

**RENT STABILIZATION BOARD**  
**Regular Meeting**  
**Thursday, March 20, 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/81859169507?pwd=6Zd7ZwHyCHIEvck2cZeZcc1aeIKN5d.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: 818 5916 9507 and Passcode: 746646. 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](mailto: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:**

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**RENT STABILIZATION BOARD**  
**Regular Meeting**  
**Thursday, March 20, 2025**  
**7:00 p.m.**  
**School District Board Room – 1231 Addison Street, Berkeley, CA**

<b>AGENDA</b>
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\*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. **CONSENT ITEMS** – 1 min.\*
  - a. Approval of the February 20<sup>th</sup> regular meeting minutes
  - b. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Executive Director/Registration Unit Manager)

**Ministerial Waivers**

Property Address

1914 Haste St  
1329 Shattuck Ave

1411 Berkeley Way  
1537 Bonita St  
1685 Arch St  
2335 10th St  
2455 Bonar St  
2615 Telegraph Ave #202  
2018 9th St #B  
2412 Acton St  
1642 Ashby Ave  
1239 Haskell St  
2113 Delaware St #A  
337 Panoramic Way

**Discretionary Waivers**

<u>Waiver No.</u>	<u>Property Address</u>
W5140	2020 Berkeley Way
W5145	2 Panoramic Way #102
W5146	2137 Ashby Ave

**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.\*
- b. Presentation on the Fiscal Year (FY) 2025-2026 Registration Fee (Finance Director Shamika Cole)
  - (1) Recommendation to adopt Resolution 25-03 setting the FY 2025-2026 annual registration fee for fully-covered units (due July 1, 2025) at \$344 per unit (Budget & Personnel Committee and Executive Director) – 20 min.\*
- c. Recommendation to adopt Resolution 25-04 setting the FY 2025-2026 annual registration fee for partially-covered Measure MM units (due July 1, 2025) at \$212 per unit (Budget & Personnel Committee and Executive Director) – 15 min.\*
- d. Recommendation to adopt Resolution 25-05 setting the Summer Rental Period registration fee for fraternities and sororities for FY 2025-2026 (due July 1, 2025) at \$96 per unit (Budget & Personnel Committee and Executive Director) – 10 min.\*

- e. Discussion and possible action regarding whether to adopt Resolution 25-06 authorizing the pass-through of a portion of the FY 2025-2026 registration fee for fully-controlled rental units to certain tenants (Budget & Personnel Committee and Executive Director) – 15 min.\*
- f. Recommendation to adopt Resolution 25-07 amending the Rent Board Staffing Model (Executive Director) – 10 min.\*
- g. Recommendation to adopt Resolution 25-08 establishing the Rent Board Travel Policy (Executive Director) – 5 min.\*
- h. Recommendation to adopt Resolution 25-09 clarifying that landlords who had rental units come under coverage of the Rent Ordinance due to the Berkeley voters' adoption of Measure BB shall not be prohibited from raising rents due to Rent Board registration fees not being paid prior to July 1, 2025 (Executive Director/General Counsel) – 10 min.\*
- i. Recommendation to adopt Resolution 25-10 approving amendments to the existing employment agreement with General Counsel Matt Brown (Chair Alpert & Vice-Chair Walker) – 5 min.\*

## **8. 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. Annual Form 700 Statement of Economic Interests filing deadline is April 1, 2025 (Board Secretary)
- b. Deadline to submit agenda items/topics for the April regular Rent Board meeting: **Monday, April 7<sup>th</sup> by 5:00 p.m.** (Board Secretary)

## **9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS**

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

March 11<sup>th</sup> agenda

- b. Climate Resilience & Habitability Committee (Chair TBA) – 5 min.\*  
Next regularly-scheduled meeting date: TBA
- c. Eviction/Section 8/Foreclosure Committee (Chair TBA) – 5 min.\*  
Next regularly-scheduled meeting: TBA
- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair) – 5 min.\*

Next regularly-scheduled meeting: TBA

March 6<sup>th</sup> agenda

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

March 3<sup>rd</sup> agenda

- g. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board – 5 min.\* (Chair and Co-Chair TBA)  
Next regularly-scheduled meeting: TBA
- h. Updates and Announcements – 5 min.\*
- i. Discussion of items for possible placement on future agenda – 5 min.\*

## 10. Adjournment

COMMUNICATIONS DISCLAIMER:

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



**RENT STABILIZATION BOARD**  
**Regular Meeting**  
**Thursday, February 20, 2025 – 6:30 p.m.**  
**School District Board Room – 1231 Addison Street, Berkeley, CA**

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# RENT STABILIZATION BOARD

## Regular Meeting

Thursday, February 20, 2025

6:30 p.m.

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

### Minutes - Unapproved

1. **Roll call** – Chair Alpert called the meeting to order at 6:35 p.m.  
Aimee Mueller called roll.  
Commissioners present: Elgstrand, Kelley, Marrero, Martinac (arrived at 7:06 p.m.), Mizell, Twu, Walker, Alpert  
Commissioners absent: Johnson  
Staff present: Brown, Kim, Lecky, Mueller, Oliver, Williams
2. **Approval of Agenda** – M/S/C (Twu/Elgstrand) APPROVE THE AGENDA AS WRITTEN WITH ONE EXCEPTION: MOVE WAIVER W5140 FROM CONSENT TO ACTION. Roll call vote. YES: Alpert, Elgstrand, Kelley, Marrero, Mizell, Twu, Walker; NO: None; ABSTAIN: None; ABSENT: Johnson, Martinac. Carried: 7-0-0-2.
3. **Closed Session:** Pursuant to California Government Code Section 54956.9(a), the Board will convene in closed session for an update on litigation:

*ALAN WOFYSY & ASSOCIATES, a California corporation (dba Hearst Commons), on behalf of itself and all others similarly situated VS. BERKELEY RENT STABILIZATION BOARD (Alameda County Superior Court Case No. 23CV043503)*

FOLLOWING THE BOARD'S RETURN FROM CLOSED SESSION, THE CHAIR ANNOUNCED THAT THE BOARD TOOK NO REPORTABLE ACTION.

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

The Land Acknowledgment Statement was played aloud.

5. **Public Comment**: There were no speakers.
6. **Public Comment for Unions representing Rent Board staff**: There were no speakers.
7. **CONSENT ITEMS**

*Discretionary Waiver W5140 was moved to Action by an earlier vote of the Board.*

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

**Ministerial Waivers**

Property Address

2435 Jefferson Ave  
1730 Parker St  
914 Delaware St  
2727 Stuart St  
775 Colusa Ave  
1518 Harmon St  
2632 Warring St #8  
1788 Sonoma Ave  
1205 Bancroft Way  
1849 Arch St #B  
2555 Sacramento St  
716 Cragmont Ave  
2626 Hillegass St #A  
2910 California St

**Discretionary Waivers**

Waiver No.    Property Address

W5140	2020 Berkeley Way
W5141	2828 College Ave
W5142	1685 San Lorenzo Ave
W5143	1025 Heinz Ave
W5144	1545 Dwight Way

M/S/C (Twu/Kelley) APPROVE ALL CONSENT ITEMS AS WRITTEN WITH THE EXCEPTION OF WAIVER W5140 WHICH WAS MOVED TO ACTION BY A PRIOR VOTE OF THE BOARD. Voice vote. Carried: 8-0-0-1.

8. **APPEAL – Case No. T-6020 (Compliance Decision) / T-6086 (2410 Stuart St., Unit D)**

Parties present:

Eugene Hightower, Appellant

Matt Hastings, on behalf of Respondent

M/S/C (Marrero/Mizell) MOTION TO UPHOLD THE HEARING EXAMINER'S DECISION. Roll call vote. YES: Elgstrand, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 8-0-0-1.

