONOR AND MEMORY OF THE VICTIMS OF THE MINNESOTA SHOOTING (Melissa and Mark Hortman – killed; John and Yvette Hoffman – injured). Voice vote. Carried: 8-0-0-1. ABSENT: Kelley.

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. – 2 min.*

   The Land Acknowledgment Statement was played aloud.

4. **Introduction of new Rent Board staff**: Housing Counselor Grace Smith and Digital Education & Media Coordinator Kayla Ginsburg – Grace Smith and Kayla Ginsburg introduced themselves to the Board.

5. **Public Comment** – There were three speakers: Krista Gulbransen, Executive Director of the Berkeley Property Owners Association, spoke about funds allocated to the Eviction Defense Center; Erin Horne spoke in support of Item 7.b.; and Ever spoke about Item 8.b.

6. **Public Comment for Unions representing Rent Board staff** – No speakers.

7. **CONSENT ITEMS** – 1 min.*

   a. Approval of the April 17th regular meeting minutes – TABLED TO NEXT MEETING BY AN EARLIER VOTE OF THE BOARD.

   b. Recommendation to adopt Resolution 25-14 for Rent Board support of Inclusion of Disabled Graduates in Walking at Graduation (Commissioner Marrero, Vice-Chair Walker & Commissioner Martinac)

   c. Recommendation to approve Commissioner Marrero's request for a stipend deduction reimbursement for a committee meeting absence

   M/S/C (Twu/Johnson) APPROVE ALL CONSENT ITEMS AS WRITTEN EXCEPT FOR ITEM 7.A. WHICH WAS TABLED TO THE NEXT MEETING BY AN EARLIER VOTE. Voice vote. Carried: 7-0-1-1. ABSTAIN: Elgstrand; ABSENT: Kelley.

8. **ACTION ITEMS**
   from Board Members, Committees, Executive Director or Staff

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

   a. Chair Update (Chair Alpert):

      (1) Letter to Council on the Accessory Dwelling Unit (ADU) Amnesty Program (Rent Board Planning Staff & Chair Alpert) – Chair Alpert announced that this letter was sent to the Mayor and Council today but no action was taken.

      (2) Discussion and possible action to recess for the month of August 2025 – *Verbal* (Chair Alpert & Vice-Chair Walker)

      M/S/C (Mizell/Walker) RECESS FOR THE MONTH OF AUGUST 2025. Voice vote. Carried: 8-0-0-1. ABSENT: Kelley.

   b. Presentation, discussion and possible action for the Board to take a position on state legislative bills discussed at the meeting (Brian Augusta, Rent Board Legislative Advocate) – Mr. Augusta presented to and answered questions from the Board.

M/S/C (Alpert/Twu) TAKE A "SUPPORT – PRIORITY" POSITION ON SENATE BILL (SB) 436 (WAHAB); AND TAKE A "SUPPORT" POSITION ON ASSEMBLY BILL (AB) 282 (PELLERIN), AB 736 (WICKS), AB 893 (FONG), SB 417 (CABALDON), SB 36 (UMBERG) AND SB 634 (PÉREZ). Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

M/S/C (Twu/Elgstrand) TAKE A "SUPPORT IF AMENDED" POSITION ON SB 79 (WIENER) IF THESE AMENDMENTS ARE INCLUDED: DEMOLITION PROTECTIONS FOR EXISTING RENTAL HOUSING SIMILAR TO BERKELEY'S DEMOLITION ORDINANCE INCLUDING REPLACEMENT, RIGHT OF RETURN, AND A BAN ON PROPERTIES WITH THE ELLIS ACT USED, AND HIGHER AFFORDABILITY REQUIREMENT IN LOWER-INCOME NEIGHBORHOODS. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

c. SPECIAL PRESENTATION on the Fiscal Year (FY) 2025-2026 Budget, Staffing Model, and Expenditure Level (Finance Director Shamika Cole & Executive Director) – Ms. Cole presented to and answered questions from the Board.

   (1) Recommendation to adopt Resolution 25-15 approving the FY 2025-2026 Line-item Budget, Staffing Model, and Expenditure Level (Finance Director Shamika Cole & Executive Director)

   M/S/C (Mizell/Kelley) ADOPT RESOLUTION 25-15 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.

d. Recommendation to adopt Resolution 25-16 authorizing the Executive Director to extend the contract with Berkeley Community Media (BCM) through June 30, 2027, and increase the contract by an amount not to exceed $25,000 for FY 2025-2026 (Executive Director)

   M/S/C (Elgstrand/Marrero) ADOPT RESOLUTION 25-16 AS WRITTEN. Voice vote. Carried: 9-0-0-0.

e. SPECIAL PRESENTATION on Legal Defense Program services by Eviction Defense Center Executive Director Anne T. Omura, and East Bay Community Law Center Housing Co-Director Linda Yu – Ms. Omura and Ms. Yu presented to and answered questions from the Board.

   (1) Recommendation to adopt Resolution 25-17 authorizing the Executive Director to extend the contract with the Eviction Defense Center (EDC)

through June 30, 2027, and increase the contract by an amount not to exceed $435,500 for FY 2025-2026 (Executive Director)

M/S/C (Alpert/Walker) ADOPT RESOLUTION 25-17 AND RESOLUTION 25-18 AS WRITTEN. Voice vote. Carried: 9-0-0-0.

(2) Recommendation to adopt Resolution 25-18 authorizing the Executive Director to extend the contract with the East Bay Community Law Center (EBCLC) through June 30, 2027, and increase the contract by an amount not to exceed $423,605 for FY 2025-2026 (Executive Director) – MOTION INCLUDED IN VOTE ON ITEM 8.e.(1).

f. Recommendation to adopt Resolution 25-19 authorizing the Executive Director to extend the contract with Brian Augusta (dba Public Interest Advocates) through June 30, 2027, and increase the contract by an amount not to exceed $72,000 for FY 2025-2026 (Executive Director)

M/S/C (Kelley/Johnson) ADOPT RESOLUTION 25-19 AS WRITTEN. Voice vote. Carried: 9-0-0-0.

g. Discussion and possible action to approve the staff recommendation for the request to waive late registration penalties for Discretionary Waiver No. W5151 (1850 Arch St.) (Registration Unit Manager/Staff)

Substitute motion: M/S/F (Twu/Johnson) WAIVE EIGHTY PERCENT OF THE PENALTIES FOR DISCRETIONARY WAIVER NOS. W5151 AND W5152. Roll call vote. YES: Johnson, Twu, Alpert; NO: Elgstrand, Kelley, Marrero, Martinac, Mizell, Walker; ABSTAIN: None; ABSENT: None. **Failed**: 3-6-0-0.

Main motion: M/S/C (Elgstrand/Marrero) APPROVE THE STAFF RECOMMENDATION TO WAIVE ONE HUNDRED PERCENT OF THE PENALTIES FOR DISCRETIONARY WAIVER NO. W5151 AND EIGHTY PERCENT OF THE PENALTIES FOR W5152. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: None. **Carried**: 9-0-0-0.

h. Discussion and possible action to approve the staff recommendation for the request to waive late registration penalties for Discretionary Waiver No. W5152 (1862 Arch St.) (Registration Unit Manager/Staff) – MOTION INCLUDED IN VOTE ON ITEM 8.g.

9. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

ALL ITEMS BELOW WERE MENTIONED OR BRIEFLY DISCUSSED.

UNDERLINED ITEMS HAVE ADDITIONAL COMMENTS.

a. Presentation regarding Brown Act Remote Participation Options for Public Meetings (General Counsel) – TABLED TO NEXT MEETING.

b. Annual Petitions Activities Report (Senior Hearing Examiner Omar Calimbas) – Mr. Calimbas presented to and answered questions from the Board.

c. Copy of Measure BB informational postcards mailed to Berkeley property owners and tenants (Executive Director) – 3 min.*

d. Copy of Sanctuary City letter to Berkeley property owners and tenants (Executive Director) – The Chair requested that this letter also be sent to the Berkeley Property Owners Association, the Berkeley Chamber of Commerce, the Mayor and City Council, UC Berkeley, Berkeley Unified School District and Berkeley Community College.

e. Deadline to submit agenda items/topics for the July regular Rent Board meeting: **Monday, July 7th by 5:00 p.m.** (Board Secretary)

10. **COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS –** COMMITTEE UPDATES WERE TABLED TO THE NEXT MEETING.

a. Budget & Personnel Committee (Vice-Chair Walker, Chair) – 5 min.*
Next regularly-scheduled meeting: To Be Announced (TBA)

June 3rd agenda

b. Climate Resilience & Habitability Committee (Commissioner Martinac, Chair) – 5 min.*
Next regularly-scheduled meeting date: TBA

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

d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair) – 5 min.*
Next regularly-scheduled meeting: Tuesday, June 24th at 5:30 p.m.

e. Outreach Committee (Commissioner Kelley, Chair) – 5 min.*
Next regularly-scheduled meeting: TBA

June 9th agenda

f. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Commissioner Marrero, Chair) – 5 min.*

Next meeting date: TBA

g. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board – 5 min.* (Councilmember Lunaparra & Chair Alpert, Co-Chairs)
Next regularly-scheduled meeting: TBA

May 16th agenda packet

h. Updates and Announcements – Commissioner Mizell announced that, ten days ago, the Berkeley Police Department violated the 14th Amendment rights of citizens at 8th and Harrison.

i. Discussion of items for possible placement on future agenda

11. Adjournment – M/S/C (Marrero/Johnson) ADJOURN THE MEETING. Voice vote. Carried: 9-0-0-0.

The meeting adjourned at 11:01 p.m.

Rent Stabilization Board

RENT STABILIZATION BOARD

DATE: July 17, 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	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
	2716 Webster	Gerald Lombardi & Helen Norris	$4,890.00	$3,912.00	$978.00
	38 Brookside Ave	Lora Droste J Trust Lora Droste J Trust	$480.00	$480.00	$0.00
	1257 Francisco St	Gregory Mahrer	$11,088.00	$11,088.00	$0.00
	2216 Blake St #B	Sedman-packard Living Trust	$360.00	$360.00	$0.00
	2216 Blake St #A	Sedman-packard Living Trust	$288.00	$288.00	$0.00
	1237 Rose St	Derek Krantz & Maureen Krantz	$634.00	$634.00	$0.00
	2108 Grant St	Pine Marten Llc	$780.00	$780.00	$0.00
	2341 Carleton St	David Yadegar	$1,640.00	$1,640.00	$0.00
	1226 Ordway St	Louise Fender	$1,080.00	$1,080.00	$0.00
	1313 Haskell St	Thomas Carlin	$808.00	$808.00	$0.00
	1605 Julia St	Mark Forgette	$580.00	$580.00	$0.00
	2925 Regent St	Emi Nakamura	$580.00	$580.00	$0.00
	2004 Parker St	Kam Wong	$880.00	$880.00	$0.00
	1624 8th St	Francisco Di Domenico	$5,304.00	$5,304.00	$0.00

	1633 San Pablo Ave	Wang Brothers Investments Llc	$1,376.00	$1,376.00	$0.00
	1822 Woolsey St	Rosina Keren	$180.00	$180.00	$0.00
	2010 10th St	Dan Li	$1,376.00	$1,100.80	$275.20
TOTAL			**$32,324.00**	**$31,070.80**	**$1,253.00**

Financial Impact: Ministerial Waivers

Approval of Executive Director's recommendations will decrease the Board's current accounts receivable by **$31,070.80.**

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.

Waiver	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
W5154	1211 University Ave	Purisima Two Llc	$2,752.00	$2,752.00	$0.00
W5156	1339 Rose St	Purdeep Randhawa	$2,752.00	$2,752.00	$0.00
TOTAL			**$5,504.00**	**$5,504.00**	**$0.00**

Financial Impact: Discretionary Waivers

Approval of Executive Director's recommendations will decrease the Board's current accounts receivable by **$5,504.00.**

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

July Waivers

Ministerial

Address	Details
2716 Webster St	This property, comprising five rented units, has been under its current ownership since 2013. According to the property manager, the previous manager failed to submit an invoice for payment, leading to the current delinquency. The former manager is no longer employed by the management company. This marks the second late payment recorded for this property. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
38 Brookside Ave	This single-family home is currently owner-occupied. The present owner acquired the property in 2024 and took occupancy in November of the same year. The owner has confirmed there are no tenants residing in the property. It was noted that the previous owner rented the property but failed to pay the required rental registration fee. The current owner does not have a history of late payments. Staff recommends waiving 100% of the penalties per regulation 883 I.
1257 Francisco St	This property, comprising six rented units, has been under the current ownership since 2022. The owner stated that on April 18, 2022, they purchased the property and, after being notified by the prior owner in June 2022, they registered it and paid the registration fees. They did not receive another statement until January 6, 2025, which included late fees and penalties for 2023 and 2024, at which point they immediately paid the full outstanding balance and submitted the required registration forms. This instance marks the owners first late payment since acquiring the property. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2216 Blake St #B	This rented condo has been owned since 2022. The owner asserts that the payment was not six months late, explaining that the unit only became available for rent on September 4th. The unit was subsequently registered on October 28th. Property owners and managers are required to register a rented unit with the rent board within 60 days of its availability. Given that the owner registered the unit within this 60-day window and has no history of prior late payments, staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2216 Blake St #A	This rented condo has been owned since 2022. The owner asserts that the payment was not six months late, explaining that the unit only became available for rent on September 4th. The unit was subsequently registered on October 28th. Property owners and managers are required to register a rented unit with the rent board within 60 days of its availability. Given that the owner registered the unit within this 60-day window and has no history of prior late payments, staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1237 Rose St	The owner of this single-family rental home, owned since 2012, attempted to make an online payment in June but was unsuccessful. They claim that they contacted Rent Board staff for account access, attributing the issue to receiving account setup information late. Records indicate that communication with the property owner regarding this matter commenced in July, after the payment deadline. There are no previous late payment records for this property. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.

2108 Grant St	This rented single-family home has been owned by the current owner since 2025. The property manager states that the house has been occupied by the same tenant since 2003, who stopped paying rent approximately five years ago to the previous landlord. While the new owners are committed to bringing the property up to code and into compliance with city regulations, including addressing neglected repairs and unpaid fees by previous owners, they are currently unable to collect rent or inspect the property due to the tenant's refusal, and they are requesting a waiver for penalties incurred prior to their ownership. The current owners do not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2341 Carleton St	This property, comprising of 2 units, has been owned since 2025. The property owner is requesting a waiver of late registration penalties, stemming from a misunderstanding of the registration requirements. They believed the regulations applied to the leased premises as a whole, rather than to each individual unit, and have since taken immediate steps to comply. The current owners do not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1226 Ordway St	The current owner of this rented single-family home acquired the property in 2024 through inheritance. The owner has stated they were unaware of the registration fee and associated penalty. The current owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1313 Haskell St	This property, consisting of three rented units, has been under its current ownership since 2024. The current owner claims that the previous owner failed to disclose outstanding registration fees for the 2024-2025 period. The current owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1605 Julia St	This two-unit property has been under its current ownership since 2017. The owners mistakenly sent their registration fee payment to the Rental Housing Safety Program department instead of the Rent Board. The owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2925 Regent St	This property, consisting of four units, has been owned by the current owner since 2019. The owner states they thought they mailed the registration fee check to the Rent Board, but it was not recieved. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2004 Parker St	The current owner acquired this two unit property in 2024. They report that the previous owner's estate trustee mishandled the Rent Board registration. Upon being notified of the outstanding registration fee, the current owner promptly paid it. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.

1624 8th St	This property, consisting of three units, has been owned by the current owner since 2006. The owner is requesting a waiver for late registration penalties, citing an unintentional oversight. They explain that in 2015, after moving out of their house, they attempted to register the unit, but claims they were told it wasn't necessary. The owner only learned of the registration requirements through the Berkeley Property Owner's Association and immediately began the registration process, which took several months to complete due to scheduling conflicts and personal family matters. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
1633 San Pablo Ave	The current owner acquired this two unit property in 2025. They assert that all penalties incurred were prior to their ownership. Immediately upon acquiring the property, the current owner took prompt action to comply with the registration requirements of the Rent Ordinance. The current owner does not have a history of late payments. Staff recommends waiving 100% of the penalties per regulation 883 I.
1822 Woolsey St	The current owner has owned this three unit property since 2018. The owner states that they were not aware of the registration fee for their newly constructed ADU. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per regulation 884 C.
2010 10th St	The current owner has owned this three-unit property since 2022. She assumed control of the property's management from her partner, who had solely managed it previously. The owner did not receive the invoice for the registration fee directly; instead, it was forwarded to her by her partner. This is the owner's second late payment for this property. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.

Discretionary

Address	Details
1211 University Ave	The property manager, who oversees seven parcels, has a consistent record of timely registration fee payments for all properties under their management in Berkeley. In June 2024, an administrative error occurred where the registration fee payment for a different property was mistakenly recorded as paid for 1211 University. This internal misclassification led to an oversight, resulting in the non-submission of the required payment for 1211 University. Given the property manager's established history of on-time payments across their portfolio and the isolated nature of this incident, staff recommends granting a full waiver of penalties.
1339 Rose St	The owner experienced financial hardship when the registration fees were due, resulting in a missed payment. Based on the owner's financial hardship at the time the registration fees were due, staff recommends a full waiver of the accrued penalties.

City Of Berkeley
Rent Stabilization Board

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5154	**Property address:** 1211 UNIVERSITY AVE , BERKELEY, CA 94702	**Transfered:** 07/02/2021

Exempt units (as of February 2021):
None

Owner(s): PURISIMA TWO LLC	**Waiver filed by:** Property Manager	**# of Units:** 4

Other Berkeley rental property owned: 2537 ELLSWORTH ST BERKELEY CA 94704, 2336 CHANNING WAY BERKELEY CA 94704, 2155 DWIGHT WAY BERKELEY CA 94704, 2306 ELLSWORTH ST BERKELEY CA 94704, 2133 DWIGHT WAY BERKELEY CA 94704, 2137 DWIGHT WAY BERKELEY CA 94704, 2727 PARKER ST BERKELEY CA 94704, 1441 UNIVERSITY AVE BERKELEY CA 94702, 1920 SACRAMENTO ST BERKELEY CA 94702, 1440 BERKELEY WAY BERKELEY CA 94702, 2210 CURTIS ST BERKELEY CA 94702, 2145 DWIGHT WAY BERKELEY CA 94704, 1231 UNIVERSITY AVE BERKELEY CA 94702, 1925 10TH ST BERKELEY CA 94710, 1215 UNIVERSITY AVE BERKELEY CA 94702, 1219 UNIVERSITY AVE BERKELEY CA 94702, 1223 UNIVERSITY AVE BERKELEY CA 94702, 1227 UNIVERSITY AVE BERKELEY CA 94702, 1207 UNIVERSITY AVE BERKELEY CA 94702

Late payment/penalty history: 2024-2025 Registration Fee

Registration Date or Year	Units Requiring Registration at That	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Paid
FY2024-25	ALL	$1,376.00	02/18/2025	$2,752.00	$0.00	$2,752.00
			Totals (penalties previously assessed)	$2,752.00	$0.00	$0.00

Penalties Currently Under Consideration

Reason for Penalties: Late payment of registration fee

Registration Date or Year	Unit(s) Registered Late At This Time	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Due
FY2024-25	4	$1,376.00	02/18/2025	$2,752.00	$0.00	$0.00
			Total	$2,752.00	$0.00	$0.00

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

Good cause claimed by owner: The property manager, who oversees seven parcels, has a consistent record of timely registration fee payments for all properties under their management in Berkeley. In June 2024, an administrative error occurred where the registration fee payment for a different property was mistakenly recorded as paid for 1211 University. This internal misclassification led to an oversight, resulting in the non-submission of the required payment for 1211 University.

Recommendation: Staff recommends waiving 100% of the penalties

Staff Analysis: Given the property manager's established history of on-time payments across their portfolio and the isolated nature of this incident, staff recommends granting a full waiver of penalties.

City Of Berkeley
Rent Stabilization Board

Recommendation on Requested Waiver of Registration Penalties

Waiver No: W5156	**Property address:** 1339 ROSE ST BERKELEY CA 94702	**Transfered:** 02/08/2021
Exempt units (as of February 2021): None		
Owner(s): PURDEEP RANDHAWA	**Waiver filed by:** Property Owner	**# of Units:** 4
Other Berkeley rental property owned: None		
Late payment/penalty history: 2024-2025 Registration Fee		

Registration Date or Year	Units Requiring Registration at That	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Paid
FY2024-25	ALL	$1,376.00	04/14/2025	$2,752.00	$0.00	$2,752.00
			Totals (penalties previously assessed)	$2,752.00	$0.00	$0.00

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
FY2024-25	4	$1,376.00	04/14/2025	$2,752.00	$0.00	$0.00
			Total	$2,752.00	$0.00	$0.00

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

Good cause claimed by owner: The owner experienced financial hardship when the registration fees were due, resulting in a missed payment.

Recommendation: Staff recommends waiving 100% of the penalties

Staff Analysis: Based on the owner's financial hardship at the time the registration fees were due, staff recommends a full waiver of the accrued penalties.

Rent Stabilization Board

DATE: July 17, 2025

TO: Honorable Members of the Rent Stabilization Board

FROM: Commissioner Alfred Twu and, Chair Soli Alpert

SUBJECT: Endorsement of SB 655

Recommendation:

That the Rent Stabilization Board takes a Support position on Senate Bill 655.

Background:

With average temperatures increasing each year, many homes can reach uncomfortable and even dangerous indoor temperatures. Currently, California state law requires a minimum indoor temperature for housing, but it does not specify a maximum. Berkeley law does not have a maximum either.

SB 655 would declare it to be the established policy of the state that all dwelling units, as defined, are required to be able to attain and maintain a safe maximum indoor temperature. The bill would require all state agencies to consider this state policy when revising, adopting, or establishing policies, programs, regulations, and criteria, including grant criteria, that are relevant to achieving the state's policy objectives.

While the bill does not currently specify the maximum temperature, a report from the California Department of Housing and Community Development to the Legislature earlier this year recommended 82 degrees. (See Attached)

SB 655 has passed the Senate and is currently in the Assembly. The current version of the bill is the June 16, 2025, Assembly amendments.

