



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.

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/87403203721?pwd=RBujnboKmxHoHeWFdxlnzIz3n3u5lZ.1>. If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself to be anonymous. To request to speak, use the "Raise Hand" icon by rolling over the bottom of the screen.

To join by phone: Dial 1-669-900-6833 and enter Webinar ID: 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.



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
LEGISLATION, IRA / AGA & REGISTRATION COMMITTEE MEETING

Tuesday, June 24, 2025 – 5:30 p.m.

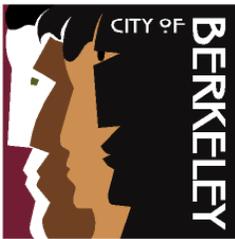
Rent Stabilization Board Conference Room A – 2000 Center Street, Suite 400, Berkeley, CA

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 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 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

LEGISLATION, IRA / AGA & REGISTRATION COMMITTEE MEETING

Thursday, May 8, 2025 – 5:30 p.m.

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

Minutes – Unapproved

1. Roll call: General Counsel Brown opened the meeting at 5:42 pm.
Members Present: All.
Staff Present: M. Brown, D. Williams, O. Ehlinger
2. Land Acknowledgment Statement: The recording of the Land Acknowledgment Statement was played.
3. Approval of the agenda: Motion to approve the agenda. Carried: 4-0-0-0
4. Election of Committee Chair: Alpert elected Committee Chair. 4-0-0-0
5. Public Comment: One member of the public offered comment.
6. Discussion and possible action regarding registration requirements for Section 8 Units: The Committee discussed the item and requested that staff communicate with Krista Gulbransen of the Berkeley Property Owners Association. No formal action taken.
7. Discussion and possible action regarding how change from property management to owner management may affect Tenant Associations under B.M.C. Section 13.76.135: The Committee discussed this item and directed staff to propose updates to Regulation 411 at the next meeting. No formal action taken.
8. Discussion and possible action regarding building-wide petitions: The Committee discussed this item and directed staff to present proposed language to the next meeting. No formal action taken.
9. Discussion and possible action regarding adopting regulations related to Right to Organize when there are tenant employees on the property: The Committee discussed this item and directed staff to present proposed language at the next meeting. No formal action taken.
10. Discussion and possible action regarding future agenda items. The Committee discussed possible future agenda items. No formal action taken.
11. Confirm next meeting date: The Committee agreed to meet on June 12, 2025 at 5:30 pm.
12. Adjournment: Motion to Adjourn. Carried: 4-0-0-0. Meeting adjourned at 6:40 p.m.

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

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

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 request 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.

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 relatives of an owner, or units occupied rent-free shall not be occupied rental units under Berkeley Municipal Code section 13.76.135.A.

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.

1312. Filing of Notices and Complaints with Rent Board

(A) Pursuant to Ordinance section 13(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 13**B.(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 13**D.(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]