9. **APPEAL – Case No. T-6079 (2810 Derby Street, Unit A)**

Parties present:

Ilene Lee, Appellant

Andrew Mittler, on behalf of Respondent

M/S/C (Mizell/Kelley) MOTION TO UPHOLD THE HEARING EXAMINER'S DECISION WITH THE EXCEPTION OF THE LAUNDRY ISSUE WHICH SHOULD INCREASE FROM FOUR PERCENT TO SIX PERCENT FOR THE PERIOD IT WAS FOUND TO BE DEFICIENT. Roll call vote. YES: Elgstrand, Kelley, Marrero, Martinac, Mizell, Twu, Walker; NO: Alpert; ABSTAIN: None; ABSENT: Johnson. Carried: 7-1-0-1.

10. **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: There were no speakers.**

***Discretionary Waiver W5140 was moved to Action by an earlier vote of the Board.***

Discretionary Waiver W5140: M/S/C (Alpert/Marrero) CONTINUE DISCRETIONARY WAIVER W5140 TO THE MARCH BOARD MEETING. Voice vote. Carried: 8-0-0-1.

- a. Chair Update (Chair Alpert) – Chair Alpert announced that the annual Local Progress Convention will be held in Chicago this year. Registration is open now.
- b. Recommendation to adopt Resolution 25-01 Affirming the Rent Stabilization Board's Support for and Compliance with the City of Berkeley's Sanctuary Policies (Chair Alpert & Commissioner Marrero)

M/S/C (Alpert/Walker) ADOPT RESOLUTION 25-01 AS WRITTEN. Roll call vote. YES: Elgstrand, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: Johnson. Carried: 8-0-0-1.

- c. Recommendation to adopt Resolution 25-02 authorizing the Executive Director to execute a contract amendment with Goldfarb & Lipman LLP in an amount not to exceed \$275,000 (General Counsel)

M/S/C (Kelley/Mizell) MOTION TO APPROVE REVISED RESOLUTION 25-20 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT AMENDMENT WITH GOLDFARB & LIPMAN LLP IN AN AMOUNT NOT TO EXCEED \$325,000 WHICH IS AN INCREASE OF \$250,000 INSTEAD OF THE ORIGINALLY PROPOSED \$200,000. Voice vote. YES: Elgstrand, Kelley, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: Marrero; ABSENT: Johnson. Carried: 7-0-1-1.

## **11. 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 bulletin and postcards mailed to Berkeley property owners and tenants (Executive Director) – Commissioners commended the Executive Director for enhanced Measure BB outreach.
- b. Deadline to submit agenda items/topics for the March regular Rent Board meeting: **Monday, March 10<sup>th</sup> by 5:00 p.m.** (Board Secretary)

## **12. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS**

- a. Budget & Personnel Committee (Commissioner Walker, Chair) – Committee Chair Walker said the Committee met on February 18<sup>th</sup> and heard a report on the mid-year budget and staffing model modification, as well as a presentation on the registration fee for fully-covered Measure MM units. She said the Committee's next meeting is March 11<sup>th</sup> at 5:30 p.m.  
Next regularly-scheduled meeting: Tuesday, March 11<sup>th</sup> at 5:30 p.m.

March 11<sup>th</sup> agenda

- b. Climate Resilience & Habitability Committee (Chair TBA)  
Next regularly-scheduled meeting date: TBA
- c. Eviction/Section 8/Foreclosure Committee (Chair TBA) Next regularly-scheduled meeting: TBA
- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair TBA)  
Next regularly-scheduled meeting: TBA

- e. Outreach Committee (Commissioner Kelley, Chair) – Committee Chair Kelley thanked Carla Orozco for her efforts and emphasized the importance of ongoing Measure BB outreach to keep the public updated.  
Next regularly-scheduled meeting: Monday, March 10<sup>th</sup> at 6:30 p.m.

March 10<sup>th</sup> agenda

- f. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Co-Chair TBA) – Committee Chair Marrero said the Committee met on March 3<sup>rd</sup>.  
Next meeting date: Monday, March 3<sup>rd</sup> at 5:00 p.m.
- g. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board (Chair and Co-Chair TBA) – Chair Alpert asked Committee members to send him proposed agenda items. He has several discussion items for the next agenda including rental assistance funding, addressing eviction issues that may result from the federal government’s recent actions, and preparing for the possibility of reduced funding for Section 8 and the City’s Amnesty Program and ensuring it doesn’t impact rent control statuses.  
Next regularly-scheduled meeting: TBA
- h. Updates and Announcements – Commissioner Twu announced that the state legislative session is underway. Commissioner Marrero announced that she’s been working with the Education Law Center related to the executive orders that President Trump has been putting forward. She will send the slide show to the Board Secretary to forward to the Board.
- i. Discussion of items for possible placement on future agenda – Commissioner Kelley requested a staff briefing of the Hearing Examiner process.

**13. CLOSED SESSION:** Pursuant to California Government Code Section 54957(b)(1), the Board will convene in closed session for a Public Employee contract discussion:

Title: General Counsel

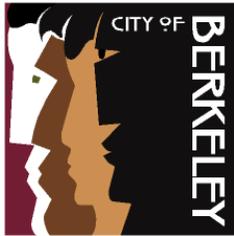
FOLLOWING THE BOARD’S RETURN FROM CLOSED SESSION, THE CHAIR ANNOUNCED THAT THE BOARD VOTED TO DIRECT AN ADJUSTMENT TO THE GENERAL COUNSEL’S SALARY.

**14. ADJOURNMENT**

M/S/C (Marrero/Mizell) ADJOURN THE MEETING. Voice vote. Carried: 8-0-0-1.

The meeting adjourned at 10:57 p.m.

Public



Rent Stabilization Board

## RENT STABILIZATION BOARD

DATE: March 20, 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.

2000 Center Street, Suite 400, Berkeley, California 94704

TEL: (510) 981-7368 (981-RENT) • TDD: (510) 981-6903 • FAX: (510) 809-3921

E-MAIL: [rent@cityofberkeley.info](mailto:rent@cityofberkeley.info) • INTERNET: [www.cityofberkeley.info/rent](http://www.cityofberkeley.info/rent)

## Waiver Recommendations

March 20, 2025

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Waiver	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
	1914 Haste St	David Mayeri	\$3,440.00	\$3,440.00	\$0.00
	1329 Shattuck Ave	David Mayeri	\$2,752.00	\$2,752.00	\$0.00
	1411 Berkeley way	Adel Ali	\$424.00	\$424.00	\$0.00
	1537 Bonita St	Susan R. Downs	\$390.00	\$312.00	\$78.00
	1685 Arch St	Bryan Smith	\$481.60	\$481.60	\$0.00
	2335 10th St	Maria R. Winston	\$424.00	\$424.00	\$0.00
	2455 Bonar St	Maria Chen	\$5,504.00	\$4,403.20	\$1,100.80
	2615 Telegraph Ave #202	Samson Hsia	\$424.00	\$424.00	\$0.00
	2018 9th St #B	Chuk Leung	\$424.00	\$424.00	\$0.00
	2412 Acton St	John Mahony	\$424.00	\$424.00	\$0.00
	1642 Ashby Ave	Mona Dwivedi	\$424.00	\$424.00	\$0.00
	1239 Haskell St	Richard & Kamillah Brown	\$3,116.00	\$3,116.00	\$0.00
	2113 Delaware St #A	Susanti Martin	\$424.00	\$424.00	\$0.00
	337 Panoramic Way	Diamond Kassam	\$424.00	\$424.00	\$0.00

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## Waiver Recommendations

March 20, 2025

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<b>TOTAL</b>			<b>\$19,075.60</b>	<b>\$17,896.80</b>	<b>\$1,178.80</b>
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**Financial Impact: Ministerial Waivers**

Approval of Executive Director's recommendations will decrease the Board's current accounts receivable by **\$17,896.80**.