Financial Impact:

None

Name and Email Address of Contact Person:

Commissioner Alfred Twu
RSBTwu@berkeleyca.gov
Chair Soli Alpert
SAlpert@berkeleyca.gov

POLICY RECOMMENDATIONS:
RECOMMENDED MAXIMUM SAFE INDOOR AIR TEMPERATURE

The California Department of Housing and Community Development

POLICY RECOMMENDATIONS:
RECOMMENDED MAXIMUM SAFE INDOOR AIR TEMPERATURE

This document provides the California State Legislature and interested parties Policy Recommendations on the Recommended Maximum Safe Indoor Air Temperature and related activities conducted by the California Department of Housing and Community Development (HCD) during the 2023 -2024 fiscal year.

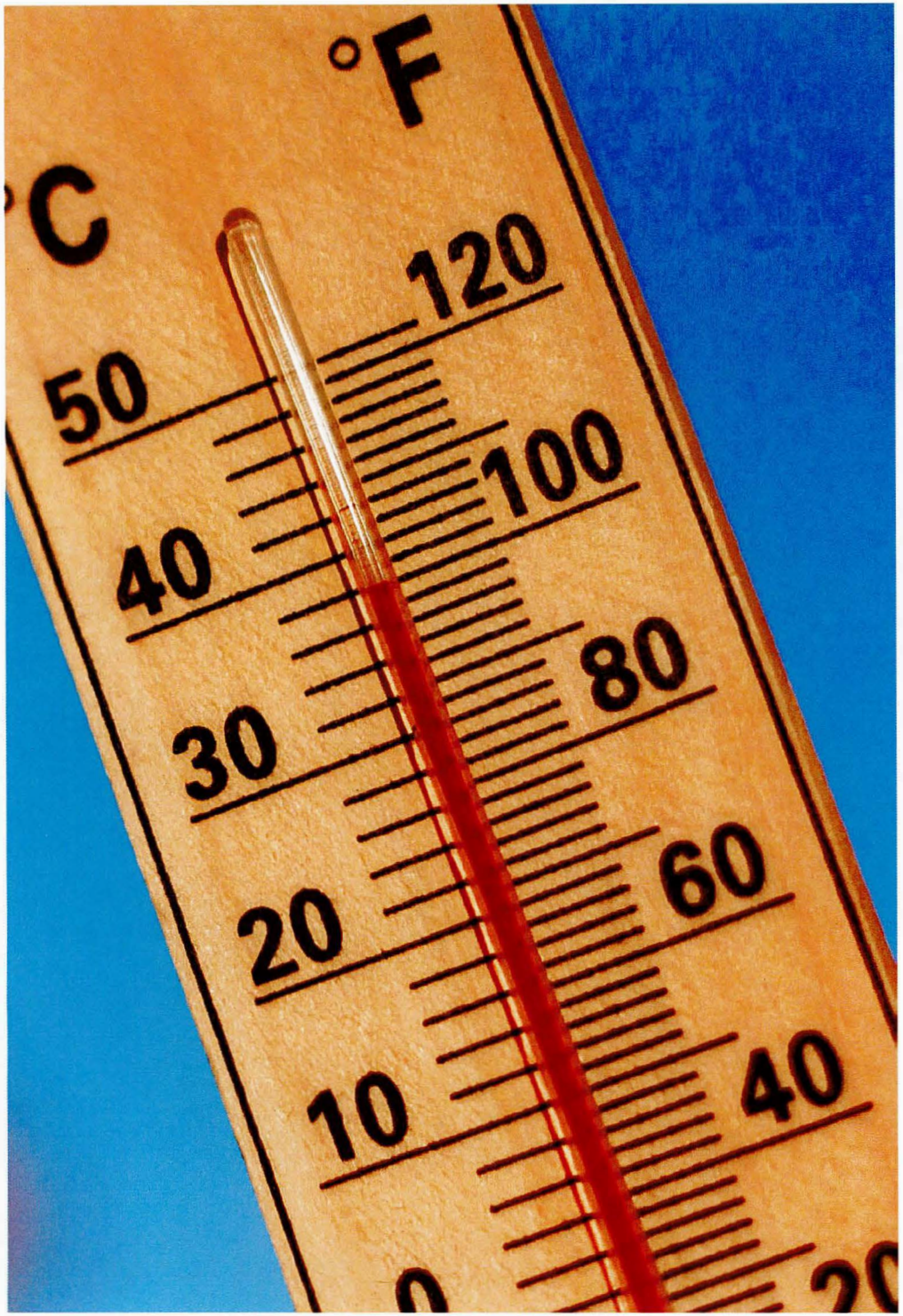
State of California
Gavin Newsom
Governor

Tomiquia Moss
Secretary
California Business, Consumer Services and Housing Agency

Gustavo Velasquez
Director
California Department of Housing and Community Development

Zachary Olmstead
Chief Deputy Director
California Department of Housing and Community Development

Kyle Krause
Deputy Director, Division of Codes and Standards
California Department of Housing and Community Development



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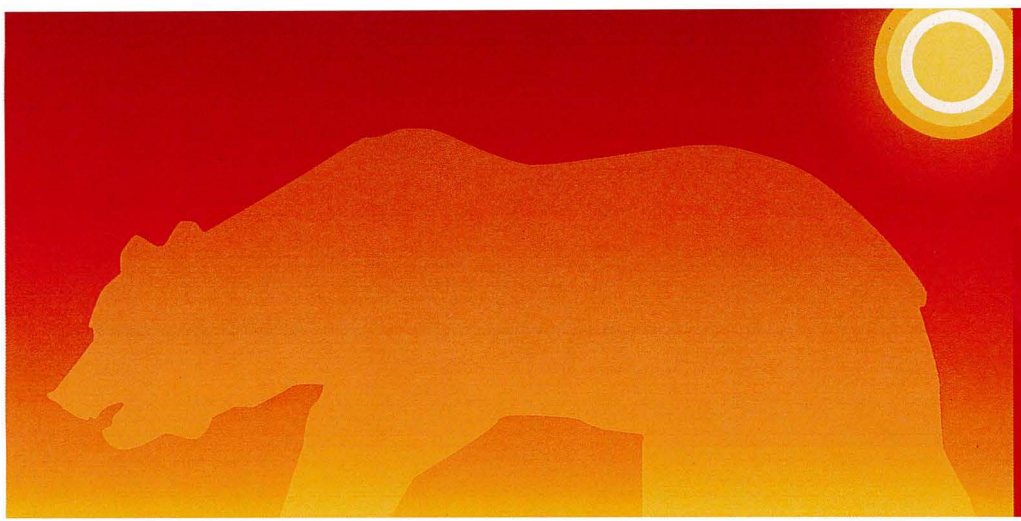

Executive Summary

Background

Assembly Bill 209 (Chapter 251, Statutes of 2022), Section 31, (AB 209) requires the Department of Housing and Community Development (HCD) to develop policy recommendation(s) that are designed to ensure that residential dwelling units can maintain a recommended maximum safe indoor air temperature. These recommendations consider state climate goals, the extreme heat plan, regional temperature differences, and various methods for reducing indoor air temperatures, including, but not limited to, technical feasibility, building and site electrical system limitations, cost barriers, electric utility capacity limitations, state and federal statutory requirements, and other relevant factors. HCD contracted with the UC Berkeley Center for the Built Environment (CBE) to support the development of these policy recommendations. As specified in AB 209, HCD consulted with stakeholders including, but not limited to, the State Air Resources Board, the State Energy Resources Conservation and Development Commission, the Office of Planning and Research, the California Building Standards Commission, the Office of the State Fire Marshal, the State Department of Public Health, local building officials, local code enforcement officers, and community-based organizations, including those working in the areas of housing and health, tenant rights, and environmental justice.

In addition to input from stakeholders, the policy recommendations were developed using an extensive literature review on the impact of high indoor air temperatures on human health. Although there is not a definitive body of research to explicitly determine the maximum safe indoor air temperature for all residential dwelling units in all possible conditions, the policy recommendations are consistent with the research and standards that are currently available. The policy recommendations also include other measures such as incentives and investment, equity, and other areas of research that should be explored.

These policy recommendations are aligned with many of the goals identified in the 2022 California Extreme Heat Action Plan (EHAP).

Policy Recommendations

Maximum Safe Indoor Air Temperature

The state should consider a general maximum safe indoor air temperature of 82 degrees Fahrenheit (27.8 degrees Celsius) for residential dwelling units. Statewide methods to implement this policy recommendation may include building standards for newly constructed residential dwelling units and/or incentive programs for retrofitting existing residential dwelling units, or manufactured homes/ mobilehomes (collectively "MH").

Additional Considerations

- When air movement is provided by fans or other mechanical means within residential dwelling units, additional consideration may be provided when establishing a maximum safe indoor air temperature.
- While the proposed maximum safe indoor air temperature is meant to apply to a broad range of the population, including most elderly adults, some people have a higher risk of health impacts from heat. Conditions that are associated with higher heat susceptibility include, but are not limited to, cardiovascular disease, respiratory disease, kidney disease, and poor thermoregulation. There is not sufficient information to establish maximum safe temperatures for specific health conditions and State policy should acknowledge that individuals who require lower temperatures should not be inhibited from making accommodations to meet their needs.

Strategies Based on Unit Type

Newly constructed residential dwelling units

- Consider establishing authority and direction to HCD to research and propose for adoption building standards that require that newly constructed residential dwelling units to be designed and constructed to be able to maintain a maximum indoor air temperature of 82 degrees Fahrenheit (27.8 degrees Celsius).
- Consider incentivizing programs for passive and low energy cooling strategies focusing on the use of cool roofs, cool walls, window shading, building shading and landscaping. Evaluate the use of modeling predictions of future weather data that will better represent the conditions during the lifetime of residential dwelling units rather than historical weather data.

Existing residential dwelling units and MH

- Consider incentive programs to encourage broader adoption and use of fans or whole house ventilation systems as an effective, energy-efficient, and resilient means of keeping people cool.
- Consider incentive programs to encourage the use of room evaporative coolers in climate zones that would support evaporative cooling.
- Consider incentive programs to encourage the use of air conditioning, with current heat pump technology, where feasible and cost effective.
- Increase the heatwave resilience of the existing California residential dwelling units by incentivizing weatherization and passive and low energy cooling retrofit strategies identified in this report.

Newly constructed manufactured homes

- The U.S. Department of Housing and Urban Development (HUD) has preemptive authority for the design and construction of newly constructed manufactured homes. However, the policy recommendations may suggest the submittal of a petition to HUD's Manufactured Housing Consensus Committee to consider the policy recommendations herein, as they may apply to newly constructed manufactured homes produced on or after a future date.

Introduction

Heat is the leading weather-related cause of death in the United States and heatwaves are increasing in frequency, duration, and intensity across the country. The California Department of Public Health (CDPH) reported 395 excess deaths in California during a 10-day heatwave in September 2022 (CDPH, 2023). A study of the July 2006 California heatwave found there were 16,166 excess emergency department visits and 1,182 excess hospitalizations statewide (Knowlton et al., 2009). The California Fourth Climate Change Assessment estimates that by 2050, heatwave events in the Central Valley could last 2 weeks longer than presently experienced (CDPH, 2018). The same report estimates that urban heat-related deaths could double or triple by the same date.

California residential building standards, based on international/uniform model codes, and state regulations in Title 25 of the California Code of Regulations, have long specified that newly constructed residential dwelling units must be able to maintain a minimum indoor air temperature, yet there is no requirement with respect to a maximum indoor air temperature. The purpose of this report is to identify a recommended maximum safe indoor air temperature for California residential dwelling units and identify strategies for maintaining dwelling indoor air temperatures at or below a safe temperature.

While there is considerable literature on the effects of heat on health, there are various approaches used to establish a maximum safe indoor air temperature. As is true for many environmental hazards, there are gaps in our understanding and there are a significant number of factors that impact how heat might affect any given person. People adapt to heat through changes in their physiology and behavior. It is also important to note that there are both short-term and long-term impacts of heat health. All these factors add to the complexity of determining what maximum indoor air temperatures are safe.

There can be significant economic and environmental costs associated with keeping residential dwelling units cool, particularly when achieved with mechanical air conditioning. These costs arise from the energy used to operate existing buildings, and in the specification of more expensive equipment and building envelope features in the design of more efficient new buildings. These policy recommendations seek to strike a balance between the benefits of keeping residential dwelling units cool and the costs of doing so. Because there is not sufficient science on the relationship between exposure to high indoor air temperatures and health to develop a rigorous cost-benefit analysis, the approach is to recommend a maximum safe indoor air temperature that is reasonably well supported by existing literature.

In addition to recommending a maximum safe indoor air temperature, this document compiles a set of strategies that can help keep California residential dwelling units at or below that temperature. These include a range of mechanical and passive cooling strategies that are appropriate for California and have been demonstrated to be effective.

The California Energy Commission (CEC) reports that, as of 2021, 65 local jurisdictions (representing just over 10 percent of all jurisdictions) had adopted policies to promote or require building electrification (CEC, 2021). Electrification of

California dwelling units includes increased use of electric heat pump appliances to replace gas furnaces and water heaters for space and water heating. Over time, this has the potential to substantially decrease the risk of residential overheating, assuming that the electric grid remains stable, and residents are able to afford to operate and maintain cooling equipment given that California utility rates are expected to continue to rise in the future (CPUC, 2021). California is aiming to: "Maximize efficiency and electrify energy use across sectors to the greatest extent possible. Provide affordable, accessible, and reliable carbon-free electricity for a highly electrified economy. Decarbonize activities that cannot be electrified by using clean fuels, efficiency, conservation, and better land use planning and infrastructure" (CCST, 2023). The California Council on Science and Technology determined 8 key challenges for California's energy transformation (CCST, 2023); relevant to this report are the challenges related to electrification (1) and grid reliability (3).

The primary tradeoffs that should be considered when establishing a maximum safe indoor air temperature for California residential dwelling units include human health, economic, and environmental impacts. Exposure to high indoor air temperatures can pose health risks across all populations. While conditions that cause acute heat stress at the individual level for healthy individuals have been studied extensively, the impacts of more moderate conditions on the health of large populations are not well understood. This knowledge gap poses a fundamental challenge to establishing maximum safe indoor air temperature guidelines. A lower maximum indoor air temperature may provide increased health benefits at increased capital, energy costs, and environmental impacts. This report provides rationale for a maximum safe indoor air temperature for California, but the recommendation is not based on a formal health risk assessment because of the lack of sufficient data to support such an analysis. As the understanding of the relationship between indoor air temperature and health improves over time the recommended maximum safe temperature limits should be reevaluated.

New Construction versus Existing Residential Dwelling Units

HCD estimates that there were 14.3 million residential dwelling units in California as of 2021, and during the period of 2020 through 2023, an average of 100,000 new dwelling units were completed each year. New residential dwelling units are generally significantly more energy efficient and over 92 percent of residential dwelling units built after 2012 have mechanical cooling of some type (CEC RASS, 2019). While this report includes a recommended maximum safe indoor air temperature for all residential dwelling units, the majority of the recommendations address the more significant risks associated with existing residential dwelling units and MH stock, particularly important in cases of substandard dwelling units that may contribute to heat vulnerability where people may be more likely to experience heat exposure.

Manufactured Homes and Mobilehomes

MH represent approximately 2 percent of total California residential dwelling units (CEC RASS, 2019). While HUD's federal manufactured home construction and safety standards largely preempt California's ability to regulate the design and construction of new manufactured homes, most of the policies recommended in this report should be considered broadly, including as they may be applied to MH.

Regional Temperature Differences

Temperature variations across the state are significant. The CEC defines 16 distinct climate zones for the purposes of California Energy Code compliance. Table 1 shows the 99th percentile temperatures for the months of May through October for each of these 16 zones. The difference between the coolest zone (Zone 1, Arcata) to the warmest zone (Zone 15, Palm Springs) averages over 40 degrees Fahrenheit. These large differences mean that the overheating risk for residential dwelling units can be very different from one location to another. The analysis of overheating risk and cooling energy use takes these regional variations into account. Some of the policy recommendations are also dependent on aspects of regional climate differences.

These regional differences in temperature also mean that individuals living in different parts of the state may have different levels of acclimatization to heat. In general, people living in warmer regions may be more resilient to heat because of physiological, behavioral, and physical environment adaptations. These adaptations are not sufficiently well understood, particularly among different subgroups of the population, to justify localized maximum safe indoor air temperature recommendations for different regions of the state.

Table 1: 99th percentile outdoor dry bulb temperatures for May through June for CA climate zones.

ZONE	CITY	MAY	JUN	JUL	AUG	SEP	OCT
1	Arcata	59	68	63	73	72	68
2	Santa Rosa	89	96	91	97	91	97
3	Oakland	83	81	81	84	80	88
4	San Jose	90	98	93	98	90	95
5	Santa Maria	81	82	78	76	85	92
6	Torrance	78	83	81	80	82	88
7	San Diego	78	77	79	79	82	86
8	Fullerton	89	91	89	90	95	97
9	Burbank	91	97	91	94	98	100
10	Riverside	93	100	98	98	101	101
11	Red Bluff	99	110	103	108	99	96
12	Sacramento	95	105	100	101	95	95
13	Fresno	98	107	103	106	100	98
14	Palmdale	95	107	102	102	99	96
15	Palm Springs	108	117	112	110	107	108
16	Blue Canyon	77	87	80	88	81	80

California Extreme Heat Action Plan (EHAP)

The 2022 California EHAP outlines a set of strategic actions to address extreme heat. These actions are organized into 4 tracks with a total of 13 goals. The recommended policies in this document are aligned with many of the actions in the EHAP including the following:

Action Track A:

Build Public Awareness and Notification

Goal 1: Build public awareness about extreme heat through targeted communications campaigns

Goal 3: Improve accuracy and accessibility of heat modeling and data to inform decision-makers

Action Track B:

Strengthen Community Services and Response

Goal 1: Invest in social resilience

Action Track C:

Increase Resilience of our Built Environment

Goal 1: Protect critical infrastructure

Goal 2: Support heat resilient and cooler communities through relevant regulations and codes

Goal 3: Invest in cool buildings and surfaces

Goal 4: Utilize science-based frameworks and tools

Action Track D:

Utilize Nature-based Solutions

Goal 1: Promote nature-based solutions to reduce extreme heat risks

AB 209 Stakeholders

AB 209 requires HCD to consult with specific state agency and non-governmental stakeholders to support the development of the policy recommendation(s). The goal was to garner participation from stakeholders in the development of policy recommendations, and to collaborate on research relevant to the scope of AB 209.

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The AB 209 stakeholders, include, but are not limited to, the State Air Resources Board, the State Energy Resources Conservation and Development Commission, the Office of Planning and Research, the California Building Standards Commission, the Office of the State Fire Marshal, the State Department of Public Health, local building officials, local code enforcement officers, and community-based organizations, including those working in the areas of housing and health, tenant rights, and environmental justice. HCD facilitated four AB 209 meetings to obtain input and held a stakeholder comment period for feedback on the draft content for the policy recommendations.

Stakeholder Feedback

Below is a summary of the general feedback HCD received from stakeholders:

- Several stakeholders expressed the importance of including MH in the development of policy recommendations.
- Stakeholders asked that existing residential dwelling units be considered as well as newly constructed residential dwelling units.
- As an option, stakeholders were supportive of passive cooling approaches that were less energy intensive and less costly to operate when compared to mechanical air conditioning.
- Clarify that the proposed maximum safe indoor air temperature should apply to existing dwelling units as well as newly constructed residential dwelling units.
- Include more discussion on the relationship between hotter temperatures and increased air pollution.
- Add more information about hydration, limiting outdoor activities to the coolest hours, and heat warning systems.
- Add more explanations and examples about behavioral and psychological adaptations.
- Change "vulnerable population" to "heat-vulnerable populations".
- Add more information about the effects of heat on mental health, increases in interpersonal violence,

the impact of medication and alcohol on heat stress, and the limitations and challenges for people with physical disabilities in seeking cooler environments during heatwaves.

- Add a definition of "extreme heat events" and whether "heatwave" and "extreme heat event" are interchangeable terms.
- Take into consideration the limitations associated with natural ventilation/night cooling.
- Concern that fans are not effective and may in fact be dangerous to health when outdoor temperatures are high.
- Consider different thresholds for different regions of California.

Note: There were several suggestions that were outside the scope of AB 209, which are not included in the policy recommendations.

Research and Supporting Information

Maximum Safe Indoor Air Temperature Justification Summary

The proposed maximum safe indoor air temperature is consistent with applicable research and standards identified herein.

ASHRAE Standard 55-2023, Thermal Environmental Conditions for Human Occupancy (ASHRAE 55, 2023): This widely used standard defines in detail the environmental conditions required for human thermal comfort. The proposed maximum safe indoor air temperatures represent the upper range of comfort for a person wearing summer clothing at typical metabolic rates within residential buildings. Although thermal comfort is not a direct measure of health, it indicates a state of low heat stress on the body which is unlikely to significantly contribute to health-related illness.

Laboratory research: A recent study (Meade et al., 2024) on the physiological effects on elderly subjects in Canada from an 8-hour exposure to a range of thermal conditions found no significant impacts at 79 degrees Fahrenheit and significant impacts at 88 degrees Fahrenheit and above. No conditions between 79 degrees Fahrenheit and 88 degrees Fahrenheit were evaluated. The study recommends an upper limit of 79 degrees Fahrenheit, but includes the observation that "it is likely that [79 degrees Fahrenheit] is overprotective for individuals living in warmer areas (e.g., tropical or hot, dry climates), and enforcing this limit in those regions could have negative consequences because of current economic and environmental costs of mechanical cooling."

Sleep and health: Sleep quality has direct and important impacts on health. A UK study resulted in a recommendation of 82.4 degrees Fahrenheit (28 degrees Celsius) as an 8-hour average night-time indoor air temperature threshold for most healthy persons and 78.8 degrees Fahrenheit (26 degrees Celsius) for special needs, sick and ill persons (K. J. Lomas & Li, 2023). These threshold temperatures assume that the indoor air is still, without air movement present to cool the occupant.