**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.

<b>Waiver</b>	<b>Property Address</b>	<b>Owner</b>	<b>Penalty Assessed</b>	<b>Penalty Waived</b>	<b>Penalty Imposed</b>
W5140	2020 Berkeley Way	Bridge Berkeley Way Lp	\$22,098.00	\$11,049.00	\$11,049.00
W5145	2 Panoramic Way #102	Jeetendra Jangle	\$424.00	\$424.00	\$0.00
W5146	2137 Ashby Ave	Gerald & Kathleen Turney	\$746.00	\$373.00	\$373.00
<b>TOTAL</b>			<b>\$23,268.00</b>	<b>\$11,846.00</b>	<b>\$11,422.00</b>

**Financial Impact: Discretionary Waivers**

Approval of Executive Director's recommendations will decrease the Board's current accounts receivable by **\$11,846.00**.

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**Waiver Recommendations**

**March 20, 2025**

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**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

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March Waivers  
Ministerial

Address	Details
1914 Haste St	This property consists of five rented units. The owner has owned this property since 1979. The owner stated that throughout their extensive ownership period, they have consistently met their financial obligations, notably never once failing to pay the annual registration fees on time. They fully acknowledge their responsibility to pay these fees. However, they did not receive any notice regarding their delinquent account, nor did they receive the initial invoices for the property in 2024. While they understand the requirement to pay the base fee, they are contesting the imposed 100% penalty. They believe the penalties to be excessively punitive and disproportionate to any administrative burden caused by the delay. They believe that penalties should serve as a means of encouraging timely payments, not as a tool for excessive financial punishment. Therefore, they respectfully request a waiver for the penalties assessed. 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.
1329 Shattuck Ave	This property consists of four rented units. The owner has owned this property since 2013. The owner stated they have consistently met their financial obligations, notably never once failing to pay the annual registration fees on time. They fully acknowledge their responsibility to pay these fees. However, they claim they did not receive the initial invoice to pay the registration fees. They received a delinquency notice dated January 6, 2025, and another notice was received January 15, 2025. 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.
1411 Berkeley way	This property is a rented single-family home. The owner has owned this property since 2015. The owner stated that they did not receive the initial invoice for the registration fee. The bill they received was in January 2025. 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.
1537 Bonita St	This property is a rented single-family home. The owner has owned this property since 1987. The property manager explained that a recent office relocation and subsequent USPS mail forwarding delays caused late responses and payments. They have stated their commitment to ensuring timely payments going forward. This is the second late payment on the property account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
1685 Arch St	This property consists of four units with two rented and two exempt. The owner has owned this property since 2022. The owner reported that a check mailed to the former Rent Board address was not received, and a subsequent certified check arrived one week late. 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.
2335 10th St	This property is a rented single-family home. The owner has owned this property since 2014. The owner stated they did not receive an invoice until January 2025, when penalties were already assessed. 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.

Public

2455 Bonar St	This property consists of eight rented units. The owner has owned this property since 2019. The owner reports that the property has been under professional management since 2019, and registration fees have been consistently paid on time. In 2023, a new property manager was appointed, who paid the 2023/2024 registration fee in September 2023. Upon reviewing the general ledger provided by this new property manager, the owner discovered that the 2024/2025 registration fee was not paid before the deadline. This missed payment was attributed to the property manager's oversight. The owner was unaware of this oversight, and the delay was neither intentional nor a case of non-compliance. Effective January 2025, the property is now managed by a different property management company. This is the second late payment on the property account. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per regulation 884 C.
2615 Telegraph Ave #202	This property is a rented condo. The owner has owned this property since 1998. The owner stated they do not recall receiving the 2024/2025 registration fee invoice and did not receive a delinquent notice until January 2025. 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.
2018 9th St #B	This property is a rented condo. The owner has owned this property since 2005. The owner reported that the property was removed from the rental market in April 2024 and was placed on sale the same year. The property will remain off the rental market until it is sold. 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.
2412 Acton St	This property is a rented single-family home. The owner has owned this property since 2024. The owner stated they received an invoice in January 2025 and this is the first time being aware of the registration fee being due. The owner claims if they had received the initial invoice for the 2024/2025 registration fee, they would have paid on time. 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 883 I.1.
1642 Ashby Ave	This property consists of two units with one rented and the other exempt. The owner has owned this property since 2018. The owner stated this is the first time receiving an invoice. They believe the initial invoice was sent to an incorrect address. 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.
1239 Haskell St	This property consists of two rented units. The owner has owned this property since 2018. The property manager is requesting a waiver of the penalties because they believe the delay was caused entirely by the Rent Board's processing backlog, and not their lack of effort. Over a five-month period, they persistently attempted to register, contacting the Rent Board numerous times via email and phone. They consistently provided the required documentation, yet faced lengthy response times and was repeatedly told to be patient due to the high volume of requests. Despite their diligent efforts, they were unable to complete the registration within the deadline. The manager acted in good faith throughout this process, and believe the delays were completely beyond their control. The processing of rent registry corrections took longer than expected due to the busy registration season. The account 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.

2113 Delaware St #A	This property is a rented condo. The owner has owned this property since 2010. The owner states that in May 2024, they received a notice from the Rent Board to register their unit and pay the outstanding 2024-2025 registration fee. This notice included fees and penalties for the previous year. In June 2024, the owner created an online account to register and pay the outstanding balance. They assumed they had paid the 2024-2025 registration fee, but were later informed that the payment was applied to the previous registration year. They have since paid the correct registration fee and are requesting a refund of the penalties. 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.
337 Panoramic Way	This property is a rented single-family home. The owner has owned this property since 1982. The owner states they were unaware of the registration requirement, attributing this to a misunderstanding that their property was exempt from rent control. 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.

**Discretionary**

Address	Details
2020 Berkeley Way*	Bridge Housing Corporation, developer and manager of the property at 2020 Berkeley Way, respectfully requests a reassessment of the penalties imposed by the Rent Board. Despite diligent efforts to register the property, including multiple inquiries and submission of required forms, significant delays occurred due to the Rent Board's system issues. The property was not officially registered until April 2024, and Bridge Housing Corporation received no prior bills or notifications. Given these circumstances, they request a waiver of all penalties. Records indicate that the property commenced unit rentals in 2022. The property manager did not contact the Rent Board until 2023. Had they contacted the Rent Board earlier, the assessed penalties could have been avoided. Following the February Board meeting, the property manager provided a regulatory agreement, confirming the units are affordable housing and subject to the reduced \$53 per unit registration fee. The account has been credited for the difference in registration fees, and penalties have been adjusted accordingly. Staff recommends a 50% waiver of the penalties.
2 Panoramic Way #102	The owner stated they experienced 14 months of unemployment spanning 2023 and 2024. The owner faced considerable financial distress after the death of their father last year, citing substantial medical bills and loan obligations. Consequently, they were unable to remit the registration fee. Furthermore, the property incurred additional problems that contributed to their financial difficulties. Due to the owner's father's passing and the resulting financial hardship, staff recommends a full waiver of penalties.

2137 Ashby Ave	The owner stated that following extensive renovations, which rendered the property uninhabitable for over two years, the 2024/2025 registration fee was paid late, subsequent to clarifying its applicability with Rent Board staff. These comprehensive upgrades, including a new foundation, sewer, roof, and central heating, were undertaken to modernize the property. Given the property's uninhabitable state during this period, Rent Board staff initially indicated that no registration fee was due. Now, with the renovations complete and the property rented, the owners respectfully request a waiver of the penalties. The owners cite the initial guidance from Rent Board staff, along with the challenges of navigating complex regulations and contracting during the extensive renovation, compounded by health issues including COVID-19, as the reasons for the delayed payment. Property owners are responsible for familiarizing themselves with the rent ordinance's registration requirements. Therefore, staff recommends a 50% waiver.
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**City Of Berkeley  
Rent Stabilization Board**

**Recommendation on Requested Waiver of Registration Penalties**

<b>Waiver No: W5140</b>	<b>Property address: 2020 BERKELEY WAY, BERKELEY, CA 94704</b>	<b>Transferred: 07/07/2020</b>
<b>Exempt units (as of February 2021): Unit # 614 - MGTU -</b>		
<b>Owner(s): Bridge Berkeley Way LP Bridge Berkeley Way LP</b>	<b>Waiver filed by: PROPERTY OWNER</b>	<b># of Units: 88</b>
<b>Other Berkeley rental property owned: None</b>		
<b>Late payment/penalty history: 2022/2023, 2023/2024 and 2024/2025 registration year</b>		

<b>Registration Date or Year</b>	<b>Units Requiring Registration at That</b>	<b>Registration Fees Paid</b>	<b>Date Fees Paid</b>	<b>Penalties Charged</b>	<b>Penalties Forgiven</b>	<b>Penalties Paid</b>
FY2024-25	87	\$18,444.00	01/23/2025	\$36,888.00	\$0.00	\$0.00
FY2023-24	87	\$15,359.00	01/23/2025	\$30,718.00	\$0.00	\$0.00
FY2022-23	87	\$15,130.00	01/23/2025	\$30,260.00	\$0.00	\$0.00
<b>Totals (penalties previously assessed)</b>				\$97,866.00	\$0.00	\$97,866.00

**Penalties Currently Under Consideration**

<b>Reason for Penalties: LATE PAYMENT OF REGISTRATION FEES</b>						
<b>Registration Date or Year</b>	<b>Unit(s) Registered Late At This Time</b>	<b>Registration Fees Paid</b>	<b>Date Fees Paid</b>	<b>Penalties Charged</b>	<b>Penalties Forgiven</b>	<b>Penalties Due</b>
FY2024-25	87	\$18,444.00	01/23/2025	\$36,888.00	\$0.00	\$36,888.00
FY2023-24	87	\$15,359.00	01/23/2025	\$30,718.00	\$0.00	\$30,718.00
FY2022-23	87	\$15,130.00	01/23/2025	\$30,260.00	\$0.00	\$30,260.00
<b>Total</b>				\$97,866.00	\$0.00	\$97,866.00

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

**Good cause claimed by owner:** Bridge Housing Corporation, developer and manager of the property at 2020 Berkeley Way, respectfully requests a reassessment of the penalties imposed by the Rent Board.

Despite diligent efforts to register the property, including multiple inquiries and submission of required forms, significant delays occurred due to the Rent Board's system issues. The property was not officially registered until April 2024, and Bridge Housing Corporation received no prior bills or notifications. Given these circumstances, they request a waiver of all penalties.

**Recommendation:** Staff recommends waiving 50% of the penalties.

**Staff Analysis:** Records indicate that the property commenced unit rentals in 2022. The property manager did not contact the Rent Board until 2023. Had they contacted us earlier, the assessed penalties could have been avoided. Therefore, staff recommends a 50% waiver of the penalties.

**City Of Berkeley  
Rent Stabilization Board**

**Recommendation on Requested Waiver of Registration Penalties**

<b>Waiver No: W5145</b>	<b>Property address: 2 PANORAMIC WAY #102, BERKELEY, CA 94704</b>	<b>Transferred: 03/06/2018</b>
<b>Exempt units (as of February 2021):</b> None		
<b>Owner(s): JEETENDRA JANGLE</b>	<b>Waiver filed by: PROPERTY OWNER</b>	<b># of Units: 1</b>
<b>Other Berkeley rental property owned: None</b>		
<b>Late payment/penalty history: 2024/2025 Registration Fee</b>		

Registration Date or Year	Units Requiring Registration at That	Registration Fees Paid	Date Fees Paid	Penalties Charged	Penalties Forgiven	Penalties Paid
FY2024-25	1	\$212.00	01/29/2025	\$424.00	\$0.00	\$0.00
<b>Totals (penalties previously assessed)</b>				\$424.00	\$0.00	\$424.00

**Penalties Currently Under Consideration**

<b>Reason for Penalties:</b> 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	1	\$212.00	01/29/2025	\$424.00	\$0.00	\$424.00
<b>Total</b>				\$424.00	\$0.00	\$424.00

**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 stated they experienced 14 months of unemployment spanning 2023 and 2024. The owner faced considerable financial distress after the death of their father last year, citing substantial medical bills and loan obligations. Consequently, they were unable to remit the registration fee. Furthermore, the property incurred additional problems that contributed to their financial difficulties.

**Recommendation:** Staff recommends waiving 100% of the penalties.

**Staff Analysis:** Due to the owner's father's passing and the resulting financial hardship, staff recommends a full waiver of penalties.

**City Of Berkeley  
Rent Stabilization Board**

**Recommendation on Requested Waiver of Registration Penalties**

<b>Waiver No: W5146</b>	<b>Property address: 2137 ASHBY AVE BERKELEY CA 94705</b>	<b>Transferred: 01/01/1900</b>
<b>Exempt units (as of February 2021):</b> None		
<b>Owner (s):</b> GERALD & KATHLEEN TURNEY	<b>Waiver filed by:</b> PROPERTY OWNER	<b># of Units:</b> 1
<b>Other Berkeley rental property owned:</b> None		
<b>Late payment/penalty history:</b> 2024/2025 Registration Fee & 2023/2024 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	1	\$212.00	10/15/2024	\$212.00	\$0.00	\$0.00
FY2023-24	1	\$178.00	10/15/2024	\$534.00	\$0.00	\$0.00
<b>Totals (penalties previously assessed)</b>				\$746.00	\$0.00	\$746.00

**Penalties Currently Under Consideration**

<b>Reason for Penalties:</b> 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	1	\$212.00	10/15/2024	\$212.00	\$0.00	\$212.00
FY2023-24	1	\$178.00	10/15/2024	\$534.00	\$0.00	\$534.00
<b>Total</b>				\$746.00	\$0.00	\$746.00

**Grounds under Regulation 884(B):** None

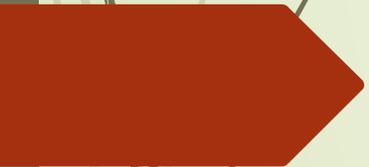
**Good cause claimed by owner:** The owner stated that following extensive renovations, which rendered the property uninhabitable for over two years, the 2024/2025 registration fee was paid late, subsequent to clarifying its applicability with Rent Board staff. These comprehensive upgrades, including a new foundation, sewer, roof, and central heating, were undertaken to modernize the property. Given the property's uninhabitable state during this period, Rent Board staff initially indicated that no registration fee was due. Now, with the renovations complete and the property rented, the owners respectfully request a waiver of the penalties. The owners cite the initial guidance from Rent Board staff, along with the challenges of navigating complex regulations and contracting during the extensive renovation,

compounded by health issues including COVID-19, as the reasons for the delayed payment.