Susceptible Populations

While the proposed maximum safe indoor air temperatures are meant to apply to a broad range of the population, including most elderly adults, some people have a higher risk of health impacts from heat. Conditions that are associated with higher heat susceptibility include, but are not limited to, cardiovascular disease, respiratory disease, kidney disease, and poor thermoregulation. There is not sufficient information to establish maximum safe temperatures for specific conditions and State policy should acknowledge that individuals who require lower temperatures should not be inhibited from making accommodations to meet their needs.

Heat waves and Future California Climate

Global Warming and Heat Waves

The year 2023 was the warmest year since record-keeping began in 1850 (Rohde, 2024). If the current rate of global warming persists over the next decade, it could lead to irreversible impacts on natural and human systems, including sea level rise and extreme weather events such as heatwaves (IPCC, 2022; Zachariah et al., 2023). The term heatwave is defined by the IPCC as "a period of abnormally hot weather, often defined with reference to a relative temperature threshold, lasting from two days to months" (IPCC Annex II, 2022). Based on (Ostro et al., 2009), any prolonged period of high temperatures usually lasting at least 3 consecutive days, especially accompanied by high nighttime temperatures, may be deemed a heatwave. A modest increase in average temperature and/or temperature variability can lead to relatively large changes in the frequency of extreme heat events. Based on the Centers for Disease Control and Prevention (CDC), most definitions for extreme heat events refer to an extended period of time (several days or more) with unusually hot weather conditions that potentially can harm human health. The U.S. Environmental Protection Agency defines extreme heat events as "periods of summertime weather that are substantially hotter and/or more humid than typical for a given location at that time of year" (United States Environmental Protection Agency, 2006). The terms heatwave and extreme heat event are interchangeable. Heatwaves are the primary cause of weather-related mortality (Luber & McGeehin, 2008), contributing to approximately 1,000 deaths annually in the US (Khatana et al., 2022; Sarofim et al., 2016). Based on the new estimation from CDC (2024), approximately 1,220 people in the United States are killed by extreme heat every year. From 2010 to 2019, California heatwaves have caused at least 599 deaths and could be up to 3900 deaths based on a recent estimation analysis (Phillips et al., 2021) of heatwaves occurred in inland counties (Ostro et al., 2009; Trent, 2006). Future extreme heat events could kill up to 11,300 Californians annually by 2050.

Future California Climate

In California, temperature records align with global warming trends, showing a 2.5 degrees Fahrenheit (1.4 degrees Celsius) increase in annual average air temperature compared to 1880 (California Department of Water Resources, 2015; Pathak et al., 2018; Witherow, 2022). By the end of the 21st century the average temperature in California could remain at pre-industrial levels if greenhouse gas emissions are substantially reduced; if emissions continue to rise, the temperature increase could reach 8.1 degrees Fahrenheit (4.5 degrees Celsius) (Cayan et al., 2008; Kunkel, 2022). These projections are based on climate models that focus on annual average temperature changes. However, average annual temperature rise does not fully capture the extent of heat stress because summer temperatures are rising faster than winter temperatures (California Department of Water Resources, 2015; Witherow, 2022). In addition, nighttime temperatures are rising faster than daytime temperatures, which reduces nighttime relief during heatwaves (Bumbaco et al., 2013; Gershunov et al., 2009; Guirguis et al., 2014).

The impact of global warming is not uniform across California due to its complex topography and large latitudinal extent (LaDochy et al., 2007). Since 1950, the number of daytime heatwaves has increased the fastest in Southern California (Tamrazian et al., 2008), but the number of nighttime heatwaves has increased the fastest in Northern California (Witherow, 2022). Although inland and urban regions are warming faster than coastal and rural areas (Pathak et al., 2018), coastal regions face greater adverse health impacts from rising temperatures due since they are less acclimatized and air conditioning is less common (Gershunov & Guirguis, 2012).

Review of Existing Temperature Standards and Codes

Minimum indoor air temperature thresholds are well-established in the existing state, national, and international standards and codes (World Health Organization, 2018). Maximum indoor air temperature standards are much less common (although there is currently considerable activity on this topic in many parts of the U.S. and internationally) and those that do exist vary greatly and their scientific basis is not well documented. The World Health Organization (WHO 2018) makes only a conditional recommendation that "strategies to protect populations from excess heat should be developed and implemented", with no specific temperature guidelines provided.

U.S. Standards and Codes

Care facilities

Although currently there are no U.S. federal standards that directly address the maximum indoor safe air temperatures for residential dwelling units, Section 483 of Title 42 of the U.S. Code of Federal Regulations (42 CFR 483.10(i)(6)) specifies that long term care facilities must maintain indoor air temperatures between 71- and 81-degrees Fahrenheit. In the document State Operations Manual Appendix PP - Guidance to Surveyors for Long Term Care Facilities, further guidance is provided:

While facilities certified after October 1, 1990, are required to maintain an air temperature range of 71-81°F, there may be brief periods of time where that temperature falls outside of that range only during rare, brief periods of unseasonable weather. This interpretation would apply in cases where it does not adversely affect resident health and safety, and facility staff took appropriate steps to ensure resident comfort. This would enable facilities in areas of the country with relatively cold or hot climates to avoid the expense of installing equipment that would only be needed infrequently.

Occupants of healthcare or long-term care facilities are generally considered more susceptible to heat than the general population due to age and/or underlying health conditions.

Several states, including California, Texas, Georgia, and Washington, have set state-level regulations for the highest temperatures allowed in healthcare facilities. California Title 22, Division 6, Chapter 8 (Residential Care Facilities For The Chronically Ill) Section 87303(b)(2) includes the following requirement:

The facility shall cool rooms to a comfortable range, between 78 degrees F (26 degrees C) and 85 degrees F (30 degrees C), or in areas of extreme heat to 30 degrees F less than the outside temperature."degrees F less than the outside temperature.

Local Codes for Residential Dwelling Units

At the city and county level in many states, numerous codes define indoor air maximum temperatures for residential dwelling units, summarized in Table 2, organized from highest to lowest. Local standards may be more restrictive than the applicable statewide building standards. Some local standards enable renters to require landlords to install cooling equipment if indoor air temperatures exceed these thresholds.

In most city/county, both active and passive cooling systems are considered acceptable strategies to maintain the indoor air room temperature below the established thresholds. Additionally, some cities/counties provide alternative maximum temperature thresholds for buildings that adopt specific cooling systems. For example, in Phoenix, residential buildings are required to maintain the indoor air temperature below 86 degrees Fahrenheit (30.0 degrees Celsius) with evaporative cooling systems, or below 82 degrees Fahrenheit (28.0 degrees Celsius) with air conditioning systems (City of Phoenix, 2023). Evaporative cooling systems, which rely on water evaporation, may not achieve temperatures as low as those possible with air conditioning systems. However, they are both effective and energy-efficient in dry climates, offering a more affordable alternative to air conditioning systems.

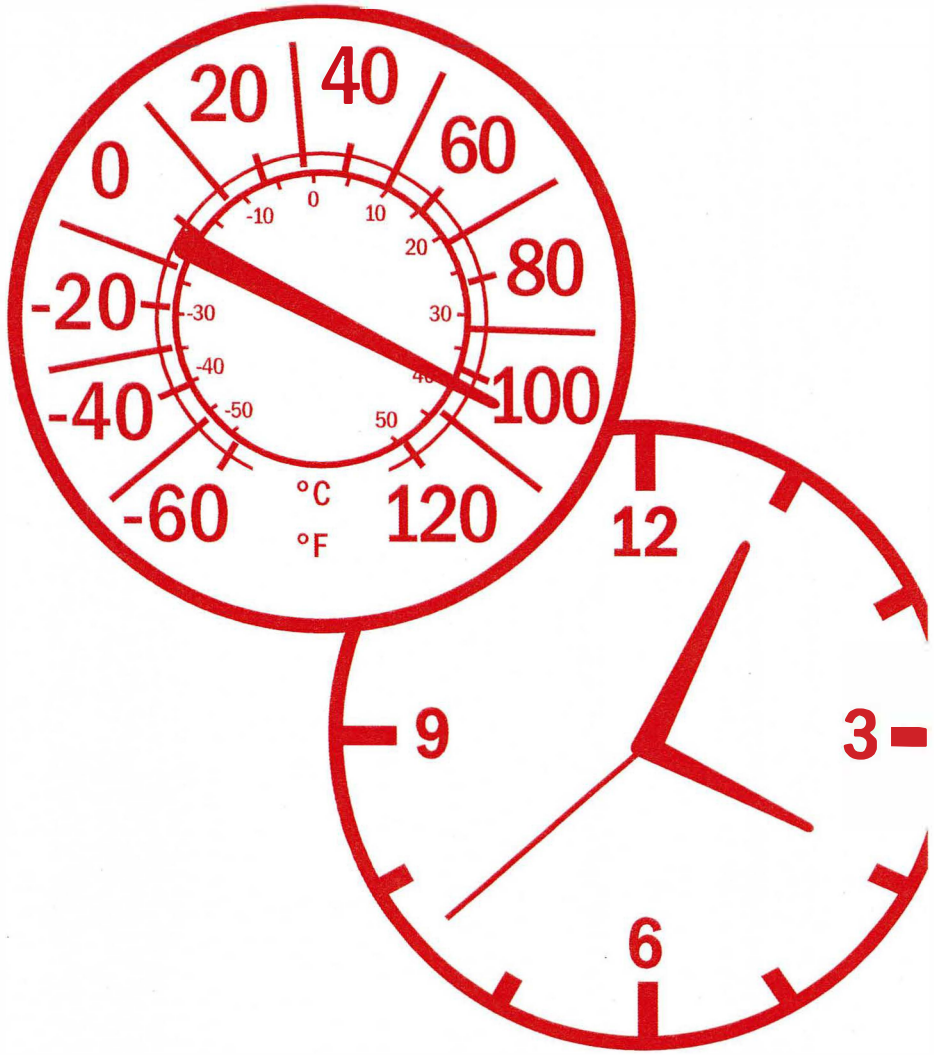
Table 2: Maximum Indoor Air Temperatures for Selected U.S. Local Codes

STATE	CITY	MAXIMUM INDOOR AIR TEMPERATURE
TX	El Paso	90 °F (32.2 °C) (City of El Paso, 2023)
TX	Dallas	85 °F (28.4 °C) (City of Dallas, 2024)
NV	Clark County	85 °F (28.4 °C) (Clark County, 2024)
AZ	Tempe	82 °F (27.8 °C) (City of Tempe, 2024)
AZ	Phoenix	82 °F (27.8 °C) (City of Phoenix, 2023)
AZ	Tucson	82 °F (27.8 °C) (City of Tucson, 2024)
TX	Houston	80 °F (26.7 °C) (City of Houston, 2022)
CA	Palm Springs	80 °F (26.7 °C) (City of Palm Springs, 2023)
LA	New Orleans	80 °F (26.7 °C) (City of New Orleans, 2024)
MD	Montgomery	80 °F (26.7 °C) (Montgomery County, 2024)
OR	Portland	78 °F (25.6 °C) (City of Portland, 2024)

For additional information see Appendix A.

Exposure Time

Although the length of time that a person is exposed to heat significantly impacts possible negative health consequences, this relationship is not well established. Some standards specify maximum lengths of time that a temperature can be exceeded. Others combine time and temperature using the concept of degree-hours, where exposure to a temperature 2 degrees above a threshold for 1 hour is considered equivalent to a 2 exposure at a temperature 1 degree above the threshold. Other standards, like Title 42 Section 483 mentioned above, acknowledge that temperatures can occasionally be above a specified threshold without specific quantitative guidance.



Heat and Human Physiology

The goal of this work is to establish health-based policy recommendations for the maximum safe indoor air temperature of California residential dwelling units. Understanding the underlying physiology of how humans are affected by heat is an important component of developing the policy recommendations.

Humans have evolved sophisticated mechanisms to maintain a nearly constant core body temperature over a wide range of environmental conditions. To maintain a constant core temperature, internal metabolic heat production needs to be in balance with heat loss to the environment. In cold environments, thermoregulation responses include reducing blood flow to the skin and to the extremities (vasoconstriction) and shivering. In hot environments, humans increase blood flow to the skin and extremities (vasodilation) and, when this is insufficient to maintain core temperature, increase their sweat production to lose more heat through evaporation. In a "neutral" thermal environment blood vessels dilate or constrict to adjust blood flow and the associated heat loss from the skin, sweating is minimal and does not result in wet skin, and no shivering takes place. In such an environment the thermal stress on the body is at a minimum and the thermoregulatory system can easily maintain a constant core temperature (homeostasis). Such conditions result in subjective sensations of thermal comfort.

Although air temperature is often used as a proxy to describe thermal environments, physiologists and building scientists use four environmental and two personal factors to more fully characterize how an environment affects the body's heat balance. The environmental factors are air temperature, mean radiant temperature, air speed, and humidity. The personal factors are activity (as it impacts metabolic rate) and clothing.

Air temperature and air speed affect human body heat loss to the surrounding air (referred to as convection). The heat loss is proportional to the temperature difference between the body's surface and the surrounding air temperature, and also to the air speed near the body. The colder the ambient temperature and the higher the air speed, the greater the heat loss. When the ambient temperature is higher than the body's surface temperature, the body instead gains heat by the same mechanisms. This convective gain is in most situations greatly exceeded by the simultaneous heat loss caused by sweat evaporation from the skin, which takes place even without the skin being perceived as wet. The use of air movement to keep people cool in hot weather goes back thousands of years, and electric fans are widely used in residential buildings because of their ability to maintain thermal comfort using far less energy than mechanical air conditioning systems.

In an indoor environment, **mean radiant temperature (MRT)** can be thought of, as a first approximation, as the average temperature of the surfaces surrounding a person. Humans exchange heat with surrounding surfaces through longwave radiation, which is driven primarily by the temperature difference between the body's surface and surrounding surfaces, the view factors to those surfaces, and the surface thermal properties. Sitting next to a cold window or in front of a warm fire are examples where radiation can play an

important role. In typical residential environments when cooling is needed, MRT is very close to the air temperature when walls and windows are insulated and shaded. Exceptions include sitting next to large glass surfaces or upper story apartments with poorly insulated roofs or west-facing walls, in which ceiling or wall temperatures can become hot from solar gain.

Humidity in the air acts to reduce the rate at which sweat evaporates from the skin. Sweating is initiated either at high ambient temperatures, high activity levels, or both. When the air humidity is high, the reduced cooling effectiveness of sweating increases the thermal load on the body for a given air temperature or activity level.

Although high humidity levels during warm weather are unusual in California, if indoor relative humidity is above 60 percent, the maximum safe indoor air temperature is lower, as shown in Table 3, in next column. Some climate models predict that coastal humidity may rise due to climate change (Pierce et al., 2018).

Table 3. Impacts of humidity levels in residential dwelling units with and without mechanical air movement.

INDOOR RELATIVE HUMIDITY	WITHOUT AIR MOVEMENT (DEGREES FAHRENHEIT)	WITH AIR MOVEMENT (DEGREES FAHRENHEIT)
below 60%	82	86
60% - 69%	81	85
70% - 79%	80	84
80% - 89%	79	83
90% or above	78	82

Note: Temperatures shown represent equivalent thermal heat loads based on Standard Effective Temperature (SET) defined in ASHRAE Standard 55-2023, Thermal Environmental Conditions for Human Occupancy (ASHRAE 55, 2023).

Activity level and clothing will directly impact heat balance (for example, higher activity level results in higher internal heat production, and more clothing reduces heat loss to the environment) and therefore how a person perceives their thermal environment. In residential buildings people tend to have more flexibility in their clothing selection and can more easily adapt to heat.

Several indices have been developed to combine two or more of these environmental factors into a single number. Some of these indices are primarily intended to gauge the effect of outdoor weather; heat index and humidex combine air temperature and humidity, wind chill factor combines air temperature and air speed, and wet-bulb globe temperature (WBGT) combines all four environmental factors with the addition of solar radiation.

For indoor conditions, comfort engineers use SET which is based on a model of human response to the thermal environment. It is presented in the ASHRAE thermal comfort standard (ASHRAE 55, 2023). SET is defined as: "the temperature of a hypothetical isothermal environment at 50 percent relative humidity, average air speed less than 0.1 m/s (20 fpm), and dry-bulb air temperature equal to mean radiant temperature, in which the total heat loss from the skin of an imaginary occupant wearing clothing, standardized for the activity concerned, is the same as that from a person in the actual environment with actual clothing and activity level".

SET can be used to compare the heat load on the body between two sets of environmental conditions with different air temperature, mean radiant temperature, air speed, and/or humidity. Such combined environmental conditions surrounding the body can be described more simply as 'ambient' temperatures.

In excessively hot or hot and humid environments, heat loss from the body can be reduced below the level of heat production on the body. Over the duration of heat exposure, the cumulative imbalance between heat production and heat dissipation leads to an increase in body core temperature (Cramer & Jay, 2016; Ravanelli et al., 2015).

As the thermoregulatory system responds to a warm ambient environment, physiological changes take place in the body including: (a) Elevated heart rate. (b) Increased blood flow. (c) Increased sweating and moisture loss. (d) Elevated core temperature.

These changes, in the extreme, can lead to immediate health risks including heat cramps, heat exhaustion, heatstroke and dehydration. In turn, these effects can lead to heart, respiratory and organ complications.

Heat and Health Effects

There is conclusive evidence of links between high outdoor temperatures and human health. Outdoor temperature data is widely available and large-scale studies have been conducted that correlate outdoor temperatures and their duration to regional data on health, hospital admissions and death (Basu, 2009; Basu & Samet, 2002b; World Health Organization, 2018). Indoor air temperature data, on the other hand, is not typically available and there is significantly less research relating indoor air temperatures to health.

High temperatures have been estimated to have caused 489,075 global deaths annually throughout the 2000-2019 period (Zhao et al., 2021). This is likely an underestimate due to limitations in reporting and case attribution. Both mortality (deaths) and morbidity (illness) are expected to rise with the increase in global temperatures, estimated as 3.3 to 5.7 degrees Celsius by the year 2100 (Kiarsi et al., 2023). The effects of high temperatures are most pronounced during heatwaves, periods of peak temperature within a climate's natural variability. The length and severity of these peak events is also being influenced by changes occurring in the climate.

Heat Strain

Heat strain is the condition where the body cannot dissipate sufficient heat to maintain normal core body temperature and can lead to several heat-related disorders.

Heat Exhaustion

Extended periods of heat stress may result in heat exhaustion, with possible symptoms of dizziness and weakness, syncope, intense thirst, gastrointestinal symptoms, and dehydration (Gauer & Meyers, 2019; Hess et al., 2023). Heat exhaustion is typically associated with core temperatures between 101 and 104 degrees Fahrenheit (Hanna & Tait, 2015).

Heatstroke

If core temperature rises above 104 degrees Fahrenheit, heatstroke is likely to occur. Symptoms consist of inhibited perspiration, rapid pulse, altered mental state and potential loss of consciousness. Chronic health outcomes in relation to multiple organ system damage include cognitive impairment, acute renal failure, rhabdomyolysis, liver dysfunction with hepatic enzyme elevation, disseminated intravascular coagulation, and acid-base disturbances (Glazer, 2005; Sutton, 1909).

Heatstroke can be divided into classic and exertional forms. Classic heatstroke is caused by environmental exposure that results in core body temperature above 104 degrees Fahrenheit. This condition primarily occurs in the elderly and those with chronic illness and can develop slowly over several days. Exertional heatstroke is a condition that primarily affects younger individuals who are actively exercising and core temperature increases due to a combination of high heat generation and environmental conditions (Glazer, 2005).

Heat and Pre-Existing Health Conditions

Heat-related mortality and morbidity can generally be attributed to increased bodily strain and dehydration as the body expends additional energy to maintain core temperature. Those with pre-existing conditions such as cardiovascular disease, kidney disease, respiratory disease, diabetes, and hypertension have a higher risk for adverse outcomes. Such conditions are modulated by other risk factors such as sex, age, smoking status, activity levels, medication usage, and socioeconomic status. Heat has also been associated with elevated deaths from ischemic heart disease, stroke, COPD, lower respiratory conditions, dementias, diabetes mellitus and diarrheal disease.

Several physiological factors influence an individual's susceptibility to heat-related health issues:

Ability to sweat: A diminished ability to sweat (anhidrosis) can lead to reduced heat dissipation and ability to adapt to temperature variations (Inoue & Shibasaki, 1996). Although the number of sweat glands responsive to thermal stimuli remains constant with age, the output per gland in response to changes in body temperature or certain stimuli decreases in older individuals (Inoue & Shibasaki, 1996). Nerve damage, including from diabetes or alcoholism, can contribute to this condition.

Vasodilation and blood flow: The body dissipates heat through the skin via cutaneous vasodilation, where blood vessels in the skin expand, allowing more blood to flow near the surface and release heat to the environment (Chen et al., 2024; Inoue & Shibasaki, 1996). Changes in skin properties related to aging tend to decrease skin blood flow.

Respiration: Heat causes increased respiratory rate and bronchodilation which can exacerbate symptoms like shortness of breath and asthma.

Sensitivity and nervous system: The brain and nervous system are crucial to human thermophysiology and regulation. The hypothalamus detects changes in the body's thermal state from changes in blood temperature and by peripheral inputs from thermosensitive receptors located in the skin and in the muscles (Nagashima, 2006). Various inflammatory and neurodegenerative conditions that interfere with the flow of information from the peripheral to central nervous system, specifically hypothalamic dysfunction, and/or motor control such as multiple sclerosis, stroke, Parkinson disease, and peripheral neuropathy can reduce the ability to respond to changes in temperature (Steinmetz, 2024).

Cardiovascular Disease

For individuals with preexisting cardiovascular conditions such as hypertension or heart failure, the physiological response to heat places additional strain on the heart and can lead to both acute and chronic illness (Ebi et al., 2021). The association between cardiovascular mortality and temperature forms a U-shaped curve where the incidence of mortality increases at low and high ambient temperatures (Arnold et al., 2022).

Heat-related cardiovascular hospitalizations appear to be dependent on location, climate, and socioeconomic status (C. Liu et al., 2015). Increased ambient temperatures in California have been associated with increased risk of hospitalization for cardiovascular disease, ischemic heart disease and ischemic stroke (Holmes et al., 2016).