**Recommendation:** Staff recommends waiving 50% of the penalties.

**Staff Analysis:** Property owners are responsible for familiarizing themselves with the rent ordinance's registration requirements. Therefore, staff recommends a 50% waiver.

# **FY 2026 Registration Fee Discussion**



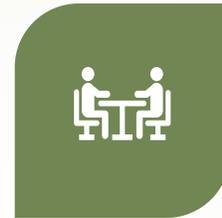
# Core Rent Board Services



PUBLIC INFO  
UNIT



LEGAL



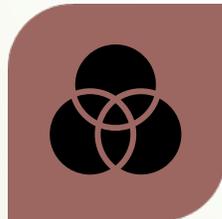
HEARINGS &  
MEDIATIONS



REGISTRATION



PLANNING



EXECUTIVE OFFICE



ADMINISTRATION



FINANCE



# FY 2025 Adopted Budget

Increase Registration Fee Levels

Maintain Reserve Level at 16%

Set aside for Unanticipated Expenses

Increase Staff Capacity

Technology Enhancements

# FY 2025 Fee Structure



- Fully-Covered Registration fee  
20,000 Units @ \$344 unit = \$6,880,000 Revenue
- Partially-Covered Measure MM fee  
5,300 Units @ \$212 unit = \$1,120,000 Revenue
- Affordable Housing Measure MM fee  
600 Units @ \$53 unit = \$31,800 Revenue
- Summer Fraternity & Sorority Rental fee  
601 Units @ \$96 unit = \$57,696 Revenue



# FY 2025 Budget

- ▶ Projected Expenditures = \$8,332,918
- ▶ Projected Revenues = \$8,293,575
- ▶ Projected FY 2025 Budget Deficit = (\$39,343)

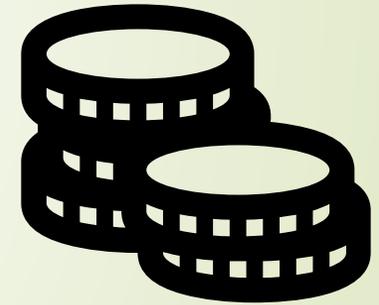


# FY 2025

## Mid Year Budget Update

### Revenue Collection

- Adopted FY25 Revenue = \$8,293,575
- Actual FY 25 Revenue = \$7,715,345
  - (As of 12/31/24)
- 93%



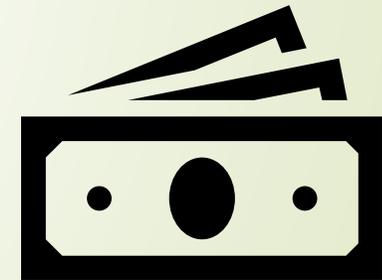


# FY 2025

## Mid Year Budget Update

### Expenditure Level

- Authorized Expenditures = \$8,332,918
- Actual Expenditures = \$4,356,950
  - (As of 12/31/24)
- 52%



# FY 26 Status Quo Expenditures

- **Salary and COLA increases**
- **Staffing Model Changes**
  - Principal Program Manager
  - Accounting Office Specialist II
- **Tenant Improvement Cost**
- **Rental/Property Expenses**



# Planned Recurring Expenditures

Expenditure	Projected Cost	Fully-Covered	Partially-Covered	Total Fully-Covered	Total Partially-Covered
<b>Recurring Expenditures</b>	<b>\$8,441,358</b>			<b>\$344 per unit</b>	<b>\$212 per unit</b>
<b>Tenant Improvements</b>	<b>\$12,000</b>	<b>+0.52</b>	<b>+0.28</b>	<b>\$344</b>	<b>\$212</b>
<b>Rental/Property Expenses</b>	<b>\$87,414</b>	<b>+3.76</b>	<b>+2.04</b>	<b>\$348</b>	<b>\$214</b>
<b>Salary Adjustments</b>	<b>\$216,000</b>	<b>+9.29</b>	<b>+4.67</b>	<b>\$353</b>	<b>\$219</b>
<b>Staffing Model Changes</b>	<b>\$125,908</b>	<b>+5.34</b>	<b>+2.90</b>	<b>\$367</b>	<b>\$227</b>

# Planning for FY 26 One-Time Costs

## ► Outside Legal Services



# Anticipated One Time Expenditure

Expenditure	Projected Cost	Fully-Covered	MM	Total Fully Covered	Total MM
<b>Recurring Expenditures</b>	<b>\$8,441,358</b>			<b>\$344 per unit</b>	<b>\$212 per unit</b>
<b>Outside Legal Services</b>	<b>\$200,000</b>	<b>+8.60</b>	<b>+4.67</b>	<b>\$376</b>	<b>\$232</b>
<b>Total Proposed Expenditures</b>	<b>\$8,641,358</b>	<b>+28</b>	<b>+15</b>		



# FY 2026 Baseline Revenue Requirements

- \$8,462,000 Registration Revenue Required to cover recurring expenditures
- \$344 Fully-Covered & \$212 Measure Fee is still required to cover baseline expenditures
- Approx. 19,500 fully-covered and 6,000 partially covered units
- Staff anticipates approx. 3,000 more units from Measure BB
- Additional revenue TBD

# FY 2026 Budget Outlook



- ▶ Projected Revenues = \$8,462,000
- ▶ Projected Expenditures = \$8,641,358
- ▶ Projected FY 2026 Budget Deficit = (\$179,358)



## Fee Range Using % of Annual Rent as a Guide

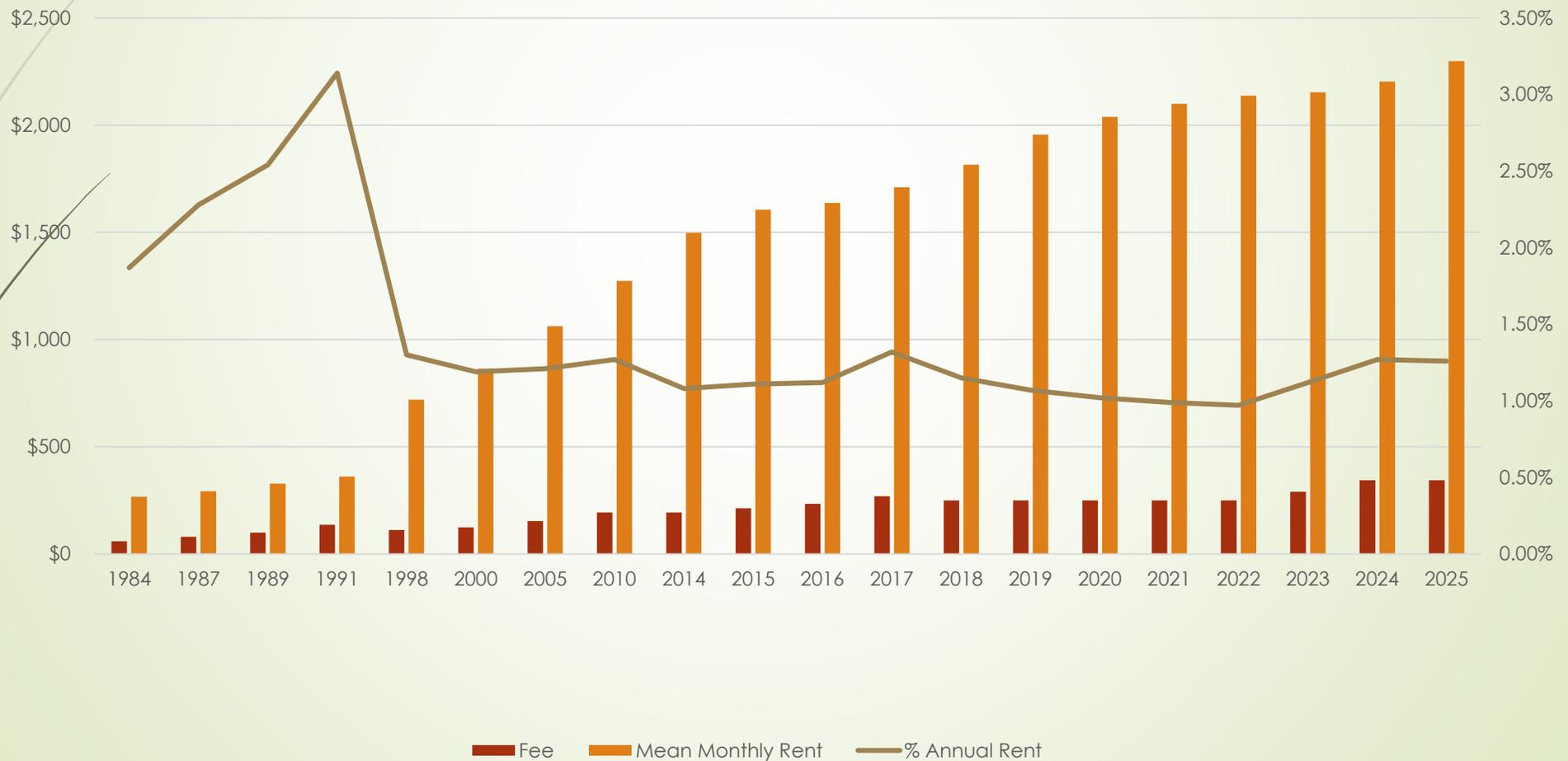
- 2,298 average (mean) 2024 rent per month for fully-covered units
- Reg. Fee in range of 0.97% and 1.32%\* since 1998
- Post Costa Hawkins – Base Reg. Fee in range of 0.97% to 1.27%
- Reached 1.32% with one-time \$20 fee for RTS (Base fee was 1.22% & one-time RTS fee 0.10%)
- 1.26% = current fee at \$344