Respiratory Disease

Respiratory diseases can be exacerbated by heat stress (Tham et al., 2020). The physiological mechanisms underlying this vulnerability stem from the body's effort to cool itself through increased respiration and pulmonary vasodilation. For individuals with preexisting respiratory conditions such as chronic obstructive pulmonary disease (COPD) or asthma, this response can be detrimental. The increased respiratory rate and bronchodilation can exacerbate symptoms like shortness of breath and wheezing. Respiratory diseases, specifically COPD, have been cited as a leading cause of death in relation to heat exposure as a result of inflammatory mechanisms and dehydration (McCormack et al., 2016). Increases in maximal daily indoor air temperature have been associated with worsening of COPD symptoms and with increases in the frequency of inhaler use (McCormack et al., 2016). Through the investigation of threshold relationships between temperature and heat-related hospital admissions, researchers found that outdoor temperatures above 89.1 degrees Fahrenheit (31.7 degrees Celsius) were correlated with increased respiratory hospital admissions (Lin et al., 2009).

Diabetes

Diabetes is another condition that can be exacerbated by heat exposure (Tham et al., 2020). Heat can accelerate the absorption of insulin in individuals with diabetes, potentially leading to hypoglycemia (Rönnemaa & Koivisto, 1988). In addition, people with type 2 diabetes mellitus have lower skin blood flow and sweating responses that compromise the body's ability to dissipate high heat exposures (Uejio et al., 2022). Diabetes emergency calls have been associated with high outdoor temperature (Holmes et al., 2016).

Kidney Disease

Kidneys play a major role in thermoregulatory functions. These functions include blood pressure regulation and the maintenance of fluids and essential body chemicals. Prolonged dehydration and reduced blood flow contribute to the risk of acute or chronic kidney disease (CKD) where the effects are generally acute (de Lorenzo & Liaño, 2017; J. Liu et al., 2021). Heatwaves increase the likelihood of developing kidney failure, which includes acute kidney injury (AKI) or CKD, and other outcomes such as acute renal failure, kidney stones, renal colic, abnormal kidney function, and kidney tumors (J. Liu et al., 2021).

Obesity

Obese individuals have a lower ratio of body surface area to body mass which reduces the amount of heat they can dissipate from their skin relative to the metabolic heat they generate. Fat tissue is also a better thermal insulator than muscle tissue which can reduce heat transfer from the body core to the skin. Obese individuals are also at greater risk of cardiovascular events during heatwaves (Meade et al., 2020). Obese older adults were twice as likely to die during the 2003 European heatwave compared to their non-obese counterparts (Vandentorren et al., 2006). Heatstroke has been observed to occur at a rate 3.5 times higher in obese or overweight individuals compared to those of normal weight (Henschel, 1967).

Physical Disabilities

Physical disabilities significantly impact an individual's susceptibility to indoor heat, primarily due to alterations in thermoregulatory perception and response mechanisms. Individuals with physical disabilities may experience reduced thermal perception, vaso-control of body skin temperature, and sweating efficiency (Hill et al., 2000). Medications required for treating physical disabilities can affect thermoregulatory responses. One's heat-vulnerability during heat extremes is also associated with being confined to bed, living alone, being unable to care for oneself, and not leaving the residence to cool down body temperature. Additionally using technical aids, such as wheelchairs, may affect an individuals' ability to independently manage thermal discomfort.

Medications and Alcohol

Drug use can change the body's ability to redirect blood flow to the skin to cool the body or to increase sweating, thus increasing the risk of dehydration or decreasing sweating, in turn making it harder for the body to cool off since the cutaneous vasodilation and evaporative cooling are the two primary ways for the body to lose heat. Havenith (2005) states that the "use of drugs such as alcohol may predispose subjects to heat illness by changes in physiological effector mechanisms and by changes in behavior. Many drugs affect the body fluid balance, vasoconstrictor/dilator activity and on cardiac function. These include alcohol, diuretics, anti-cholinergic drugs, vasodilators, antihistamines, muscle relaxants, atropine, tranquilizers and sedatives, beta-blockers and amphetamines.

Cognitive Disabilities

For those with cognitive disabilities, difficulties in comprehending the severity of heat stress, recognizing signs of overheating, such as early dehydration, or effectively communicating their discomfort place them at heightened risk (Ormandy & Ezratty, 2012). Furthermore, these individuals might have limited mobility, making it challenging to seek relief in cooler environments during heatwaves.

People with dementia are considered susceptible to heat due to several factors related to the pathology of their condition and its impact on thermoregulation and thermal perception. Research has also found significant variation in both tympanic and rectal temperatures in older adults with dementia, with dementia being significantly related to lower body temperatures. This variation indicates that individuals with dementia may have different thermal needs and sensitivities. Individuals with dementia often dress inappropriately for the temperature (Van Hoof et al., 2010). There is evidence that agitation of residents with dementia can increase with higher indoor air temperature (Tham et al., 2020), and that enhancing thermal comfort can significantly decrease agitation and behavioral disturbances (Tartarini et al., 2017).

Elderly

Aging impacts the skin's vasodilatory response and cutaneous blood flow, reduces sweat gland effectiveness, cardiac fitness and thermal sensitivity. These changes compromise the ability to regulate body temperature and to accurately detect temperature variations (Chen et al., 2024; Inoue & Shibasaki, 1996). The elderly population frequently has other health conditions such as cardiovascular or

respiratory diseases which impact their susceptibility to heat as described above. Limited mobility among older adults may hinder their ability to seek cooler environments during extreme heat events (Basu & Samet, 2002a; Ormandy & Ezratty, 2012; Tham et al., 2020). Additionally, factors such as difficulties in operating windows and blinds contribute to their increased vulnerability (K. Lomas, 2021). A study of elderly people (average age 80.9 years) found that gait speed, chair-rise rate and balance were negatively impacted above 27.9C (Lindemann et al., 2017)

Pregnancy

Adverse pregnancy outcomes have been widely studied in relation to high ambient temperatures, including low birthweight, stillbirth, preeclampsia, and congenital abnormalities (Rekha et al., 2023). The physiological mechanisms related to high ambient temperatures can affect placental blood flow, increasing the risk of hypertensive crises and stillbirth (Rekha et al., 2023; Shashar et al., 2020). Maternal sweating and arginine vasopressin-mediated renal fluid reabsorption as thermoregulatory mechanisms in response to overheating have also been associated with preterm labor (Syed et al., 2022). Long-term, repeated exposure to high temperatures can result in several adverse pregnancy outcomes. Cumulative exposure of 5 to 15 days to outdoor temperatures above 86 degrees Fahrenheit (30 degrees Celsius) has been associated with infant congenital heart defects (Lin et al., 2018).

Infants and Young Children

Underdeveloped thermoregulatory systems, high metabolic rates and limited ability to dissipate heat make infants and young children susceptible to overheating. The inability to communicate discomfort further complicates their vulnerability (Basu & Ostro, 2008). Epidemiologic studies have shown that infants and children aged five or younger are at increased risk of mortality from high indoor air temperatures (Basu & Ostro, 2008; Tham et al., 2020). A study focusing on infant deaths in California during the warm season also found an increased risk of infant mortality as ambient temperature increased (Basu et al. 2015).

Other Impacts of Heat

Impacts on Cognitive Function and Accidents

When core temperatures reach 101.8 degrees Fahrenheit (38.8 degrees Celsius), the capacity for physical work diminishes, mental activity is impaired and accident risk increases (Walter & Carraretto, 2016). A study in China found that math test scores on a day with average temperatures above 89.6 degrees Fahrenheit (32 degrees Celsius) were slightly lower than scores on days with average temperatures between 71.6- and 75.2-degrees Fahrenheit. This effect was more pronounced in regions that are typically cooler (X. Zhang et al., 2023).

Heat is hypothesized to directly increase feelings of hostility and indirectly increase aggressive thoughts and is mediated by affect (B. G. Anderson & Bell, 2009). Higher temperatures have been associated with more penalties for aggressive behavior in professional football (Craig et al., 2016), pitchers hitting batters in professional baseball (Krenzer & Splan, 2018), and horn honking at cars not moving at green lights (Kenrick & MacFARLANE, 1986).

Impacts on Mental Health

Psychological distress can promote negative mental health and behavioral outcomes. When analyzing self-reported major depressive disorder in over 20,000 participants across 106 countries, Mason and colleagues found a strong relationship between higher body temperature and depression symptom severity (Mason et al., 2024). When assessing hospital admissions attributed to mental, behavioral, and cognitive disorders in South Australia, there was a reported 7.3% increase in admissions when outdoor ambient temperatures were above a threshold of 80.1 degrees Fahrenheit (26.7 degrees Celsius), with a statistically significant effect noted in organic illnesses, dementia, mood affective disorders, neurotic, stress related, somatoform disorders, disorders of psychological development, and senility (Hansen et al., 2008).

To date, studies investigating the relationship between high temperatures and violence are preliminary. Some suggest that hot weather induces interpersonal violence by increasing discomfort, frustration, impulsivity, and aggression, and that changes in ambient temperature can alter people's routine activities (e.g., outdoor events and social contacts), leading to increased interpersonal conflicts(Mahendran et al., 2021). Physiologically, heat can disrupt sleep and impair the function of vital neurotransmitters and hormones. Additionally, incidents of alcohol, cocaine, and drug overdoses increase as temperature increases. These factors link the climate crisis to a mental health crisis.

Among mental illnesses, schizophrenia has been identified as heat sensitive by different authors, who highlight an increase in the core symptoms of people with a schizophrenia diagnosis associated with high indoor air temperatures (Naughton et al., 2002). Additionally, it has been stated that in some cases there is an increase in summer admissions of schizophrenia patients to psychiatric facilities (Shiloh et al., 2007) and in deaths due to schizophrenia and schizotypal and delusional disorders (Hansen et al., 2008). The findings from Shiloh et al. suggest that the primary psychotic symptoms associated with schizophrenia, such as delusions and hallucinations, are influenced by temperature fluctuations. These symptoms may intensify under the stress of excessive environmental heat or potentially diminish in cooler conditions.

Impacts on Sleep

Sleep is one of the three key pillars of health (alongside exercise and nutrition) and is known to be affected by heat exposure (He et al., 2022; Romanello et al., 2022). Unusually warm night-time temperatures have been linked to an increased frequency of nights with insufficient sleep (Obradovich et al., 2017). Cumulative heat exposure and its impact on sleep will be exacerbated by climate change, as night-time temperatures are warming faster than daytime temperatures in many parts of the world (Cox et al., 2020).

Insufficient sleep is a recognized risk factor for numerous adverse physical and mental outcomes. Multiple undesirable health outcomes are associated with insufficient sleep (Luyster et al., 2012).They include reduced cognitive performance, diminished productivity, compromised immune function, adverse cardiovascular outcomes, depression, anger, and suicidal behavior (Minor et al., 2022). A review by Itani (Itani et al., 2017) highlighted nine major health outcomes linked to short sleep duration:

hypertension, cardiovascular disease, stroke, diabetes mellitus, coronary heart disease, obesity, dyslipidemia, depression, and mortality. Other studies have found a causal link between lack of sleep and Alzheimer's and cancer (Walker, 2017). Sleep loss not only degrades mental health but also reduces workplace productivity, increases absenteeism, and elevates the risk of accidents (Hillman et al., 2018). Therefore, insufficient sleep undermines independent living and places an increased burden on the health and social care system (K. J. Lomas & Li, 2023).

Temperature and Sleep Quality

Many factors affect sleep quality, including physiological, psychological, and environmental conditions. Among the key environmental factors, temperature and noise have been identified as the most influential (N. Zhang et al., 2019). In hot weather, the thermal environment during sleep becomes crucial because a lack of night-time relief from heat is considered a significant factor contributing to heat-related mortality (Murage et al., 2017; Sheridan & Kalkstein, 2004). Based on an association between high morning temperatures and deaths to heat exposure, Anderson (M. Anderson et al., 2013) stated that small diurnal temperature variations (meaning little drop in temperature at night) contribute to mortality. During the Chicago heatwave of 1995, with approximately 700 excess deaths, there were exceptionally high minimum temperatures that persisted for several days. These high minimum temperatures inhibited the normal recovery from heat stress during the nighttime hours (Kenney et al., 2014).

In the UK, an overheating criterion has been proposed based on the mean night-time bedroom temperature, with thresholds ranging between 78.8 and 84.2 degrees Fahrenheit (26 and 29 degrees Celsius), depending on bedding and comfort expectation (K. J. Lomas & Li, 2023). The allowable exceedance of the chosen threshold is limited to seven nights between May and September. Using the three adaptation categories provided in the TM59 standard and analyzing the exceedance hours, the authors recommend adopting thresholds based on population types: 78.8 degrees Fahrenheit (26 degrees Celsius) for special needs populations (sick and ill people), 80.6 degrees Fahrenheit (27 degrees Celsius) for people with disabilities, children, and elderly people, 82.4 degrees Fahrenheit (28 degrees Celsius) for most healthy people, and 84.2 degrees Fahrenheit (29 degrees Celsius) for robust and healthy young people.

Table 4. Suggested night-time temperature threshold in a proposed UK standard (K. J. Lomas & Li, 2023) (based on still air conditions).

MEAN NIGHT-TIME TEMPERATURE THRESHOLD	BEDROOM COMFORT EXPECTATION
78.8 °F (26 °C)	Very high expectation (e.g., special needs, sick and ill persons)
80.6 °F (27 °C)	High expectation (e.g., disabled, children and elderly persons)
82.4 °F (28 °C)	Medium expectation (e.g., most healthy persons)
84.2 °F (29 °C)	Moderate expectation (e.g., robust, young healthy persons)
>84.2 °F (>29 °C)	Unacceptable for any persons

Heat Combined with Poor Air Quality

Atmospheric pollution can impact the risk of heat exposure. While most studies have considered air temperature and air pollutants separately, more recent evidence has shown the amplifying effect of both exposures simultaneously on health impacts. One study, for example, using daily average exposure of heat and daily weighted concentrations of air pollutants across neighborhoods in Rotterdam, Netherlands, found a significant effect modification between maximum temperature and air quality metrics on natural-cause mortality (Willers et al., 2016).

These findings align with results from similar studies conducted in Italy and Germany (Breitner et al., 2014; Scortichini et al., 2018). A Slovenia study also found that worse cardiovascular symptoms with higher heat burden and CO2 concentration (Fink et al., 2017). A study in Jiangsu, China, provides a comprehensive picture of the interactions between high extreme temperatures and PM2.5 pollution on total mortalities (Zhou et al., 2023). The interactions were stronger in respiratory than cardiovascular mortalities. Researchers note that such risks can vary between neighborhoods due to local differences in both heat and air pollution (Willers et al., 2016).

Fine particulate matter (PM2.5) and tropospheric ozone are significant pollutants causing cardiovascular and respiratory diseases, and the relationship is influenced by heat. PM2.5 alone was responsible for 3.15 million premature deaths worldwide in 2010 and 52,000 in the United States (Giannadaki et al., 2016). Numerous recent multi-city studies report the mortality effects of ozone (Bell et al., 2004). Volatile organic compounds (VOCs) are precursors to both pollutants. PM2.5 is a secondary organic aerosol that forms through the oxidation of VOCs. Ozone is formed from photochemical reactions involving nitrogen dioxide (NO 2) and volatile organic compounds (VOCs) in the presence of sunlight, particularly ultraviolet light. Particularly relevant to this report is that these reactions increase with air temperatures (Pfannerstill et al., 2024). The percentage of days when PM2.5 exceeds a threshold level of 12 $\mu g/m^3$ increases from less than 10 percent at 68 degrees Fahrenheit (20 degrees Celsius) to more than 40 percent at 68 degrees Fahrenheit (30 degrees Celsius). The temperature dependence of ozone is very strong. The ozone exceedances of the 70 ppb unhealth threshold defined by standards increase from 0 percent at 86 degrees Fahrenheit (20 degrees Celsius) to more than 70 percent at 68 degrees Fahrenheit (30 degrees Celsius) (Nussbaumer & Cohen, 2020, 2021). Sunny, hot afternoons are ideal for ozone formation, especially since hotter air tends to be more stagnant. Most tropospheric ozone originates from vehicle exhaust and emissions from factories, power plants, and refineries.

Poor air quality can also limit the use of natural ventilation to provide cooling when outside temperatures are below indoor air temperatures. This is particularly true during periods of heavy wildfire smoke.

Social equity factors Individuals with low socioeconomic status may be particularly subject to the adverse effects of extreme heat. These populations often face a combination of socioeconomic and environmental factors that amplify their personal susceptibility or circumstantial vulnerability to heat-related health risks (Basu et al., 2015; Basu & Ostro, 2008).

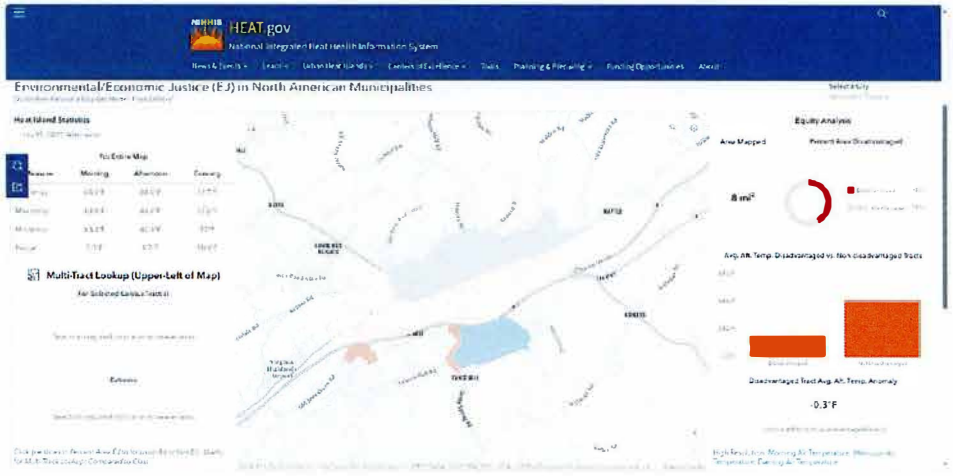
Lower quality dwelling units. Individuals with low socioeconomic status are more likely to reside in substandard dwelling units, which usually lacks adequate insulation or ventilation, exacerbating indoor air temperatures during heatwaves.

Limited access to cooling. One significant reason for this is that limited financial resources can further impede access to more effective cooling strategies.

Social isolation. Research has found that individuals living alone faced a doubled risk of death during heatwaves compared to those living with others (Semenza et al., 1996).

The concerns for individuals who live alone during heat emergencies, particularly the elderly, is underscored when they have limited social networks and potentially debilitating health conditions (Naughton et al., 2002). This demographic faces challenges in accessing timely assistance during extreme heat events. Researchers have emphasized the importance of social support networks and access to cooling resources in mitigating the impact of high temperatures on heat-susceptible populations, particularly those living alone (Basu & Samet, 2002a).

Lack of access to health care. Additionally, it has been emphasized by researchers that disparities in healthcare access and quality may limit their ability to receive timely medical care for heat-related illnesses (Basu et al., 2015).



Heat.gov serves as the premier source of information regarding heat and health for the nation. This portal seeks to improve federal, state, and local information and capacity to reduce the health, economic, and infrastructural impacts of extreme heat.

Heat.gov is the webportal for the National Integrated Heat Health Information System (NIHHIS).

Higher outdoor temperatures in urban areas. Urban heat island effects can cause higher temperatures for urban populations. These areas have fewer green spaces and more concrete surfaces, which absorb and radiate heat, elevating overall temperatures (Basu & Samet, 2002b). The National Integrated Heat Health Information System provides temperature data comparing disadvantaged versus non-disadvantaged census tracts. Data for South Los Angeles shows that afternoon temperatures in disadvantaged tracts are 2 degrees Fahrenheit warmer compared to non-disadvantaged tracts (www.heat.gov/pages/heat-equity).

Adaptation To Heat

Many authors agree that there are three levels of adaptative ability: behavioral, psychological, and physiological (Brager & de Dear, 1998; Pallubinsky et al., 2023; Rahif et al., 2021). Behavioral adjustments can be personal (e.g., adjusting clothing, activity, posture, eating/drinking cold food or beverages, moving to a different location, etc.), or environmental (e.g., opening/closing windows or shades, turning on fans, etc.). Psychological adaptation recognizes that comfort and acceptability are subjective and depends on a variety of contextual factors, including whether conditions match one's expectations. This, in turn, can be influenced by whether one has personal control over thermal conditions, how constant versus variable one's past thermal experiences are, and whether the indoor climate is controlled entirely by mechanical heating or cooling or if the building is conditioned with passive strategies, making the indoor climate be more aligned with the natural rhythms of the outdoor climate.

The most important physiological adaptations are cardiovascular and sweating. Heat acclimation is characterized by increased perspiration due to the number and distribution of active sweat glands, increased peripheral blood flow, and lowered heart rate, each physiologically favorable outcomes with respect to heat (Syed et al., 2022). Significant beneficial adaptation occurs within the first few days of repeated heat exposure and reaches a plateau after 7-14 days, varying with the type of exposure (Pallubinsky et al., 2023). Following exposure to heat, the physiological adaptation does not last a long time, reducing after a few days or weeks after a reduction in heat exposure (Lee et al., 2014). In healthy adults, seasonal heat acclimatization is well documented to affect the resting core temperature, resting heart rate, sweat rate, and skin temperature (Brown et al., 2022). In a review, out of 16 studies, 11 studies reported a reduction in core temperature and an increase in sweating rate at the end of the warm season compared to early in the season.

In the context of climate change, there are signs that there may be physiological adaptation to heat occurring in the broad population (Lee et al., 2014). This effect is not well understood and will need more study to better understand the impact across different climates and populations. People living in hotter climates tend to cope better with extreme heat. The maximum temperature threshold associated with increased emergency room visits and admission rates is higher in regions with hotter weather (Kenny et al., 2019). The duration of the exposure is also important; successive days of exposure can lower the threshold for heat-related mortality. The physiological factors affecting heat-related mortality and morbidity include sex, age, and fitness.

Strategies For Avoiding Indoor Overheating

Strategies to avoid indoor overheating and maintain temperatures below the recommended maximum can be categorized into three levels: building, urban, and personal. These strategies are detailed in the following sections. Many of these strategies can and should be used in combination with other strategies.