# Registration Fee as Percentage of Annual Rental Since 1998 (Range of 0.97% to 1.32%)

Registration Year	Fully-Covered Unit Fee	Mean Monthly Rent (start of year)	% of Annual Rent
1998	\$112	\$720	1.30%
2000	\$124	\$865	1.19%
2005	\$154	\$1,062	1.21%
2010	\$194	\$1,274	1.27%
2014	\$194	\$1,498	1.08%
2015	\$213	\$1,606	1.11%
2016	\$234	\$1,637	1.12%
2017	\$270 (Incl. \$20 one-time Fee)	\$1,710	1.32%
2018	\$250	\$1,816	1.15%
2019	\$250	\$1,956	1.07%
2020	\$250	\$2,039	1.02%
2021	\$250	\$2,100	0.99%
2022	\$250	\$2,138	0.97%
2023	\$290	\$2,154	1.12%
2024	\$344	\$2,203	1.27%
2025	\$344	\$2,298	1.26%

# Registration Fee as Percentage of Annual Rental (Range of 0.97% to 1.32% since 1998)

Fee as % of Annual Avg. (Mean) Rent



# Measure MM or Partially Covered Units

- Average 2024 MM unit rent = \$3,567 would be .49% at \$212 per unit

- Measure MM units: approx. 13-14% of Revenue

Registration Year	Measure MM Unit Fee	Mean Monthly Rent	% of Annual Rent
2021	\$100	\$3,461	0.24%
2022	\$150	\$3,229	0.39%
2023	\$178	\$3,392	0.43%
2024	\$212	\$3,567	0.49%



# Budget & Personnel Committee Recommendation



Maintain Fully-Covered Registration Fee at \$344 for FY 2026



Maintain Partially-Covered Measure MM Fee at \$212 for FY 2026



Maintain Summer Rental Fee at \$96 per unit for FY 2026



Target 16% Reserve



# Board Action



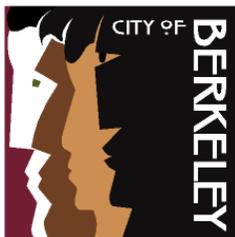
## March 20, 2025

- ▶ Board take action on setting fee levels for FY 2026

## April 4, 2025

- ▶ Adopted fees are implemented for the FY 2026 Registration period





Rent Stabilization Board  
Office of the Executive Director

DATE: March 20, 2025

TO: Honorable Members of the Rent Stabilization Board

FROM: Honorable Members of the Budget & Personnel Committee  
By: DéSeana Williams, Executive Director  
Shamika Cole, Finance Director

SUBJECT: Recommendation to set the Fiscal Year 2026 Annual Registration Fees

### **Recommendation**

That the Board adopts the following resolutions concerning the Fiscal Year (FY) 2026 annual registration fees:

**Proposed Resolution 25-03** – adopting the annual registration fee, due July 1, 2025, at \$344 per unit for fully-covered units. This fee is calculated based on the revenue necessary to cover recurring operational and capital expenses for the program's services to fully controlled rental units.

**Proposed Resolution 25-04** – adopting the annual registration fee, due July 1, 2025, at \$212 per unit for partially-covered Measure MM units. This fee is calculated based on the revenue necessary to cover the expenses associated with registering and providing services for Measure MM units.

**Proposed Resolution 25-05** – adopting a \$96 per unit annual registration fee, due July 1, 2025, for Summer Fraternity and Sorority units. This fee is calculated based on the revenue necessary to cover program expenses associated with registering and providing services for Summer Fraternity and Sorority Units.

The Budget & Personnel Committee reviewed this proposal at its meeting on March 11, 2025, and voted to send this proposal to the full Board.

### **Background and Need for Rent Stabilization Board Action**

On June 20, 2024, the Board adopted a staffing model and budget for Fiscal Year (FY) 2025, establishing a total expenditure level of \$8,332,918. As part of this process, the Board approved increases to the annual registration fees, setting the fully covered unit fee at \$344 per unit and the Measure MM unit fee at \$212 per unit. Additionally, the Board adjusted the reduced registration fee for Summer Fraternity and Sorority units to \$96 per unit and increased the Affordable Partially Covered Fee for non-profit-managed projects under the City of Berkeley's Housing Trust Fund program to \$53 per unit.

Before implementing the FY 2025 fee adjustments, the Board approved a fee increase in the previous fiscal year, raising the fully covered unit fee to \$290 per unit and the partially covered fee to \$178 per unit for FY 2024. Despite rising program costs, this marked the first fee increase since FY 2019.

Legally, the Board has until the end of June to adopt a line-item budget and expenditure authorization level for FY 2026. The Budget & Personnel Committee has met two (2) times thus far in calendar year 2025 to review various aspects of the agency's budget and staffing model and agree upon the appropriate recommendation for the FY 2026 registration fee levels. At their March 10, 2025 meeting, the Budget & Personnel Committee voted to recommend the Board maintain the fully-covered registration fee at \$344 per unit and the partially-covered Measure MM unit fee at \$212 per unit. The Committee also recommends that the Board maintain the Summer Fraternity and Sorority fee at \$96.

### **Fiscal Year 2024 Year-End Fund Balance**

The Board's year-end FY 2024 revenue was reported at \$7,361,448, and total expenditures were reported at \$6,790,832. The Revenue includes \$1,477,473 of FY 2024 registration payments that were paid early and credited to owners' accounts during FY 2023.

In summary, the Board spent \$715,628 less than anticipated by its adopted FY 2024 budget. This underspent amount was primarily due to personnel savings from several unanticipated vacancies. The Board's increased revenue also includes \$245,413, more than initially anticipated due to higher-than-expected revenue from the collection of registration penalties. This left the Board with a total year-end fund balance of \$1,515,441 (on an accrual basis) on June 30, 2024, which is the last day of the fiscal year.

The uncommitted reserve amounted to 17% of projected recurring expenditures, exceeding the Board's 16% reserve target. However, these figures are preliminary and have not yet been audited. The City of Berkeley engages an external auditor to review its financial statements, with the audit of the Board's FY 2024 financial statements expected to be completed during FY 2025.

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### **Fiscal Year 2025 Mid-Year Expenditures & Year End Projections**

The FY 2025 budget was structured to better align with projected expenditures while incorporating key operational improvements. This resulted in a more balanced financial plan, including the Board's approval of a \$500,000 allocation for unanticipated operational expenses. Additionally, the adopted budget upheld the Board's policy of maintaining an uncommitted reserve level of 16%.

In recent years, the Board's uncommitted reserve balance has exceeded expectations, primarily due to staff turnover and vacancies in budgeted positions. Under its current policy, the Board requires an uncommitted reserve sufficient to cover two months of expenditures or 16% of recurring costs. While the Board has, at times, reduced the reserve below 8% to minimize fee increases, it has consistently maintained at least a two-month (16%) reserve since FY 2018. This practice aligns with the [Government Finance Officers Association](#)'s recommendation of a minimum fund reserve of 16-17%.

In FY 2025, the Board approved an increase in the fee schedule to strengthen organizational capacity and address rising expenditures. The adopted fully covered fee was set at \$344 per unit, while the partially covered fee was established at \$212 per unit, and the Summer Fraternity and Sorority Fee was set at \$96. Based on these rates, the FY 2025 budget projected \$8,293,575 in total revenue.

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However, personnel expenditures have been lower than anticipated in the first half of the year due to vacancies in key positions, including a **Community Services Specialist I, Digital Education and Social Media Coordinator, Accounting Office Specialist II, Assistant Management Analyst**, and a **Community Services Specialist III**. Considering these personnel savings, staff project that total expenditures for FY 2025 will remain within the authorized budget.

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The current fiscal year presented legal expenses stemming from a class action lawsuit that required considerably more outside legal counsel assistance than initially anticipated.

In response to the lawsuit, Board legal staff anticipate the need for approximately \$275,000 to engage outside counsel. Given the complexity and unprecedented nature of this litigation, legal staff deem it essential to bring in external expertise. It is common and best practice—employed even by well-staffed municipal legal units—to engage outside counsel for cases requiring specialized legal acumen. For instance, the City Attorney's Office maintains a dedicated fund to retain outside counsel for matters beyond in-house capacity. As the litigation progresses, these legal costs are expected to extend into the next fiscal year.

### Targeting a 16% Reserve

In past years, the Board has elected to adopt annual budgets that authorize a high level of deficit spending that relies on reducing the Board's uncommitted reserve to avoid registration fee increases. In recent years, the Board has approved a reduction of the uncommitted reserve to a low level of 4%-6%, well below the Board's historical 8% to 16% reserve target. Last year, the Budget & Personnel Committee recommended targeting a 16% reserve level while also ensuring a budget allocation for unanticipated expenses and technology enhancements. Looking ahead to the FY 2026 fiscal year, Staff and the Budget & Personnel Committee anticipate the Board will start with over \$1,400,000 in uncommitted reserves, representing the targeted 16% level, which is considered best practice.

Effective financial stewardship and strategic legal engagement will be essential to ensuring the Board can continue fulfilling its mission.

A mid-year budget update attached to this report details actual expenditures by budget line item. Staff also included a comparison of the previous fiscal year-end projections, including personnel savings.

### Current Staffing Model

The agency's current staffing model has 30.0 Full-time Equivalent (FTE) career positions. There are currently four (5) vacancies. Staff is actively recruiting and anticipates filling these vacancies by the Fall of 2025. Other recent staff model changes include:

#### Public Information Unit

The Executive Director has prioritized initiatives to enhance the agency's efficiency, effectiveness, and overall performance. As a key component of this effort, the Public Information Unit (PIU) plays a vital role in supporting the agency's mission and delivering high-quality services to the public.

The PIU is now nearly fully staffed following the recent hiring of a Community Services Specialist I (CSS I) and a Community Development Program Coordinator (CDPC). Recruitment is currently underway for the Community Services Specialist III (CSS III) Manager position. The updated staffing structure for the unit is as follows:

- Community Development Program Coordinator (CDPC) – 1
- Community Services Specialist III (CSS III) – 1 (Manager) [Recruitment in Progress]
- Community Services Specialist II (CSS II) – 3 (Housing Counselors, SEIU 1021 CSU)
- Community Services Specialist I (CSS I) – 1 (Housing Counselor, SEIU 1021 CSU)

These staffing adjustments, including the addition of the CSS I and CDPC positions, align with the Rent Board's strategic goals to enhance service delivery and operational performance. The updated structure provides a more balanced team composition, strengthens the unit's capacity, and introduces an entry-level pathway for housing counseling roles, further improving public service outcomes.

### Office of the Executive Director

The Executive Director has operated without dedicated administrative support for the past two years. The Rent Board has recently filled the Administrative Staff Assistant position. This role provides critical support to the Executive Director by managing schedules, organizing meetings, handling correspondence, and coordinating logistics to track key project milestones. With this additional support, executive staff can better focus on strategic decision-making and programmatic priorities, ultimately improving overall efficiency.

### **Administration of the Empty Homes Tax Ordinance**

At the request of the City Council, the Board agreed to assist the City of Berkeley with the implementation and administration of the voter-adopted Empty Homes Tax (B.M.C. Chapter 7.54), which went into effect on January 1, 2024. The Council allocated a total of \$332,920 in Measure U1 funds to the Rent Board for its work on the Empty Homes Tax in FY 2025. These funds are being used to pay for staff to administer the Empty Homes Tax program in partnership with Berkeley's Finance Department.

Rent Board staff have created an Empty Homes Tax website, drafted forms and guidelines for the processing of exemptions, and implemented an outreach plan. All property owners with vacant units were given an April 1, 2025, deadline to submit exemption and vacancy exclusion claims for the 2024 tax year. Staff will provide the Finance Department with a list of tax-eligible properties early in the 2<sup>nd</sup> quarter of 2025.

Since funding for the Empty Homes Tax comes from the City's Measure U1 fund, Rent Board's staff work on the Empty Homes Tax program will have little impact on the Board's budget aside from a small amount of salary savings from employee salaries being partially paid from Empty Homes Tax funding. Staff anticipates requesting a similar level of funding to continue assisting the Empty Homes Tax Program's implementation and administration in FY 2026.

### **Recommended FY 2026 Fee Level**

As of December 31, 2024, the agency has collected \$7,715,345, with additional revenue anticipated before the fiscal year concludes.<sup>1</sup>

Following a comprehensive review of the agency's budget status and projected revenue needs for the upcoming fiscal year, Staff recognizes that our financial position remains stable, largely due to the intentional realignment of our budget development practices. Given this, staff recommends maintaining the current fee structure to sustain this stability and prevent a fee increase for a third

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<sup>1</sup> As will be discussed more fully in the budget report presented to the Board in June, even without increasing the fees for the upcoming fiscal year, Finance Staff believe that the proposed fee structure will generate more revenue for the agency given that there will be considerably more landlords that must pay fully-covered and/or Measure MM fees for their rental units, because the Berkeley voters adopted Measure BB on November 5, 2024. Measure BB removed a number of registration exemptions and requires that many more landlords pay registration fees. While compliance is always difficult to predict when it comes to billing a new demographic, Finance Staff anticipates that revenues will increase in the 2025-2026 fiscal year.

consecutive year. The Budget & Personnel Committee proposes the following fee levels for the next fiscal year:

- Fully Covered Fee: \$344 per unit
- Partially Covered Fee: \$212 per unit
- Summer Fraternity and Sorority Fee: \$96 per unit

To sustain this fee structure while accommodating increases in operational costs, Staff and the Budget & Personnel Committee further recommends that the Board maintain its 16% reserve level—an increase from the 8% reserve level maintained during the COVID-19 pandemic. This adjustment will ensure financial stability while maintaining the agency’s ability to provide essential services.