In this section, the strategies are described functionally and critically assessed. Given the vast array of building design and construction (envelope, interiors, electrical, and mechanical) and the large variations in usage, site conditions, climates, availability of market-ready solutions, electrical panel load capacity, and social and economic issues, there is no one-size-fits-all solution to avoid indoor overheating. The effectiveness of any given solution depends on the specific context.

The following passive and active strategies may only apply to newly constructed residential dwelling units, existing residential dwelling units, or manufactured homes/mobilehomes, or a combination thereof. The method to apply these strategies will likely vary between policy/legislation, incentive programs, building standards, or other vehicles of implementation.

Building Strategies

There are several building-level strategies that can be adopted to mitigate indoor overheating by making buildings more resilient to extreme heat. In this section, two types of strategies are described: passive and active strategies. Passive strategies include those that control indoor thermal conditions by improving the performance of the building, for example the envelope, without the need for external energy. Since these strategies do not require energy, they are very effective even during power outages for all buildings and occupants, or in situations of energy poverty. In 2010, World Economic Forum defined energy poverty as the lack of access to sustainable modern energy services and products. Therefore, passive strategies can effectively improve the heat resilience of homes in underserved and heat-vulnerable communities (Sun et al., 2021). Active strategies involve using energy to control the indoor thermal environment, such as through mechanical ventilation or cooling. This section discusses the applicability of these strategies to new buildings, existing buildings, and MH.

Passive Strategies

Window ventilation and night cooling. Opening windows to enhance natural ventilation/cooling, potentially in multiple places in a household to enable cross-ventilation (from one side to the other of the home), is an effective strategy to dissipate heat accumulated during the day. Natural ventilation also increases air velocity indoors thereby enhancing convective heat loss from the occupant skin and related evaporative heat losses. Airflow between outdoors and indoors can be wind-driven and/or buoyancy-driven (driven by the difference in outdoor and indoor air

temperature) and it can be enhanced with the use of fans (including whole house fans mentioned below).

Natural ventilation effectiveness depends on building characteristics and the outdoor thermal conditions. If the outdoor temperature is higher than indoors, there is no benefit in increasing air flow from outdoors to indoors. Temperature sensors are affordable and can be installed to inform occupants on when to open and close windows. The lowest temperatures happen at night toward the early morning, and this is usually the best time to have the windows open. Night cooling decreases indoor air temperature during the night hours but also during the day. Thanks to the building's thermal mass and the starting of the day with lower indoor air temperatures. To enable natural ventilation, it is important to provide occupants with easy access to operable windows, vents and skylights. The applicability of night cooling is constrained by several factors that limit its effectiveness and applicability in various contexts. When outside air is polluted (episodically like with wildfires, or frequently as when a window is close to a freeway) it is safer to close the windows and vents and use air filtration (centralized or portable). There could be other limitations to the use of night cooling such as noise pollution, the risk of insect ingress as mosquitoes and security risks related to crime. There is also evidence that nighttime temperatures are increasing more than daytime temperatures, which could reduce the effectiveness of night ventilation in the future.

Window ventilation and night cooling can be applied to new and existing single and multifamily units and MH. Some multifamily layouts, including point access blocks and single-loaded corridors, encourage natural ventilation more than other designs (Eliason, 2021).

Shading to reduce solar heat gain. This strategy aims to reduce heat gain from solar radiation transmitted through transparent parts of the building envelope, for example, windows and skylights. Windows are the primary source of daylight and access to outdoor views thanks to their transparency (Ko et al., 2022). They are fundamental for occupant well-being. However, they also significantly impact indoor overheating, since the incoming solar radiation is also thermal energy, which can raise indoor air temperatures and significantly impact thermal comfort (Arens et al., 2015). This is the reason why windows are usually integrated with shading devices or high-performance glazing technologies that are specifically designed for controlling solar radiation. The most effective ways to control undesired thermal gains from solar radiation while maintaining access to daylight and view are: (i) design and install permanent outside shadings elements as screens, louvers, porches, awnings to block or reflect solar radiation during the warmest hours of the day, thick walls that shade the glass; (ii) design and install dynamic façade technologies, for example, movable shadings as shutters, venetian blinds, and roller shades, which can be adapted either manually or through automated controls to reduce solar gains whilst still ensuring access to the outdoor views. Shading elements are more effective when installed on the exterior and can reduce solar energy from entering the building via the glass. Dynamic shading devices are ideal in one sense because they can adapt to changing indoor or outdoor conditions. This can reduce incoming solar radiation during the warmest hours of the day or the extreme heat periods, while allowing maximum access to daylight and view. However, dynamic shadings or glazing require careful operation and management to avoid undesired performance. This

requires awareness from the occupant on when and how to operate the shading or window technologies most effectively. In situations where occupants cannot frequently operate windows and shadings technology the design and installation of systems that are either automated, so their operation relies on actuators and sensors, or designed to avoid incoming solar radiation in the worst time of the day by using fixed exterior shading elements or glazing with low SHGC (below 0.30). These solutions are more robust to occupant behaviors, and they can ensure effective operation and mitigation of indoor overheating. Selecting windows with low SHGC or adding windows films can substantially reduce cooling loads. Windows films are a low cost and effective solution (Sun et al., 2021) that can be applied to new and existing single and multifamily homes and MH.

Thermal mass. Thermal mass refers to the property of the material and the weight of building components to absorb, store, and release in time thermal energy. This strategy has the overall objective to create a thermal buffer in buildings to shift the heat peak load in time. In this way, the heat during the day is absorbed by the building envelope or structure mass and released later in the night when the outdoor temperature is lower. Thermal mass also has the benefit of reducing the peaks of indoor air temperatures and providing a more stable indoor environment. However, thermal mass effectiveness depends on the operation time of a building or on other strategies that can be implemented in combination, for example, night cooling, to reduce the impact of delayed heat release. In a seismic area like California, increasing the thermal mass of a building, increases the cost of the structural solutions.

There are four main ways heat can be stored in buildings. First, heat can be stored as sensible heat, therefore by using materials that have high specific heat capacity, for example, concrete floors and foundations. Secondly, heat can be stored by leveraging on latent heat, for example, by using materials that can easily change physical state (from solid to fluid and vice versa) with temperature, for example, phase change materials. Third, heat can be stored by leveraging chemical or thermochemical storage. This latter is especially useful in combination with active systems. Fourth, part of the building can be underground (for example, burrowed into hillside) and the earth play the role of thermal mass. These last three strategies are not commonly used in residential dwelling units. It is difficult to change the thermal mass of a building after construction, so this solution is mainly applicable to new buildings.

Cool coatings and materials. This strategy has the main objective of reflecting unwanted solar radiation, which hits the building envelope thereby increasing the surface temperature and the net heat transfer from outdoors to indoors through the envelope. By doing so, cooling reduction between 2–44 percent, with an average benefit of 20 percent, can be achieved (Levinson & Lee, 2023). Increase in solar reflectance can then mitigate outdoor local overheating by about 0.2 degrees Celsius for each 10 percent increase of albedo (Santamouris et al., 2012). Applying cool coatings on the roof or selecting materials that have retro-reflection (redirecting solar radiation towards the sky) are the best.

One affordable way of increasing the solar reflectance of walls and roofs is by using light colors or white materials that can reach high reflectance levels of 0.7-0.85, in comparison to a typical solar reflectance of 0.04 for traditional black asphalt roofs. A few innovative materials and coatings have also been proposed to limit the undesired effects of cool

coatings: (i) temperature sensitive high solar reflectance coatings, which can change the surface reflectance depending on the outdoor temperature and maintain high solar gains in winter; (ii) incident-dependent or retro-reflective coatings, which reflect the solar reflectance depending on the angle of incidence or redirect the unwanted radiation towards the sky to avoid overheating of pedestrians. Databases with information about the solar reflectance and the infrared emittance of commercial roof products are provided by the EU Project Cool Roofs (http://coolroofcouncil.eu), and the US Cool Roof Rating Council (https://coolroofs.org).

Sky radiative cooling is the strategy where roof surfaces are cooled down by the thermal exchange with the sky. Particularly during cloudless sky nights, when the sky equivalent temperature is very low, building roofs release heat to the sky through long-wave (thermal infrared) radiation. However, sky radiative cooling can also have detrimental impacts on heating demand, and its effectiveness depends on sky cloud coverage and wind. To enhance sky radiative cooling, the ideal material properties should have a maximum reflectivity in the short-wave range (0.25–2.8 μm) to reflect solar radiation, while the emissivity should be as close as possible to unity in the atmospheric window band (8–13 μm) and zero on the rest of the sky band.

SP-4 Improved building envelopes and ductwork. Improving the insulation level and reducing air leakage in the building envelope and ductwork can reduce heat gain during the day and help reduce indoor temperature. Weatherization programs for existing buildings focus on sealing cracks or holes around doors, windows and pipes; adding insulation to roofs and/or walls; replacing broken, leaky or inefficient windows; and sealing and insulating duct work. Substandard dwelling units with poor envelopes can benefit considerably from such improvements.

Green walls. Where allowed by building standards, vegetated exterior surfaces can decrease surface temperature, shade from solar radiation and therefore reduce sensible heat gain from outdoors to indoors. The aim of this strategy is to leverage the evaporative cooling potential of greenery, thanks to their moisture content, the shading effect, and the relatively low solar absorption. Green walls and roofs also have a positive impact on outdoor thermal comfort, urban heat islands (Alexandri & Jones, 2008), and rainwater management thanks to their water retention potential. There are two types of vegetated solutions: (i) green walls, where the plants in green façades are rooted in the ground and use the façade as the structure to grow; (ii) living wall/roof systems. In living walls and roofs, the plants are rooted in pots or ground systems integrated into the façade/roof. Overall, vegetated walls require maintenance and irrigation, and typically have higher structural requirements; thus, this solution is very limited in residential buildings and dry climates in California but vines on walls and trellises (green walls) are more commonly used options.

Roof insulation, roof ventilation, and radiant barriers. Roof insulation reduces the heat transfer from the outside to the inside of the building. It is valuable both in summer and winter. Roof ventilation increases thermal dissipation through the roof, air can circulate through these gaps and remove heat through convective heat exchange. The added benefit of ventilated gaps is the control of moisture across the building envelope, preventing the growth of mold. The side effect of ventilated roofs is decreasing thermal resistance in the winter season.

A radiant barrier is a type of reflective building material installed (usually underside of the roof rafters) in the attic to reduce heat transfer between the building and the outside. The sun's radiant heat can penetrate the roof and transfer into the attic space, causing the temperature to rise. A radiant barrier reflects part of the radiant heat back toward the roof, preventing it from entering the attic and reducing the heat gain in the living space below. This helps to keep the interior of the building cooler and can lower cooling costs. Installing a radiant barrier in ceilings can contribute to improved energy efficiency, increased comfort, and potentially lower utility bills. Roof interventions are usually only cost effective in retrofits when coordinated with an end-of-life roof replacement.

Overall recommendation in terms of passive strategies. Initial actions for mitigating overheating risk are: (i) to effectively control solar radiation through shadings, ideally placed outside. Windows with low SHGC and the use of window films is suggested; (ii) to enhance night cooling by effectively opening windows and vents to maximize natural ventilation/ cooling when the outdoor temperature is lower than indoor. Natural ventilation can be enhanced with the use of window and ceiling fans. If these actions are not sufficient, secondary actions may consider the retrofit of the building fabric to improve thermal insulation and thermal mass, including the use of cool or green surfaces for roof or walls. Again, these strategies should be considered in the context of building type and if the residential dwelling units are newly constructed or are existing residential dwelling units.

Active Strategies

While passive strategies are important to reduce the risk of indoor overheating and energy demand, they may not be sufficient to protect people under high temperatures, especially the heat-susceptible population. For this reason, it is important to combine or provide access to active cooling strategies in addition to passive strategies when they are not sufficient during extreme heat events. Low-energy or low-carbon active cooling technologies should be preferred to reduce the side effects of indirectly contributing to global greenhouse gas emissions. In addition, the use of active cooling should be limited to situations where thermal conditions are dangerous. Nevertheless, active cooling strategies are only valid for indoor environments when thermal adaptation and other strategies at urban levels are considered for the livability of both indoor and outdoor spaces.

Fans for cooling people. This strategy is mostly recommended because it is cost-effective and can be easily installed and used in residential buildings. Using fans alone or in coordination with air conditioning systems to cool people offers several significant enhancements compared to air conditioning alone, including improved thermal comfort, indoor air quality, air distribution, energy savings, and initial cost savings" (Raftery et al., 2023).

Whole house fans. When natural ventilation and night cooling alone are not sufficient, it is possible to enhance their effect with windows fans or whole house fans. Whole house fans are usually installed in the attic and move a large amount of air. There should be proper vents/openings that allow air to flow from outside to inside the home, then to the attics and then outside. These fans can be noisy, and

they should be operated with the windows open to avoid creating too much negative pressure (the indoor pressure is lower than the outdoor pressure). They should be operated when outdoor temperatures are equal or lower than indoor air temperatures. Whole house fans cool the building by bringing in cool air and by cooling down the indoor thermal mass. This solution is not applicable when the outdoor conditions are unfavorable (for example, noise and air pollution), similarly to the situations described for "Window ventilation and night cooling". They are cheaper to buy and operate than air conditioning. This solution can be applied to new and existing residential dwelling units.

Evaporative cooling. In evaporative cooling systems also known as evaporative coolers or swamp coolers, the air temperature is reduced by extracting latent heat through the evaporation of water in contact with the air stream. These systems are usually low-cost but require high maintenance (C. Zhang et al., 2021). Since these systems exploit the evaporation of water, evaporative cooling is effective in dry environments, in particular arid climates, where air temperature difference of 27degrees Fahrenheit (15.0 degrees Celsius) can be achieved (Watt, J., 2012). These cooling systems are usually utilized in open or semi-open spaces, where the growth in absolute humidity levels is mitigated by air movements (E. Erell, D. Pearlmutter, Y. Etzion, 2008). In residential buildings they are operated with the windows or vent slightly open to allow the extra supplied air to escape. They are less expensive to buy and operate compared to air conditioners. Some evaporative coolers are portable and can be easily placed near occupants, they can be applied to new and existing single and multifamily homes and MH, in particular the portable units.

Air conditioning. Air conditioning with heat pump systems are an effective and well proven strategy to reduce indoor temperature and humidity. During the twentieth century in the United States, heat-related mortality decreased by about 75 percent thanks to air conditioning, saving an estimated 20,000 lives each year (Barreca et al., 2016). Air conditioning is considered a good strategy for protecting heat-susceptible populations against the adverse effects of extreme weather.

The main negative aspects related to the use of air conditioning are the large energy consumption (and related installation and operation costs) and the associated greenhouse gasses emissions and the strain on the electrical grid. Moreover, air conditioning uses refrigerants that usually have a large Global Warming Potential. Air conditioning strongly relies on electricity and therefore, as a cooling strategy, is very sensitive to power outages. In an older unit, the dwelling's electrical panel needs to have adequate electrical capacity to cover the increased electrical load. When trying this approach for an entire apartment complex, updating the capacity of the local electrical grid may be necessary, which could be extremely costly, or in some cases infeasible depending on the electrical utility provider and possible infrastructure limitations. If air conditioners are coupled with photovoltaic panels and batteries, they could be more resilient to power outages. These air conditioners coupling strategies are important for heat-susceptible populations in sub-standard dwelling units because they would experience higher indoor air temperature during power outages, which could be more frequent during heatwaves or extreme heat events, due to high peaks in energy demand and instability of the electric grid at the same time.

Typical indoor settings between 75-79 degrees Fahrenheit (24-26 degrees Celsius) are considered comfortable in air-conditioned spaces (ASHRAE 55, 2023). Higher temperatures are possible when fans are present.

Radiant cooling. Radiant cooling involves cooling either the floor or ceiling by absorbing heat radiated from the surrounding surfaces using cool water running within pipes or capillary tubes. When applied to the floor, it is named radiant floor cooling, while ceilings are typically cooled using radiant panels in residential settings. Radiant cooling is not very common in California. Humidity and infiltration need to be controlled to avoid surface condensation. In dry climates the problem is less concerning. Radiant systems tend to be more energy efficient than air conditioning systems and the additional thermal mass often allows cooling loads to be shifted to off-peak hours, reducing peak electricity demand. Radiant cooling is primarily in new construction or major retrofits as it can be expensive in retrofit applications.

Ground source cooling. The low and stable temperature of the ground below approximately 30 ft (9 m) can be exploited to release heat in the ground and cool down a working fluid through heat exchangers. In this way, this strategy can remove sensible heat from the indoor environment through heat exchange with a cooler refrigerant, which is usually water (borehole heat exchanger) or air (earth to air heat exchanger). Ground-source cooling is classified as: (i) direct or passive, and (ii) indirect or active. The first system relies exclusively on the thermal exchange between ground and the working fluid, without any additional mechanical cooling. The second system uses the ground temperature as part of a traditional compression refrigeration cycle, where the ground acts as a sink for dissipating heat. Despite ground temperature is relatively constant, the heat dissipation potential of the ground can be affected by climate change as investigated (G. Chiesa, A. Zajch, 2020). Ground-source cooling is most effective when difference of temperature between working fluid and ground is high, for example, peak load condition (C. Zhang et al., 2021). Ground source heat pumps are not very common in California (Opinion Dynamics, 2022).

Cool rooms. A cool room is a way to provide a safe place in a residential dwelling unit during extreme heat. By focusing on keeping a smaller area cool, it can be less expensive than trying to cool the entire living space and can make it more practical to provide battery backup power. The selected space should be a frequently used space, for example a living room or a bedroom, and it should be easily accessible to all occupants, including people with mobility issues. The same concepts described above may apply, just at a smaller scale.

Again, these strategies should be considered in the context of building type and if the residential dwelling units are proposed for new construction or are existing residential dwelling units.

Personal Scale

The personal scale approaches to keeping cool during hot weather are included here for purposes of including in public education and awareness efforts that could reduce health impacts of heatwaves.

Knowledge, awareness, and information

Education increases people's understanding of risk by improving their knowledge. As the perception of risk increases, adaptive actions increase at both the individual and the societal levels (Kiarsi et al., 2023; Yazar et al., 2022). People's behavior can play a key role in mitigating indoor overheating while reducing energy consumption. For example, simple actions, such as the conscious opening of doors and windows or the use of shading devices (for example, shutters and curtains) can reduce indoor overheating. In addition, other actions, such as adjusting the amount of one's clothing or drinking cold water, can mitigate the impact of overheating on human health. These adaptive behaviors and mitigation strategies are influenced by awareness and knowledge (Van Loenhout & Guha-Sapir, 2016), the general level of education (Pisello et al., 2017), socio-economic status, and household characteristics. Several studies have shown the benefits of increasing awareness and education. For example, training children to adapt drinking habits helps them resist heatwaves and overheating (Kalhoff et al., 2023).

It is key to increase awareness of occupants around: (i) the risk of overheating; and (ii) what actions can be implemented to reduce indoor overheating. This latter includes knowledge of (i) strategies at the individual level, for example, adjusting clothing, drinking water, reducing activity, etc.; (ii) strategies at the household or workplace level, for example, increasing night cooling ventilation and shading. Shading is very effective since it leverages the perceived motivation to pro-actively adapt, leading to increased empowerment of how to better adapt households to heat (Valois et al., 2020). It has been shown that providing instruction and training through health networks, liaisons, and key people in the community is effective (Kiarsi et al., 2023).

Awareness campaigns and communication activities should be tailored to the specific needs of different audiences. Heat-susceptible populations are targeted due to the severe impact of extreme heat on their health and the disadvantages of communication. This includes the elderly, children, and caregivers (The Lancet, 2015). For example, children need specific communication goals and strategies (Mangus & Canares, 2019). It is important to target a population with either a language barrier or less exposure to information and education (Sheridan, 2007). A recent survey reported that one main source of information during heatwaves is news (Palinkas et al., 2022). The following items provide specific areas that may benefit individuals if presented for awareness:

Adaptive Behavior

Reducing clothing level. Removing or optimizing clothing levels is well established and widely used strategy to reduce the thermal resistance between the body and the environment. This increasing heat losses through evaporation, conduction, radiation, or convection. It is recommended to wear easy-to-modify clothing layers that enable adjusting the level of clothing in time, with loose, light, and breathable fabrics.

Activity and exposure. Limiting activity levels to keep the metabolism and work level low is an effective way to reduce the impact of overheating since it limits the amount of internal heat produced by the body. This strategy is effective both indoors and outdoors. Reducing, eliminating or rescheduling strenuous

activities until the coolest time of the day is recommended. Breaks in physical activity longer than 5 minutes can lower the body temperature. Selecting cool locations and reducing exposure to solar radiation is also a very effective strategy for limiting the risks of overheating. (Palinkas et al., 2022).

Drinking cold liquids. The CDC provides the following advice to prevent dehydration: drink more fluids; don't wait until you're thirsty; avoid sugary or alcoholic drinks (these types of beverages can lead to increased fluid loss). Ingestion of cold/ icy water increases conductive heat transfer between the warm body and the cool ingested aliments (Jay et al., 2021). If the water is consumed while people are sweating, for example during exercise, its effectiveness is reduced (Jay et al., 2021). Heavy sweating removes salt and minerals from the body that need to be replaced and a sports drink can replace the salt and minerals lost from sweating. Individuals with diabetes, high blood pressure, or other chronic conditions, as well as those on a low-salt diet should consult with a doctor before drinking sports beverages or taking salt tablets.

Self-dousing. Applying water to the skin can reduce physiological heat strain and thermal discomfort and this strategy is very effective when the indoor environment is dry, and clothing does not restrain the evaporation of water directly from the skin (Morris et al., 2019). However, for dousing to be effective needs to be repeated every 5-10 minutes and is therefore not always practical. Similar strategies include immersing hands and forearms in cold water (Giesbrecht, Gordon G., Christopher Jamieson, and Farrell Cahill., 2007); immersing feet above the ankles can increase conductive heat loss and reduce thermal discomfort (DeGroot et al., 2013), even if it has not been proved capable of limiting heat strain. Noticeably, cold water below 41 degrees Fahrenheit (5 degrees Celsius) can also induce local thermal discomfort.

Household modifications. There are affordable and practical actions that can be taken in dwellings to improve the thermal environment and reduce the risk of overheating: closing windows, curtains, or blinds during the day; opening windows when outdoor temperatures are equal or lower than indoor and solar radiation is not a concern, for example, during the night; limiting the use of appliances that generate heat, such as ovens and stoves (not cooking food), and clothes dryers and select energy; operating fans and small evaporative coolers. In a literature review, clothing adjustment was shown to be the most frequent adaptive behavior across various types of indoor environments followed by fan usage, opening the windows, and the use of air conditioning (Arsad et al., 2023).

Prioritize staying in cooler spaces within the available indoor spaces. Indoor spaces have different temperatures and people should stay in the cooler areas. Spaces that are in proximity of façades, roofs, windows, and higher floors are often warmer than other internal spaces. When possible, it is recommended to avoid using indoor spaces close to roof and façade surfaces in the warmest hours of the day, unless natural ventilation can prevent undesired overheating.

Personal Comfort Systems (PCS) for cooling. PCS is a local device designed to condition the environment in proximity of an occupant according to their personal individual requirements (ASHRAE 55, 2023). Examples of PCS for cooling include fans (small desktop fans, standing fans, ceiling fans) and small misters or evaporative coolers (H. Zhang et al., 2015). Since a PCS only conditions the micro-climate in proximity to the occupant, their energy consumption is generally lower than centralized systems. Use of PCS allows higher air conditioning setpoints without compromising comfort and enable increased individual control.

Alternatives to Traditional Cooling

The following subsections describe the suitability results for each alternative and traditional cooling technology. Unless otherwise noted, the discussion around each technology applies to both single-family and multi-family dwelling units. Suitability was determined based on two factors: climate and cost. Climate suitability for evaporative coolers was based on having at least three hours per day with a wet bulb temperature suitable to allow evaporative coolers to perform effectively.

Ceiling Fans

Ceiling fans are relatively cheap to install and consume much less power compared to a window AC or a central AC system. Ceiling fans are suitable in all climate zones.

In the California residential segments investigated, the main constraints that impact the cost and likelihood of a ceiling fan installation are:

- Ceiling heights
- Installation requirements and challenges
- Power availability at ceiling fan location

The installation of ceiling fans should be at least 7 feet above the floor (with 8'-9" being optimal), 18 inches from the walls, and fan blades at a minimum of 6 inches from the ceiling. Optimal fan performance is achieved when the fan is at least 12 inches from the ceiling. A 7'-8" ceiling height is the minimum ceiling height to install ceiling fan for safety and performance. Many California jurisdictions allow for ceilings as low as 7'-0" in some residential dwelling units. Although rigorous data for dwelling unit ceiling height was not found, it was estimated that less than 10% of dwelling units have ceiling heights of less than 8 feet.

Structural conditions within ceilings may present an issue as ceiling fan retrofits may require a special hanger or blocking for safe installation. While this does not present a large burden to the cost of installation, it does require the contractor to purchase extra material and take additional time to properly install the fan.

Additionally, if there is not easily accessible power at the desired location of the ceiling fan, this could present a significant cost issue as a contractor would need to install a new branch circuit to the location of the fan. It was assumed that 90% of dwelling units have overhead lighting and power available for ceiling fan installation.

Ceiling fan factors that can affect performance, satisfaction, or comfort include:

- Fan diameter affects airflow and comfort. "Hugger fans" are fans without down rods made for shorter ceilings and can sit closer to the ceiling. However, a distance less than 12" from bottom of blades to ceiling reduces performance.
- Fan vibration can also be an issue for occupants as inexpensive fans tend to use cheaper materials and are not as well-balanced as more expensive fans. Due to the vibration, cheaper fans can also present noise issues.

While addressing these performance, satisfaction, or comfort issues may affect systems in some cases, none generally present significant additional constraints to the suitability of this technology to the residential segments.

Evaporative Coolers

Evaporative coolers reduce air temperature by adding moisture to the air through evaporation. Evaporative coolers are not suitable for marine climate zones as the humidity tends to be too high for the cooler to effectively cool the air. Dry climates where the 1% summer design wet-bulb temperatures are below 70 degrees Fahrenheit are the best climates for evaporative coolers. However, evaporative coolers can provide cooling where coincidental wet-bulb temperatures are as high as 74 degrees Fahrenheit. A UC Davis report found that evaporative coolers are generally not suitable in climate zones 1, 3, 5, 6, 7, 8, and 9. [Davis].

The suitability of three types of evaporative coolers was considered:

- Direct room type evaporative coolers
- Direct type central evaporative coolers
- Indirect type evaporative coolers

Evaporative cooler types vary in terms of cost, performance, and applications for which they are well-suited. All of the evaporative cooler styles require a connection to a waterline. Smaller, portable evaporative coolers that are standalone and do not require a connection to a waterline also exist on the market, but they require continuous occupant maintenance to refill the water reservoir.

A concern with direct type evaporative coolers is the addition of humidity to the space. While this humidity can be mitigated through open windows or a makeup air duct, there is still a risk of elevated humidity in the space. Having an accessible waterline and plumbing it to an evaporative cooler could incur significant cost and therefore make direct room evaporative coolers unlikely in a multifamily retrofit scenario.

Central evaporative coolers are much more expensive than room evaporative coolers. The cost of the unit, locating and mounting the unit, and associated ductwork required to supply air to the dwelling unit would be too high to make installation likely for either single family or multifamily dwelling units.

Indirect type evaporative coolers tend to not perform as well as direct type evaporative coolers as they circulate indoor air through a heat exchanger where the evaporative cooling takes place. For this reason and the high cost of indirect coolers, it is unlikely that indirect evaporative coolers will be widely used in multifamily or single family residential retrofit applications.

Factors that can affect performance, satisfaction, and comfort include:

- Water use
- High mineral content in local water can increase water use
- Frequent maintenance requires easy access to the unit
- Proper makeup air is required to maintain appropriate humidity levels

While addressing these performance, satisfaction, or comfort issues may affect systems in some cases, none generally present significant additional constraints to the suitability of this technology to the residential segments.

Traditional Cooling Technologies

Central Air Conditioner

Central air conditioners (CAC) work on the principle of direct heat exchange (known as DX) with a refrigerant system. Liquid refrigerant passes through an indoor coil over which a fan blows indoor air. As the air moves over the coil it cools as the refrigerant picks up the heat from the air and boils off into a vapor. That vapor then moves to the outdoor unit where a compressor compresses it thus driving up the temperature and pressure. The outdoor fan rejects the heat from the refrigerant to the atmosphere and the whole process starts over. This is one of the most prevalent cooling systems in California. It is suitable in every climate zone.

A CAC retrofit would likely only occur in systems that have existing ductwork (i.e., a furnace/fan coil system), because retrofitting ductwork into a dwelling unit would add a significant cost. Whether or not the existing ductwork is suitable for CAC would vary by dwelling unit, and undersized existing ductwork could lead to a lack of proper airflow getting to the space it is serving or excessive noise. This holds true for single and multi-family applications.

Another consideration with CAC installation is appropriate clearance around the outdoor unit. Air conditioners require two to three feet of clearance around the unit and 5 feet above. In single family applications this is generally not an issue. In multifamily applications a contractor can generally achieve this using ground space or roof space.

Factors that can affect performance, satisfaction, or comfort include:

- Adequately sized equipment, and efficient and effective distribution design
- Undersized ductwork (possible when re-using existing furnace ductwork) can lead to excessive noise or inefficiency
- Noise and maintenance

Ductless Mini-split Heat Pumps

The cooling mechanism of ductless mini-split air conditioners works on the same DX principle as the CAC. They are suitable in every climate zone. One advantage of heat pumps is that they can provide both heating and cooling.

In the California residential segments investigated, the main installation constraints of ductless mini-splits heat pumps are cost and space constraints for clearance needed to the sides and above the outdoor unit. Generally, two to three feet of clearance around the sides of these units are necessary. This usually presents no problem with single family dwelling units, and a contractor can achieve this by ground or roof space in multi-family dwelling units. However, mini-split air conditioners also require a contractor to run refrigerant lines from the outdoor unit to each indoor unit head, as well as running condensate pumps and drain lines out of the space to the outside, which adds cost.

Factors that can affect performance, satisfaction, or comfort include:

- Concerns about high initial costs and increased operation costs
- Aesthetic concerns
- For heating, decisions about whether to keep or remove an existing furnace.

Window AC

Like central AC and mini-splits, window ACs work on the same DX principle. Window ACs are suitable in every climate zone. In the California residential segments investigated, the main suitability constraints of window ACs are the window type. Window ACs generally require a double hung window. These dwelling units are not suitable for casement windows.

Factors that can affect performance, satisfaction, or comfort include:

- Ability to seal between the unit and the window to prevent leakage
- Noise

Conclusion

After consultation with an extensive group of stakeholders, HCD has concluded that the state should consider a general maximum safe indoor air temperature of 82 degrees Fahrenheit (27.8 degrees Celsius) for residential dwelling units, with different approaches for newly constructed and existing residential dwelling units. This recommendation is grounded in a thorough review of relevant technical information, literature, studies, and state and local standards, and takes into consideration the impact of high indoor air temperatures on human health.

There are unique challenges to enable many existing buildings to be able to maintain a maximum indoor air temperature including infrastructure limitations, technical feasibility, cost of retrofitting, and electrical utility capacity, so this report's recommendations should allow flexibility and encourage incentive based approaches. Newly constructed residential buildings on the other hand, are already very capable of maintaining a safe indoor air temperature, as California energy codes require high performance building envelopes (including windows, doors, and thermal insulation), and the vast majority of new buildings are equipped with air conditioning systems.

The recommended maximum safe indoor air temperature is consistent with applicable research and standards identified herein and a consensus of the participating stakeholders Factors identified in this document that support the recommended maximum safe indoor air temperature include, but are not limited to, heat and human physiology and effects, critical reference standards, adaptation; related local, state, and international standards; and passive, and active cooling strategies.

Appendix A: Existing U.S. City Code Language

El Paso, Texas. City Code of Ordinances - Title 18 - Chapter 18.10 - 18.10.060

International Residential Code, 2021 Edition, Section R303.8, Required heating, is hereby amended to read as follows: R303.10 Required heating and cooling. Interior spaces intended for human occupancy shall be provided with active or passive space-heating and cooling systems capable of maintaining an indoor air temperature between 68 F (20 C) and 90 F at a point 3 feet above the floor and 2 feet from exterior walls in all habitable spaces. The installation of portable space heaters shall not be used to achieve compliance with this section.

Dallas, Texas. City Code Compliance - Chapter 27 - Section 27-11 (e)

(1) Air Conditioning: an owner shall provide and maintain in operating condition, refrigerated air equipment capable of maintaining a room temperature of at least 15 degrees cooler than the outside temperature, but in no event higher than 85 degrees Fahrenheit in each habitable room.

Clark, Nevada. County Code Compliance - Title 22 - Chapter 22.02 - 22.02.067

All dwelling units, as defined in the International Building Code (IBC) and International Residential Code (IRC), with a permit issuance date for construction or alteration, after February 3, 2019, shall be equipped with active or passive heating/ cooling systems.

(A) Dwelling units, except one and two-family dwellings, shall be designed in a manner such that an interior temperature can be maintained between 68 degrees Fahrenheit and 85 degrees Fahrenheit, by the use of active or passive heating or cooling systems. A certificate of compliance certifying that the design meets the requirements of the section and applicable building codes must be sealed and signed by a Nevada Registered Design Professional and submitted to the Clark County Department of Building and Fire Prevention as a part of the permit submittal package.

  (a) As used in this section, an active heating/ cooling system refers to any heating or cooling system that requires a non-naturally occurring heating or cooling source in order to adjust the temperature in a space.

  (b) As used in this section, a passive heating/ cooling system refers to any heating or cooling system that does not introduce a non-naturally occurring heating or cooling source in order to adjust the temperature in a space.

Exemptions: Dwelling units that have active heating and cooling systems installed under a permit issued prior to February 3, 2019.

Los Angeles, California. Proposed County Code amendment

The Building Standards Code for unincorporated areas in LA County should be amended to require that residential buildings possess active or passive cooling strategies capable of maintaining temperatures of less than 82 degrees Fahrenheit if there is air conditioning or 86 degrees Fahrenheit if there is evaporative cooling or no cooling unit present. For maximum effectiveness, a new maximum indoor air temperature threshold should apply to new and remodeled residential buildings immediately, with a phase-in for existing construction.

Arizona HB 2146 amends the Arizona Mobile Home Parks Residential Landlord And Tenant Act as follows:

> A person who owns or operates a mobilehome park shall not:
>
> Prohibit a tenant from installing reasonably necessary cooling methods to reduce energy costs and prevent heat-related illness and death, including temporary window-mounted ventilation or air conditioning, wall-mounted mini-split air conditioners, commercial window coverings, shutters, window film, shade awnings, skirting or other commercial cooling methods.

Tempe, Arizona. City Code - Chapter 21 - Article II - Division 2 - Section 21-34

(a) General provision. Every rental housing unit should contain safe heating and cooling facilities which are properly installed and maintained in sound condition and capable of providing adequate heating and cooling, appropriate for the climate, to assure a comfortable and healthy living environment.

(c) Cooling requirements. Every rental housing unit shall have cooling, under the tenant's control, capable of safely cooling all habitable rooms, bathrooms and flush toilet rooms located therein to a temperature no greater than eighty-eight degrees (88°) Fahrenheit, if cooled by evaporative cooling, or eighty-two degrees (82°) Fahrenheit, if cooled by air conditioning. Temperature measurements shall be taken at a distance three (3) feet above floor level in the center of the room. Required cooling shall be provided by permanently installed cooling facilities. Except that those air conditioning facilities serving more than one rental housing unit shall only be required to be designed and operating in conformance with manufacturer's specifications.

Phoenix, Arizona. City Code - Article II § 39-5 (B) (1) (b)

B. Heating, cooling and ventilation systems.

1. Heating, cooling and ventilation systems in any building or structure are to be maintained hazard-free, operational and in a state of good repair. Heating and cooling systems shall be free from hazards associated with ventilation, equipment status, mounting, electrical connections and other potential defects.

b. Cooling requirements. Every rental housing unit where such systems are installed shall have cooling capable of safely cooling all habitable rooms, bathrooms and flushing toilet rooms to a temperature no greater than 86 degrees Fahrenheit, if cooled by evaporative cooling, or 82 degrees Fahrenheit, if cooled by air conditioning. Temperature measurements shall be taken at a distance three feet above the floor in the center of the room. Required cooling shall be provided by permanently installed cooling facilities.

Tucson, Arizona. City Code - Article II - Chapter 16 - Section 16-11 (b)

(2) Cooling. Every dwelling unit, guest room, and congregate residence shall be provided, in all habitable rooms, with either mechanical cooling or an alternate cooling method, to assure a safe living environment. Cooling facilities shall be installed and maintained in a safe condition and in accordance with the manufacturer's recommendations, and shall comply with the following: a. Air conditioners shall be capable of producing ambient temperatures at or below eighty-two (82°) degrees. Measurements shall be taken at a distance of three (3) feet above the floor in the center of the room. b. Evaporative coolers shall be capable of producing ambient temperatures below eighty-six (86°) degrees. Measurements shall be taken at a distance of three (3) feet above the floor in center of the room. c. Evaporative cooling shall be maintained to be free of excessive rust, corrosion or mineral deposits that limit proper operation. Any mounting apparatus for a cooling facility must be structurally sound. d. Mechanical fans or portable evaporative cooling devices may only be used on a temporary basis as the sole source of cooling when the permanent cooling system is being repaired or replaced.

Houston, Texas. City Code - Chapter 10 - Article IX - Division 4 - Section 10-363 - (d) Utility standards. An owner of property shall:

(8) In each habitable space, if screens are not provided as required in subsection (e)(2) of this section, provide and maintain in good operating condition refrigerated air equipment capable of maintaining a maximum inside temperature 20 degrees Fahrenheit lower than the outside temperature or 80 degrees Fahrenheit, whichever is warmer;

Palm Springs, California. City code - Title 8 - Chapter 8.04 - 8.04.017

2) Add new subsection R303.11, Required air conditioning, to read as follows: R303.11, Required air conditioning, to read as follows: R303.11 Required air conditioning. Every dwelling unit shall be provided with air conditioning facilities capable of maintaining a room temperature of not more than 80 degrees Fahrenheit in all habitable rooms.

New Orleans, Louisiana. City Code - Chapter 26 - Article XIII - Division 1 - Sec. 26-656

(f) Each rental housing unit shall have a cooling system in good working order that can safely maintain a maximum temperature of 80 degrees Fahrenheit in all bedrooms, measured at a point three feet above the floor and two feet from exterior walls.

Portland, Oregon. City Code - Title 27 - Chapter 27.05 - 27.05.021

Amended by Ordinance No. 187432, effective December 4, 2015. Every dwelling unit and guest room shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees Fahrenheit or 20 degrees Celsius at a point 3 feet or 91.44 centimeters above the floor in all of the City of Portland habitable rooms. The version of the Oregon Energy Efficiency Specialty Code adopted by the City in Section 24.10.040 shall regulate the design and construction of the exterior envelopes and selection of heating, ventilating and air conditioning systems and equipment.

A. The annual degree days is 4,792 for heating and is 300 for cooling. The design temperature is 23 degrees Fahrenheit for winter and 85 degrees Fahrenheit for summer.

B. Indoor design temperature shall be 68 degrees Fahrenheit for heating and 78 degrees Fahrenheit for cooling.

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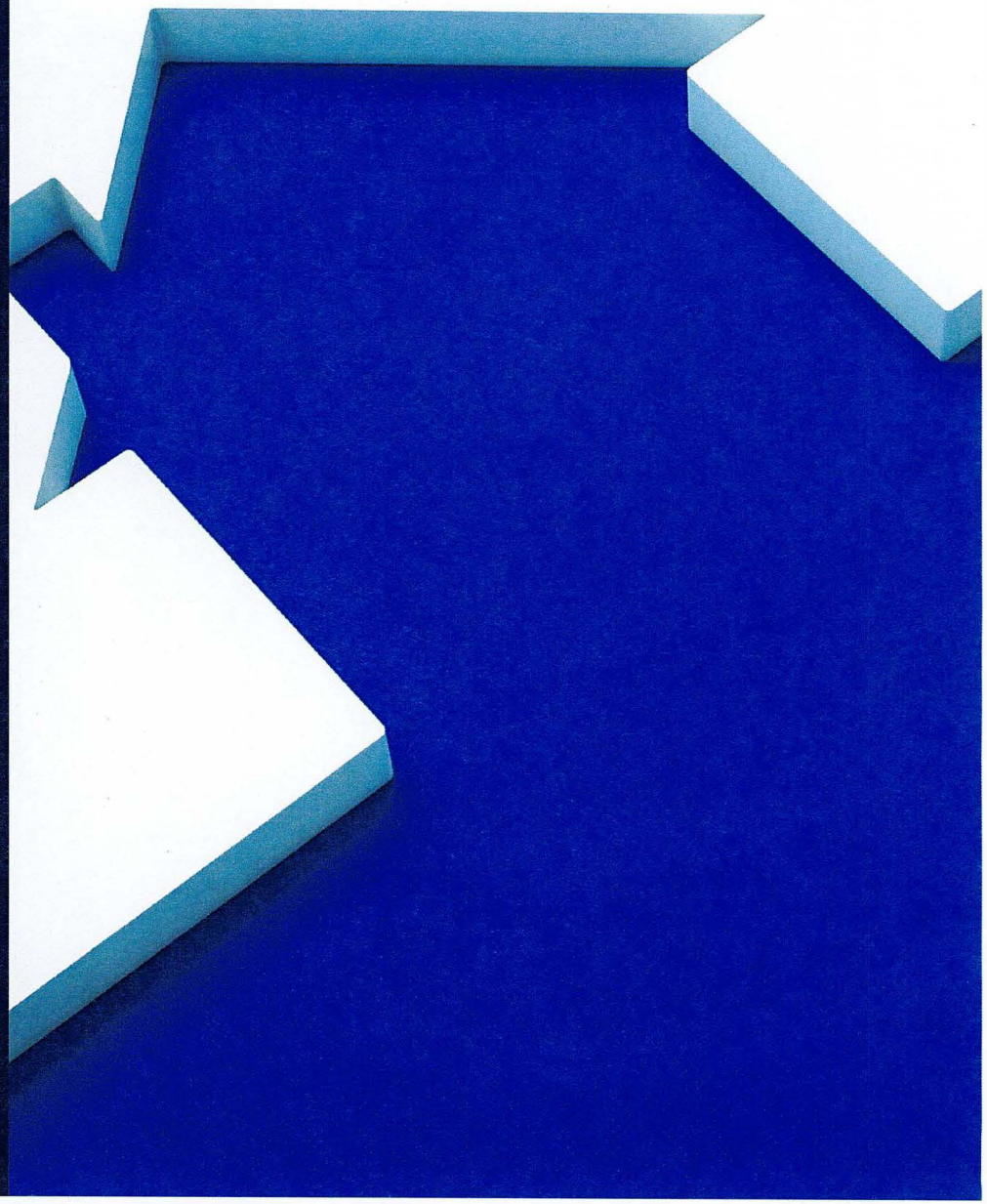

Rent Stabilization Board

DATE: July 17, 2025

TO: Honorable Members of the Berkeley Rent Stabilization Board

FROM: DéSeana Williams, Executive Director

SUBJECT: Proposed Resolution 25-20 to establish an amnesty period of 184 days for units newly required to register under the Ordinance as a result of Measure BB and automatically waive penalties for landlords who were unable to pay the registration fees for the first-time registration of their Measure BB units

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Recommendation:

That the Board adopt Resolution 25-20 to authorize an amnesty period to waive penalties for late payment of registration fees for 184 days beginning July 2, 2025. The proposed Resolution would authorize an amnesty period through January 1, 2026, for Landlords of units newly required to register under the Ordinance as a result of Measure BB who failed to pay the Fiscal Year 2025/2026 Registration Fee by July 1, 2025. The attached Resolution 25-20 establishes an amnesty period from July 2, 2025, through January 2, 2026, during which staff may waive all penalties associated with the late payment of registration fees for rental units newly covered under Measure BB, regardless of the cause for delay.

Background and Need for Rent Stabilization Board Action:

In November 2024, Berkeley voters adopted Measure BB, which amended the Rent Stabilization Ordinance to bring a number of rental units under the Rent Board's jurisdiction that were previously exempt from registration requirements or were subject to a reduced fee.1 These include previously exempt properties, including many government-subsidized units. These units are now subject to registration, payment of annual fees, and many are fully covered by the Rent Ordinance.

While these changes are significant for the long-term expansion of rent stabilization in Berkeley, their implementation has created short-term operational and administrative challenges, including:

- **Many newly covered landlords are unaware of their obligations** or have struggled to complete registration due to late notification, data inaccuracies, or administrative complexity;

1 Many units owned by non-profit affordable housing providers paid a reduced Measure MM fee for partially covered units in years' past. The Board authorized this lower payment based on the existence of language that limited the Board's authority to provide services. This ordinance language (specifically, BMC Section 13.76.050K.) was removed by Measure BB, so this fiscal year the Board set the same fee for all new construction regardless of whether the rental units are market rate or non-profit affordable housing units.

- **Approximately 300 units remain delinquent or improperly registered**, despite targeted outreach since February 2025;
- The automatic **100% penalty imposed on unpaid registration fees as of July 1, 2025**, is likely to discourage good-faith compliance and create avoidable administrative burdens.

The Rent Board is a Special Fund agency, and registration fees represent its primary source of revenue. While the Board has historically applied penalties to encourage timely payment, it has also exercised flexibility when changes in the law create new obligations for a significant group of property owners. Resolution 21-19, adopted in 2021, established a similar amnesty period for Measure MM units.2 This proposal is grounded in the same principle: early compliance should be prioritized over punitive enforcement. Given the complexity of identifying and notifying newly covered property owners, an amnesty period will encourage compliance, streamline administrative processing, and eliminate barriers for newly identified property owners.

Purpose and Scope of the Amnesty

The proposed Measure BB Amnesty Program will:

- Apply only to rental units newly covered under Measure BB;
- Waive penalties for late registration fee payments made between December 20, 2024, and January 2, 2026;
- Require no hardship declaration or individual waiver application;
- Streamline compliance for property owners unfamiliar with the Rent Ordinance;
- Advance the Board's strategic goals of broader registration, improved data collection, and sustainable fee collection.

This amnesty is not intended to apply to units previously subject to registration requirements prior to Measure BB and not impacted by the amended registration fee requirements mandated by this measure.

Benefits of Proposed Amnesty

- Promotes voluntary compliance and agency revenue collection.
- Reduces administrative burden on staff processing late fee waivers.
- Encourages cooperation and goodwill with landlords, adjusting to new obligations.

Proposal for Measure BB Affected Units

The Board adopted Resolution 21-19 in 2021, which established an amnesty period for landlords who had to pay registration fees under Measure MM for rented single family homes, condominiums, and newly constructed units3 and also for landlords affected by the COVID-19 pandemic who failed to pay their Registration Fees in a timely manner. This amnesty program was highly successful, allowing staff to settle delinquent accounts and receive otherwise

2 Measure MM was adopted by the Berkeley voters in November of 2020 and required landlords of many new construction units, as well as single family homes and condominiums to pay registration fees for the first time.
3 Prior to Measure MM landlords of these units were not obligated to pay any Rent Board registration fees.

difficult-to-collect Registration Fees. This proposal for new units covered under Measure BB is similar to the amnesty program adopted by the Board in 2021; however, it extends the waiver period from 120 days to six months to ensure greater compliance.

Due to the effects of implementing Measure BB and the registration requirements for properties previously exempt, staff have received numerous communications from landlords expressing concerns that they will struggle to complete registration and pay the Board's Registration Fee due to the increased registration fees, additional administrative requirements, short payment timeframe, and budget constraints.

The Board began notifying landlords of Measure BB units in February of this year and has continued to attempt to communicate with them since then. There have been issues with the data we received regarding the pool of newly eligible units, and Registration Unit staff have been maintaining regular contact with landlords to correct the new data.

Program Design and Administrative Impact

The proposed amnesty structure reflects lessons learned from the 2021 program. By extending the waiver period from 120 to 184 days, the program allows sufficient time for landlords to resolve issues, make payments, and come into compliance. Importantly:

- **Staff time will be redirected away from penalty waiver reviews and toward registration processing and education**;
- **Landlords will be offered a one-time, well-communicated opportunity** to correct their records without additional financial burden;
- **Revenue collection will be accelerated by reducing barriers to payment**.
- **The amnesty will function as a transition tool**, building understanding and buy-in from newly regulated stakeholders.

The goal is to register as many units as possible, so that we can start providing important enhanced services and gather critical information regarding the tenancies in these units.

While the Rent Ordinance is a voter-adopted initiative, and the 100% penalty on delinquent accounts for Registration Fees is hard-coded in the Ordinance, Commissioners have regularly articulated that compliance is more critical than imposing a punitive application of the law. For that reason, the Board has generally waived a majority of the penalties when landlords apply for discretionary waivers.

The proposed Regulation would allow Measure BB-affected landlords an amnesty period to pay their Registration Fees if they failed to pay them by July 1, 2025. The amnesty period would extend to January 2, 2026. All penalties for late payment of a portion of the 2024-2025 Fiscal Year Registration Fee and for the full 2025-2026 Registration Fee will be waived.4

4 Measure BB was certified and officially became law at the end of December 2024, so the units affected by these ordinance amendments were subject to registration requirements for half of the 2024/2025 Fiscal Year. 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 2025/2026 Fiscal Year Registration Fee bill. Many landlords thus received a bill for one and a half fiscal years.

Conclusion

Establishing an amnesty period for Measure BB-affected units reflects the Board's practical, forward-thinking approach to enforcement. By removing punitive barriers in the first year of implementation, the Board affirms its focus on registration and education while reinforcing landlord accountability in the long term. Staff recommends the adoption of Resolution 25-20.

RESOLUTION 25-20

ESTABLISHING AN AMNESTY PERIOD TO WAIVE FISCAL YEAR 2025/2026 REGISTRATION FEE PENALTIES FOR MEASURE BB LANDLORDS

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; 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 25-20

ESTABLISHING AN AMNESTY PERIOD TO WAIVE FISCAL YEAR 2025/2026 REGISTRATION FEE PENALTIES FOR MEASURE BB LANDLORDS (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 25-20

ESTABLISHING AN AMNESTY PERIOD TO WAIVE FISCAL YEAR 2025/2026 REGISTRATION FEE PENALTIES FOR MEASURE BB LANDLORDS (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.

RESOLUTION 25-20

ESTABLISHING AN AMNESTY PERIOD TO WAIVE FISCAL YEAR 2025/2026 REGISTRATION FEE PENALTIES FOR MEASURE BB LANDLORDS (Page 4)

NOW, THEREFORE, BE IT RESOLVED, the Board hereby establishes that, if landlords impacted by the new registration fee requirements of Measure BB pay the Registration Fees by January 2, 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 Measure BB-impacted units that are required to be registered, Rent Board Regulation 883 shall continue to operate as adopted.

Dated: July 17, 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
Legal Department

DATE: July 16, 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 Regulation 412 [Definition of Occupied Rental Unit Under B.M.C. section 13.76.135] and substantive amendments to the following existing Regulations to administer Right to Organize established by Measure BB: 411 [Property Management Company; definition], 1209 [Parties] – First Reading

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Recommendation

That the full Board adopt Regulation 412 [Definition of Occupied Rental Unit Under B.M.C. section 13.76.135] and substantive amendments to the following two existing Regulations to administer Right to Organize established by Measure BB: 411 [Property Management Company; definition], 1209 [Parties]. The LIRA Committee reviewed staff's proposed amendments at their June 24, 2025 meeting and unanimously recommended adoption of this proposal.

Background

The Board and a number of key stakeholders have expressed considerable interest in adopting regulations to help operationalize the Right to Organize section of the Ordinance (B.M.C. section 13.76.135) as adopted by the Berkeley voters in November of 2024. This memo addresses the proposed substantive amendments to existing regulations, as well as the adoption of a new one to accomplish this purpose.

➔ New Regulation:

Regulation 412 [Definition of Occupied Rental Unit under B.M.C. section 13.76.135]

B.M.C. section 13.76.135A. allows tenants to establish a Tenant Association if they are able to provide the landlord a petition signed by at least 50% of the occupied rental units of the residential property. California case law makes clear that tenant employees are treated differently from other tenants in that they are employees first and tenants second in situations where they entered their units as employees. In other words, a tenant employee who has their

employment terminated may be displaced from their unit by virtue of their employment being terminated; they are employees first and do not enjoy the same eviction protections as other tenants at the property. LIRA Commissioners were concerned that their occupancy in the building not affect the threshold requirement of occupied rental units, since they are technically agents of the landlord. While the proposed regulation makes clear that tenant employees may join a Tenant Association, neither the staff nor the LIRA Committee made any comment regarding whether a particular Tenant Association may establish rules to prevent their membership.

Additionally, in situations where there is an owner occupant or a relative occupant who occupies a unit rent-free, the LIRA Committee expressed concern that these units not count toward the total number of occupied units. Proposed Regulation 412 clarifies that units that are owner or relative-occupied shall not count toward the total number of occupied units for the purpose of establishing a Tenant Association. "Relative" is defined the same as it is in the owner move-in just cause for eviction (B.M.C. section 13.76.130A.8.(b)).

The proposed text of Regulation 412 is below.

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412. Definition of Occupied Rental Unit under B.M.C. section 13.76.135

(A) For the purposes of determining the number of occupied units on a property in Berkeley under Municipal Code section 13.76.135.A, a rental unit shall not be an occupied rental unit if the landlord of the property employs a tenant who resides in that rental unit, and the tenant did not occupy that rental unit on the property prior to their employment with the landlord. Nothing in this Chapter shall prevent a tenant who is employed by the landlord from joining a tenant association as defined under Berkeley Municipal Code section 13.76.135.

(B) Owner occupied units, units occupied by a landlord's spouse, units occupied by relatives of an owner, or units occupied rent-free shall not be occupied rental units under Berkeley Municipal Code section 13.76.135.A. For purposes of this regulation, only a landlord's child or parent shall qualify as a relative.

➔ Substantive Amendments to Existing Regulations:

1. Regulation 411 [Property Management Company; definition]

As mandated by B.M.C. section 13.76.135A., the Board adopted this regulation in January of 2025. In the interim, staff became aware of a situation in which a group of tenants who otherwise would have met the threshold requirements for establishing a Tenant Association were prohibited from doing so, because the landlord shifted from a property management company to a landlord-managed LLC. The LIRA Committee asked staff to draft amendments to Regulation

411 to make clear that a corporation would be considered a property management company. In other words, the landlord must be an individual operating separately from a corporate entity; otherwise the entity will be considered a property management company for purposes of B.M.C. section 13.76.135A.

The proposed text of Regulation 411 is below. Additions are in red text; deletions are in strikethrough.

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411. Property Management Company; definition

(A) For the purposes of Berkeley Municipal Code section 13.76.135, a property management company is any entity which provides any of the following services to a record owner of a residential rental unit ~~in the City of Berkeley~~:

(1) New tenant intake, including marketing, establishing and maintaining any waiting list, determination of applicant eligibility, applicant screening, and tenant selection;

(2) Lease execution, including explaining the lease and all attachments;

(3) Collection of rent and any charges in addition to rent;

(4) Lease enforcement, including executing terminations of tenancy;

(5) Performance of maintenance or repairs on a unit, including subcontracting with other services to perform such maintenance;

(6) Communication with current tenants regarding concerns and requests arising from their tenancy; or

(7) Any activities necessary to maintain compliance with laws and ordinances regarding the rental of residential property units.

(B) A revocable living trust, as defined in Regulation 503(B), is not a property management company for purposes of Berkeley Municipal Code section 13.76.135.

(C) An individual is not a property management company unless that individual is the officer, director, or agent of an entity defined in subsection (A) or otherwise directs, controls, or manages, such an entity.

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2. Regulation 1209 [Parties]

Following a request from community stakeholders at the May 8, 2025 meeting, the LIRA Committee asked staff to draft language that would expand the definition of party to allow Tenant Associations to represent an entire building in Rent Board hearings, so that rent adjustments would apply to all tenants, not just members of the association itself. Currently, tenant parties are defined only as those who have placed their names on a petition. Assuming the Rent Board hearing examiner awards a reduction for common area issues, for example, the only tenants who would be entitled to those adjustments would be those who filed the petition.

The proposed amendments to this regulation make clear that the Tenant Association may file on behalf of the entire building, and any resulting rent decreases will apply to all units impacted by the reduction in service. Nevertheless, Tenant Associations will be required to send opt-out forms to all tenants impacted by the alleged substandard conditions. Any tenant household that does not want to be a party to the petition may indicate this on the form. All other tenants in the building impacted by the alleged habitability defects will be parties to the petition.

The proposed text of Regulation 1209 is below. Additions are in red text; deletions are in strikethrough.

1209. Parties

(A) Parties are the landlord of the affected property, the tenants in each affected rental unit (with all the tenants in one unit constituting one party), and any representatives designated pursuant to Section 1234. The person listed as the landlord in a tenant petition for rent adjustment shall be the landlord party, unless the Board is notified to the contrary.

(B) If established under Berkeley Municipal Code section 13.76.135, parties are tenant associations filing a petition on behalf of tenants in one or more rental units in the buildings they represent. The tenant association petitioner shall send a Board-adopted opt-out form to every tenant in the building impacted by the alleged reduction in services. The form shall identify the common-area issues raised in the petition and shall state that every tenant in the building is deemed a party to the petition unless they opt otherwise. The form shall include a statement that the tenant may sign indicating that they opt not to be a party to the petition. Any tenant who signs the form and returns it to the Board shall not be deemed a party. Tenants shall otherwise be deemed parties and shall be entitled to any rent adjustment awarded in the hearing decision.

Name and Telephone Number of Contact Person

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

Rent Stabilization Board
Legal Department

DATE: July 17, 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 amendments to 1312 [Filing Notices and Complaints with Rent Board] – First Reading

---

Recommendation

That the full Board adopt amendments to 1312 [Filing Notices and Complaints with Rent Board]. The LIRA Committee reviewed staff's proposed amendments at their June 24, 2025 meeting and unanimously recommended adoption of this proposal.

Background

Measure BB was adopted by the Berkeley voters in November of 2024. The measure changed the Rent Ordinance's eviction protections to "just cause" from its previous "good cause." Measure BB also adjusted some of the requirements associated with notifying the Board when landlords initiate an eviction action against a tenant household; namely, the Rent Ordinance now requires landlords to file a copy of a notice of termination, notice to quit, and/or summons and complaint within three days of the date a tenant is served. Previously, the Ordinance allowed the landlord to file within 10 days. The proposed amendments to Regulation 1312 simply align this regulation with the amended Rent Ordinance language.

The proposed text of Regulation 1312 is below. Additions are in red text; deletions are in strikethrough.

1312. Filing of Notices and Complaints with Rent Board

(A) Pursuant to Ordinance section 13D.~~(d)~~, landlords must file with the Board a copy of any notice of termination, notice to quit, and/or summons and complaint, within ~~ten (10)~~ three (3) days after the tenant has been served with such notice or summons and complaint. The purpose

of this requirement is to provide the Board with information from which it may, among other things: (1) ensure compliance with the "just ~~good~~cause" provisions of Section 13B.~~(b)~~ of the Ordinance; (2) determine what type of units are being removed from the rental housing stock, e.g., single family homes, condominiums, multi-unit buildings; (3) determine the reasons units are being removed from the rental market, e.g., owner occupancy, Ellis eviction, conversion to condominium, rehabilitation.

(B) A landlord's failure to file any notice of termination, notice to quit, and/or summons and complaint as set forth in Section 13D.~~(d)~~ of the Ordinance shall be a defense to any action for possession of a rental unit covered by this Ordinance.

[Effective April 21, 1995]

Name and Telephone Number of Contact Person

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

Rent Stabilization Board
Office of the Executive Director

DATE: July 17, 2025

TO: Honorable Members of the Rent Stabilization Board

FROM: DéSeana Williams, Executive Director

SUBJECT: Recommendation to adopt Resolution 25-21 authorizing the Executive Director to enter into a contract with Kinnectics, LLC, for $40,000 for fiscal year 2025-26

Recommendation

That the Board adopts Resolution 25-21, it authorizes the Executive Director to execute a contract with Kinnectics, LLC. The contract authority permits an amount not to exceed $40,000. The contract scope will include service delivery of coaching and strategic thinking partnership to all members of the Senior Leadership Team. These additional services will enable managers to collaborate with experts to navigate complex situations, develop essential leadership skills, and address challenging leadership issues. The services will include tools, frameworks, and assessments as needed. The contract will also provide services to support the use of consistent leadership approaches, facilitate the Board's evaluations of the Executive Director and General Counsel positions, offer consultation and training for Board members, and support the Executive Director and Senior Staff in the agency's ongoing organizational change efforts.

Background and Need for Rent Stabilization Board Action

On September 17, 2020, the Rent Stabilization Board authorized the Acting Executive Director to execute a contract with the Centre for Organization Effectiveness (the Centre) to facilitate strategic support for the upcoming executive leadership transition for a total amount not to exceed $16,000. Keren Stashower, the former consultant for the Centre, completed an executive transition assessment and presented her findings to staff on March 17, 2021, and to the Board at its regular meeting on March 21, 2021, for both comment and input.

On December 16, 2021, the Board authorized an additional contract modification with Ms. Stashower's business, Kinnectics, LLC, to enable her to continue supporting the agency as it built on its current strengths and addresses areas for growth identified in the executive transition assessment.

Staff and the Board have been pleased with Ms. Stashower's work and have requested her consultation and assistance in developing the Board's evaluation process for the Executive Director and General Counsel positions, as well as coordinating the first annual retreat for Commissioners and staff, including workplace culture training.

Finally, the Executive Director recommends that the Board enter into a new contract so she can continue to support the Executive Director and Senior Staff with the agency's ongoing organizational change effort, as well as to consult with staff as it continues to address growth

areas identified in the executive transition assessment and workplace culture retreats.

A more detailed breakdown of the cost proposal for these items is included as the second attachment to this report.

Financial Impact

The Board has sufficient funds in its FY 2025/26 budget to allocate $40,000 for a contract with Kinnectics, LLC.

Name and Telephone Number of Contact Person

DéSeana Williams, Executive Director (510) 981-7368

Attachments:

1. Detailed Work Plan

RESOLUTION 25-21

AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH KINNECTICS, LLC, BY AN AMOUNT NOT TO EXCEED $40,000

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

WHEREAS, the Board and staff alike expressed an interest in reviewing the Board's workplace culture to determine what type of leader the Board ultimately hired; and

WHEREAS, the Rent Stabilization Board has engaged Kinnectics LLC ("Contractor") to provide specialized services that support the Board's and staff's organizational development and capacity building; and

WHEREAS, the Board involved staff in this process so that there would be a shared understanding between staff and the elected Commissioners regarding what is expected from the new executive director; and

WHEREAS, Keren Stashower ("Contractor") has provided training and support services for several City and Board staff for many years; and

WHEREAS, Board staff have been very impressed with the Contractor's ability to increase organizational capacity in a wide variety of leadership and management areas; and

WHEREAS, the Board engaged in a process with the Contractor to assess key components of the executive transition to ensure that the new executive director possessed the competencies and attributes necessary to lead the agency into the future; and

WHEREAS, the Board, on September 17, 2020, authorized the former Acting Executive Director to enter into a contract with the Contractor to complete an executive transition assessment for a total amount not to exceed $16,000; and

RESOLUTION 25-21

AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH KINNECTICS, LLC, BY AN AMOUNT NOT TO EXCEED $40,000 (Page 2)

WHEREAS, the Rent Stabilization Board has engaged Kinnectics LLC ("Contractor") to provide specialized services that support the Board's and staff's organizational development and capacity building; and

WHEREAS, the Executive Director has recommended that the Board further engage Kinnectics, LLC to continue with the development and execution of the Board's evaluation process for the Executive Director and General Counsel positions, to assist in organizing commissioner training for elected Board members, and to continue support of the Executive Director and Senior Staff related to the agency's ongoing organizational change effort, as well as to consult with staff as it continues to address growth areas identified in the executive transition assessment; and

NOW, THEREFORE, BE IT RESOLVED that the City of Berkeley Rent Stabilization Board hereby authorizes the executive director to execute a contract modification with Kinnectics, LLC, to enter into a contract in an amount not to exceed $40,000.

Dated: July 17, 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

KINNECTICS
ENERGIZING LEADERSHIP; CATALYZING CHANGE

KINNECTICS WORK PLAN

July 2025 – August 2026

1. Executive Evaluation Process: Design, oversight, and facilitation (10k)
   a. For ED and GC
   b. Underway

2. Board Training/ Consultation (10k)
   a. Development of presentations
   b. Engagement strategy
   c. Board development consultation

3. Continued design, development, and support for the Operating Roadmap (5k)
   a. Continued development of plan
   b. Methods for tracking
   c. Communication plan
   d. Support for any presentations

4. Management Team Development (10k)
   a. Conflict
   b. Management strategy for reducing chaos
   c. Consultation and Trainings as needed

5. Strategic Thinking Partnership (5k)
   a. With Executive Director
   b. With management team members
   c. With Board member as needed per Chair/ED
   d. Consulting Support to training and employee development initiatives (aka project management)

All other costs, including travel reimbursement will be allowed under terms of the contract agreement.

Rent Stabilization Board

DATE: July 17, 2025

TO: Honorable Members of the Berkeley Rent Stabilization Board

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

SUBJECT: Recommendation to adopt Resolution 25-22 authorizing the Executive Director to extend the contract with QuickCaption, Inc. through June 30, 2027, and increase the contract by an amount not to exceed $10,500 for the 2025-2026 fiscal year

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Recommendation:

That the Board adopt attached Resolution 25-22 authorizing the Executive Director to modify the contract with QuickCaption, Inc. for real-time remote closed captioning by extending the term through June 30, 2027, and increasing the contract by an amount not to exceed $10,500 for the 2025-2026 fiscal year (FY).

Background and Need for Board Action:

The Americans with Disabilities Act (ADA) requires the Rent Board to caption its televised meetings. Accordingly, the Board began captioning its meetings in January 2005. At that time, the Board adopted Resolution 05-01 authorizing the Executive Director "to enter into a contract or otherwise make the necessary arrangements to have televised broadcasts of Board meetings captioned." In this resolution, the Board also stated that "[s]ubsequent funding for captioning services [was to] be reviewed and approved by the Board."

In 2005, following review of the results of the City Clerk's Request for Proposal (RFP) for closed captioning services, the Board entered into a contract with Theresa B. Darrenougue to provide real-time remote closed captioning services of all televised Rent Board meetings. Ms. Darrenougue provided excellent captioning services to the Board for nearly eleven years.

On August 1, 2014, following the City Clerk's RFP for real-time remote closed captioning services, QuickCaption, Inc. was selected to caption Berkeley City Council and Zoning Adjustments Board meetings. In June of 2016, after receiving very positive feedback on QuickCaption's services from City staff who had worked with them, the Board approved a one-year contract with QuickCaption, Inc. in the amount of $7,000. The Board has subsequently authorized the amendment of that contract and additional funding when needed. The Executive Director has extended the current contract term through August 31, 2025.

QuickCaption's hourly rate for real-time remote closed captioning has increased from $150 to $160 per hour for FY 2026. Therefore, the payment terms should be modified to reflect the new hourly rate. QuickCaption has continued to provide excellent captioning services to the Board and Board staff have appreciated their timely, effective communication with us and Berkeley Community Media to ensure accuracy and transparency. We recommend that the Board adopt Resolution 25-22 authorizing the modification of the current contract as stated above through the end of FY 2027.

Financial Impact:

There are sufficient funds in the FY 2025-2026 budget to cover the anticipated expenditure under this contract.

Name and Telephone Number of Contact Person:

DéSeana Williams, Executive Director (510) 981-7368

Attachments:

1. QuickCaption contract proposal for FY 2025-2026

RESOLUTION 25-22

AUTHORIZING THE EXECUTIVE DIRECTOR TO MODIFY THE CONTRACT WITH QUICKCAPTION, INC. FOR CAPTIONING SERVICES OF TELEVISED BOARD MEETINGS AND INFORMATIONAL WEBINARS THROUGH JUNE 30, 2027, BY AN AMOUNT NOT TO EXCEED $10,500 FOR THE 2025-2026 FISCAL YEAR

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

WHEREAS, the Rent Stabilization Board has elected to caption its televised meetings to comply with the Americans with Disabilities Act; and

WHEREAS, QuickCaption, Inc. has provided quality real-time remote captioning for the City since August 1, 2014; and

WHEREAS, in June of 2016, the Board authorized the Executive Director to negotiate a contract for services with QuickCaption, Inc. in the amount of $7,000 for the 2016-2017 fiscal year (FY); and

WHEREAS, the Board subsequently authorized the Executive Director to extend the contract with QuickCaption, Inc. and increase the contract amount on May 7, 2018, by Resolution 18-04; and on November 21, 2019, by Resolution 19-24; and on June 17, 2021, by Resolution 21-18; and on June 16, 2022, by Resolution 22-18; and on October 23, 2023, by Resolution 23-27; and

WHEREAS, on June 20, 2024, by Resolution 24-15, the Board authorized the execution of a new contract with QuickCaption, Inc. in the amount of $10,500; and

WHEREAS, Board staff remain very pleased with the captioning provided by QuickCaption, Inc., and recommend that the Board continue to retain their services; and

WHEREAS, there is a need to amend the current contract to reflect QuickCaption, Inc.'s new hourly rate, extend the term, and increase the allocated amount to cover anticipated captioning costs for FY 2026; and

RESOLUTION 25-22

AUTHORIZING THE EXECUTIVE DIRECTOR TO MODIFY THE CONTRACT WITH QUICKCAPTION, INC. FOR CAPTIONING SERVICES OF TELEVISED BOARD MEETINGS AND INFORMATIONAL WEBINARS THROUGH JUNE 30, 2027, BY AN AMOUNT NOT TO EXCEED $10,500 FOR THE 2025-2026 FISCAL YEAR

WHEREAS, sufficient funds are available in the FY 2025-2026 budget to cover the anticipated captioning costs for the Board's FY 2026 televised meetings.

NOW, THEREFORE, BE IT RESOLVED that the Berkeley Rent Stabilization Board authorizes the Executive Director to modify the contract with QuickCaption, Inc., by extending the contract term through June 30, 2027, and increasing the contract by an amount not to exceed $10,500 for FY 2026. The new total amount payable under this contract shall not exceed $21,000.

Dated: July 17, 2025

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

YES:
NO:
ABSTAIN:
ABSENT:

_____
Soli R. Alpert, Chair
Rent Stabilization Board

Attest:_____
DéSeana Williams, Executive Director

Attachment 1.

3457 Arlington Avenue, Ste. 104
Riverside, California 92506
951-779-0787
www.QuickCaption.com

June 17, 2025

Aimee Mueller, Associate Management Analyst
City of Berkeley
Rent Stabilization Board
2000 Center Street, Suite 400
Berkeley, CA 94704

Re: Proposal for Fiscal Year 2025-2026

Aimee,

Following is our proposal for fees and terms for the FY July 1, 2025 through June 30, 2026:

- $160.00 per hour (all-inclusive with unedited transcript)
- Active assignments are invoiced with a two-hour minimum; Invoiced in 30-minute increments thereafter
- Scheduled assignment encoder connections initiated 15 minutes prior to an event, no additional charge
- Scheduled assignment encoder connections in excess of 15 minutes to be invoiced
- Events rescheduled or canceled more than 48 business hours in advance - no charge
- Events rescheduled or canceled 48 business hours or less in advance - invoiced at two hours
- Addition of a meeting with more than 48 business hours' notice - no additional charge
- Addition of a meeting with 48 business hours or less notice - surcharge 20%
- No additional charges for evening or weekend meetings/assignments
- No additional charges for extended meetings
- No additional charge for pre-event preparatory
- Note: Business hours are Monday through Friday, 6:30 am to 8:30 pm PST, except government holidays

Please don't hesitate to contact me should you have any questions or concerns or need anything additional.
Have a GREAT day!

Antha A. Ward
President
AAW/jp

Berkeley Rent Board

Remote Participation in Public Meetings

July 17, 2025

Matt Brown, General Counsel

Two Options for Remote Participation

Brown Act allows:

- Anticipated
- Unanticipated

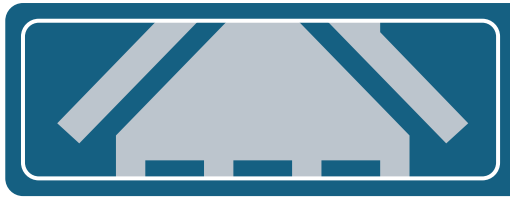
Anticipated Remote Participation

Remote location placed on agenda & made accessible to public (provide notice to Board secretary prior to meeting)

A quorum of Board or Committee must participate within Berkeley city limits

No limit on number of times Commissioner may use this method

Unanticipated Remote Participation



Permissible for two Board & two Committee meetings (without publicizing remote location)

Must have “just cause” or “emergency circumstance”

Board must approve “emergency circumstance”

Commissioners must provide short explanation & disclose any 18+ persons at their remote location

Quorum must be physically present

Unanticipated Remote Participation

Just Cause	Emergency Circumstances
Child or family caregiving	Physical or family medical emergency that prevents in person attendance
Contagious illness	
A need related to a physical or mental disability	
Travel while on official business of the legislative body or another agency (NOT personal business).	

Questions

Rent Stabilization Board

DATE: July 17, 2024

TO: Honorable Members of the Berkeley Rent Stabilization Board

FROM: DéSeana Williams, Executive Director
BY: Amanda Eberhart, Registration Unit Manager

SUBJECT: Year Over Year Comparison of Registration Fees Collected as of July 9, 2025

YEAR OVER YEAR Fee Collection Comparison - As of July 9, 2025			
Registration Year	**Fee Per Unit**	**Collected by July 14**	**Number of Properties For Penalty Billing (Approximate)**
2017/2018	$270	$5.12 million	456
2018/2019	$250	$4.64 million	512
2019/2020	$250	$4.72 million	444
2020/2021	$250	$4.61 million	438
2021/2022	$250	$4.62 million	445
2022/2023	$250 $150	$4.88 million	1,180
2023/2024	$290 $178	$6.26 million	5,003
2024/2025	$344 $212	7.21 Million	588
2025/2026	$344 $212	7.17 Million	1124

2025/2026 ONLY – Current Outstanding balances:

Current year fees:	$1,770,035.00
Prior Year fees:	$443,938.15
Penalties:	$3,251,303.12 (includes 100% penalty on current/prior year fees)
Credits:	$(98,913.09)
TOTAL:	**$5,366,363.18**

Berkeley Rent Board Digital Communications

Where We Are and Where We're Headed

Prepared for the Rent Board Outreach Committee
July 14, 2025 Meeting by Kayla Ginsburg

Our Goals

- Utilize digital channels to **advance the mission** of Berkeley Rent Board and foster stronger community connections.
- Establish a consistent and trustworthy **brand presence** that inspires confidence and compliance.
- Systemize **internal processes** to improve agency efficiency and training.

Where We Are

DIGITAL CHANNELS

- WEBSITE
- FACEBOOK
- YOUTUBE
- CONSTANT CONTACT

SUBSCRIBERS

9900

MONTHLY WEBSITE VIEWS

20,000

Where We're Going

A 90 Day Roadmap

ESTABLISH A BRAND

UNDERSTAND OUR AUDIENCES

GROW OUR PRESENCE

STRENGTHEN OUR FOUNDATION

1 Establish a brand

LOGO

BERKELEY
RENT BOARD

COLORS

1 Establish a brand

VOICE

Empowering & Equitable	Action-oriented, equipping tenants, landlords, and marginalized communities alike to navigate rental housing law fairly.
Clear & Accessible	Confident, clear, and skimmable plain language, making complex housing policy simple and actionable.
Professional & Approachable	Informed and respectful, building trust through clear guidance and a welcoming tone.

2 - Understand our audiences' needs

FULLY-COVERED UNITS

PARTIALLY-COVERED UNITS

EXEMPT UNITS

LANDLORDS

TENANTS

STUDENTS

REALTORS

LOW- AND FIXED-INCOME PERSONS

PERSONS WITH DISABILITIES

OLDER ADULTS

MARGINALIZED COMMUNITIES

3 - Grow our presence

MORE CHANNELS

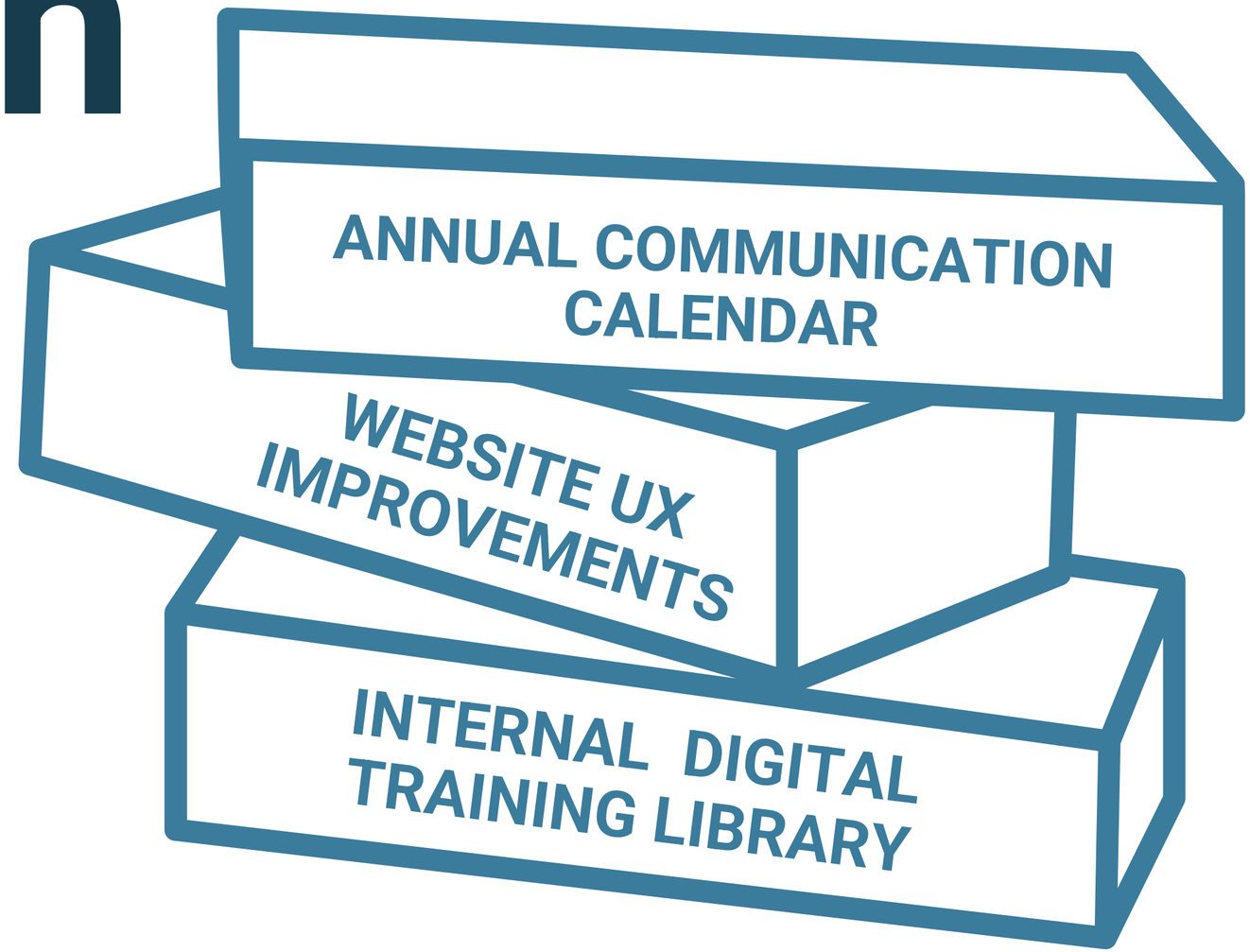
- WEBSITE
- FACEBOOK
- YOUTUBE
- CONSTANT CONTACT
- INSTAGRAM
- LINKEDIN
- BLUESKY

CONSISTENT AND ENGAGING CONTENT

- Establish a posting schedule:
  - Quarterly newsletter
  - 3-4x per week social media content

- Create engaging content within the following content pillars:
  - Education
  - Regulation
  - Agency News & Role
  - Events

4 - Strengthen our foundation



Thank you!

Rent Stabilization Board

DATE: July 17, 2025

TO: Members of the Berkeley Rent Stabilization Board, Program Staff, and the Public

FROM: DéSeana Williams, Executive Director

SUBJECT: US Bureau of Labor Statistics CPI Information

CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U)
SAN FRANCISCO-OAKLAND-SAN JOSE, ALL ITEMS LESS SHELTER 1982-84=100

NEW SCALE	JUNE
1979	73.2
1980	83.3
1981	89.7
1982	97.3
1983	99.7
1984	104.1
1985	107.6
1986	109.2
1987	111.1
1988	116.6
1989	122.8
1990	127.5
1991	133.3
1992	138.2
1993	142.1
1994	143.7
1995	147.6
1996	150.7
1997	153.5
1998	155.2
1999	158.8
2000	163.7
2001	169.7
2002	169.1

NEW SCALE	JUNE
2003	172.9
2004	178.4
2005	180.6
2006	190.0
2007	196.33
2008	207.473
2009	205.878
2010	211.081
2011	217.252
2012	221.915
2013	225.872
2014	230.971
2015	231.934
2016	233.095
2017	237.107
2018	244.644
2019	253.308
2020	255.063
2021	268.989
2022	297.067
2023	301.076
2024	317.472

2000 Center Street, Suite 400, Berkeley, California 94704
TEL: (510) 981-7368 (981-RENT) • TDD: (510) 981-6903 • FAX: (510) 981-4940
E-MAIL: rent@berkeleyca.gov • INTERNET: rentboard.berkeleyca.gov

Rent Stabilization Board

APPENDIX C

DATE: July 17, 2025

TO: Rent Stabilization Board Commissioners, RSB Staff and the Public

FROM: DéSeana Williams, Executive Director

SUBJECT: HUD Lower Income Limits

Pursuant to Regulation 1274.5 (1)(b)(ii), the applicable household income limits which determine eligibility for a hardship phase-in are listed below:

Household Size	Income Limit
1 person	$87,550
2 people	$100,050
3 people	$112,550
4 people	$125,050
5 people	$135,100
6 people	$145,100
7 people	$155,100
8 people	$165,100

2000 Center Street, Suite 400, Berkeley, California 94704
TEL: (510) 981-7368 TDD: (510) 981-6903 FAX: (510) 981-4940
E-MAIL: rent@berkeleyca.gov INTERNET: rentboard.berkeleyca.gov

Rent Stabilization Board

RENT STABILIZATION BOARD
EVICTION / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Tuesday, July 8, 2025 – 6:00 p.m.
Rent Stabilization Board Conference Room A – 2000 Center Street, Suite 400, Berkeley

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.
For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.

To access this meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device by clicking on this URL: https://us06web.zoom.us/j/83357882883?pwd=8aaaG5hxpwytZn0laCNuMVEldqyUGW.1. If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself to be anonymous. To request to speak, use the "Raise Hand" icon by rolling over the bottom of the screen.

To join by phone: Dial 1-669-444-9171 and enter Webinar ID: 833 5788 2883 and Passcode: 487129. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

To submit an email comment for the Committee's consideration and inclusion in the public record, email oehlinger@berkeleyca.gov with the Subject line in this format: "PUBLIC COMMENT ITEM FOR EVICTION/SECTION 8 COMMITTEE". Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. Email comments must be submitted to the email address above **by 4:00 p.m.** on the day of the Committee meeting in order to be included.

Please be mindful that this will be a public meeting and all rules of procedure and decorum apply for both in-person attendees and those participating by teleconference or videoconference.

This meeting will be conducted in accordance with Government Code Section 54953 and all current state and local requirements allowing public participation in meetings of legislative bodies. Any member of the public may attend this meeting at the posted location(s). Questions regarding this matter may be addressed to DéSeana Williams, Executive Director of the Rent Board, at 510-981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.

COMMUNICATION ACCESS INFORMATION:
This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at (510) 981-6418 (voice) or (510) 981-6347 (TDD) at least three (3) business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.

Rent Stabilization Board

RENT STABILIZATION BOARD

EVICTION / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Tuesday, July 8, 2025 – 6:00 p.m.

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

AGENDA

1. Roll call

2. Land Acknowledgment Statement: The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.

3. Approval of the Agenda

4. Approval of the Minutes of the May 13, 2025 meeting

5. Public Comment

6. Discussion and possible action regarding recent eviction data

7. Discussion and possible action regarding Ellis Eviction Report

8. Confirm next meeting date

9. Adjournment

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

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

Rent Stabilization Board

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

Tuesday, June 24, 2025 – 5:30 p.m.
Rent Stabilization Board Conference Room A – 2000 Center Street, Suite 400, Berkeley, CA

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.
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To join by phone: Dial 1-669-900-6833 and enter Webinar ID: 874 0320 3721 and Passcode: 063635. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

To submit an email comment for the Committee's consideration and inclusion in the public record, email mbrown@berkeleyca.gov with the Subject line in this format: "PUBLIC COMMENT ITEM FOR LIRA 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 **3:30 p.m.** on the day of the Committee meeting in order to be included.

Please be mindful that this will be a public meeting and all rules of procedure and decorum apply for both in-person attendees and those participating by teleconference or videoconference.

This meeting will be conducted in accordance with Government Code Section 54953 and all current state and local requirements allowing public participation in meetings of legislative bodies. Any member of the public may attend this meeting at the posted location(s). Questions regarding this matter may be addressed to DéSeana Williams, Executive Director of the Rent Board, at 510-981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.

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Rent Stabilization Board

RENT STABILIZATION BOARD
LEGISLATION, IRA / AGA & REGISTRATION COMMITTEE MEETING
Tuesday, June 24, 2025 – 5:30 p.m.
Rent Stabilization Board Conference Room A – 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 in1878 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 May 8, 2025 meeting – See attached

5. Public Comment

6. Discussion and possible action regarding adopting amendments to Regulation 411 [Property Management Company; definition] – See attached

7. Discussion and possible action regarding adopting Regulation 412 [Definition of Occupied Rental Unit under B.M.C. section 13.76.135] – See attached

8. Discussion and possible action regarding adopting amendments to Regulation 1209 [Parties] – See attached

9. Discussion and possible action regarding adopting amendments to Regulation 1312 [Filing Notices and Complaints with Rent Board] – See attached

10. Discussion regarding requiring that landlords provide information about rental assistance funding on the notice to quit when initiating non-payment evictions

11. Discussion and possible action regarding future agenda items
    - ➔ Adoption of standardized percentages for Decrease in Services petitions
    - ➔ Availability of vacancy information on the rent registry

12. Confirm next meeting date

13. Adjournment

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

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

Rent Stabilization Board

RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING

Monday, July 14, 2025 – 6:30 p.m.
Rent Stabilization Board Conference Room A – 2000 Center Street, 4th floor, Berkeley, CA

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.
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To join by phone: Dial 1-669-900-6833 and enter Webinar ID: 829 1732 5022 and Passcode: 338627. 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.

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Rent Stabilization Board

RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING
Monday, July 14, 2025 – 6:30 p.m.
Rent Stabilization Board Conference Room A – 2000 Center Street, 4th floor, Berkeley, CA

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 June 9, 2025 Meeting Minutes (2 min.)

5. Public Comment (5 min.)

6. Rent Board Outreach Staff Report (20 min.)

7. General Measure BB Outreach/Informational Sheet for Commissioners to Circulate to Public (10 min.)

8. Landlord Brown bag Informational Session (10 min.)

9. Next Meeting Date (2 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