**Fully-Covered Registration Fee as Percentage of Average (Mean) Rent**

During recommendation discussions with the Budget and Personnel Committee, staff informed that the current fully covered fee at \$344, would result in just 1.26% of the current average rent in Berkeley.

The following table shows the fully covered registration fee as a percentage of the rent, which is the most relevant measure of the impact of the fee.

<b>Fully Covered Registration Fee as a percentage of rent</b>			
Year	Fee	Mean Monthly Rent	% Annual Rent
1984	\$60	\$267	1.87%
1987	\$80	\$293	2.28%
1989	\$100	\$328	2.54%
1991	\$136	\$361	3.14%
1998	\$112	\$720	1.30%
2000	\$124	\$865	1.19%
2005	\$154	\$1,062	1.21%
2010	\$194	\$1,274	1.27%
2014	\$194	\$1,498	1.08%
2015	\$213	\$1,606	1.11%
2016	\$234	\$1,637	1.12%
2017	\$270	\$1,710	1.32%
2018	\$250	\$1,816	1.15%
2019	\$250	\$1,956	1.07%
2020	\$250	\$2,039	1.02%
2021	\$250	\$2,100	0.99%
2022	\$250	\$2,138	0.97%
2023	\$290	\$2,154	1.12%
2024	\$344`	\$2,203	1.27%
2025*	\$344`	\$2,298	1.26%

\* A fully covered fee maintained at \$344 is necessary to cover existing recurring expenditures

The shaded area reflects a pre-vacancy decontrol program, while 1998 transitioned from full rent control to decontrol. Mean monthly rent is calculated from the preceding calendar year, meaning the 2024 registration fee compares the fee with the average (mean) monthly rent in 2023. The 2025 (mean) monthly rent data is the average (mean) monthly rent from January – December 2024.

Since 1998, the beginning of vacancy decontrol, the registration fees have primarily been in a range of 1%-1.32%, and the proposed fee, \$344 would fall well within the range of being historically proportionate to the average annual rent.

Moreover, maintaining the fee would still enable the Board to align its revenue with rising program costs while also ensuring compliance with the targeted 16% reserve level.

### **Conclusion**

Staff and the Budget & Personnel Committee recommend that the Board adopt resolutions to maintain the fee for fully covered units at \$344 and for partially covered units subject to Measure MM at \$212 per unit. The Committee also recommends that the Board maintain a \$96 fee for Summer Fraternity and Sorority.

### **Name and Telephone Number of Contact Person**

DéSeana Williams, Executive Director (510) 981-7368  
Shamika Cole, Finance Director (510) 981-7368

### **Attachments:**

1. FY 2024 Year-End and FY 2025 Mid-Year Budget Update Spreadsheet

Rent Stabilization Program FUND 801 FY 2024 Year End and FY 2025 Mid Year Budget Update				
Description	Adopted FY 2024	Year End FY 2024	Adopted FY 2025	Mid Year Update FY 2025
Monthly Employees	3,265,000	2,831,000	3,820,000	1,443,460
Hourly Employees	0	0	0	
Overtime	1,000	12,000	10,000	329
Benefits	2,225,000	1,800,000	2,640,000	927,000
Stipends	164,000	160,000	169,000	81,226
Technology Stipend	5,000	0	15,000	0
Professional Services - Legal Outside			0	275,000
Misc. Legal Expenses	20,000	54,000	90,000	93,500
Temp. Agency Employees	10,000	31,000	10,000	0
Misc. Professional Services	402,800	593,000	393,000	433,382
Office Equip. Mtc. Svcs. / Furniture	25,000	14,000	25,000	11,722
Property Repairs/ Mtc Svcs	500	365	500	0
Bank Credit Card Charges	20,000	14,000	20,000	19,040
Professional Dues & Intern Fees	2,000	2,040	4,200	4,200
Telephones	9,000	8,100	9,000	7,120
Printing and Binding	30,000	68,000	45,000	32,730
Meals & Lodging	7,000	1,100	5,000	0
Registration Fees/Training	13,000	7,200	78,000	30,000
Transportation & Commercial Travel	4,000	4,600	4,000	19,040
Advertising/public access	99,100	37,000	80,000	40,900
Books & Publications	13,000	19,000	55,000	24,500
Rental of Land / Buildings	528,405	335,000	374,000	128,537
Postage	35,000	3,100	42,000	3,400
Messenger / Delivery	500	600	500	0
Office Supplies	13,500	14,100	13,500	15,000
Food and Water	2,500	4,500	5,000	885
Supplies - Clothing		3,000	1,500	3,300
Cap Office Equipment and Furniture	5,000	363,300	50,000	17,300
Non Cap Office Furniture				16,000
Non Cap Computers and Software				0
Furniture				
Computers, Printers, Software	10,000	24,000	20,000	3,300
PC Replacement/City Software Licenses	74,305	74,305	74,305	49,500
Mail Services	3,600	3,600	3,600	2,400
City Vehicle / Fuel & Maint./Prkg	7,500	4,500	19,500	11,000
Displacement Reimbursement Offset	0	0		4,500
Unallocated	233,000	1,000	0	402,365
<b>Recurring Expenditure Subtotal**</b>	<b>7,228,710</b>	<b>6,487,410</b>	<b>8,076,605</b>	<b>4,100,636</b>
Capital Reserve (incl. 3Di, evaluations, training)	277,750	303,422	256,313	256,313
	<b>Adopted FY 2024</b>	<b>Year End FY 2024</b>	<b>Adopted FY 2025</b>	<b>Mid Year Update FY 2025</b>
<b>Total Authorized Fund Expenditures*</b>	<b>7,506,460</b>	<b>6,790,832</b>	<b>8,332,918</b>	<b>4,356,949</b>
Fully-covered Unit Revenue	5,725,000	4,283,524	6,880,000	6,268,833
Measure MM Revenue	946,600	1,018,000	1,120,000	1,020,507
Registration Penalties	250,000	495,413	250,000	382,430
Fair Chance Ord. Administration	41,575	41,575	41,575	41,575
Misc. (Project review, Settlements, Admin. Fees)	2,000	2,000	2,000	2,000
<b>Total Authorized Fund Revenue*</b>	<b>6,965,175</b>	<b>5,840,512</b>	<b>8,293,575</b>	<b>7,715,345</b>
<i>FY 24 Registration Revenue***</i>		1,477,473		
<i>Registration Year Revenue</i>		7,317,985		
Annual Surplus/Shortfall	(541,285)	527,153	(39,343)	
<i>Previous FY Carryover Expenditures</i>				
<b>FUND BALANCE (cash basis)</b>	<b>988,288</b>	<b>1,515,441</b>	<b>1,476,098</b>	<b>1,476,098</b>
<b>FUND BALANCE (accrual basis)</b>	<b>988,288</b>	<b>2,056,726</b>	<b>2,017,383</b>	<b>2,017,383</b>
<b>TOTAL UNCOMMITTED OPERATIONAL</b>	<b>975,125</b>	<b>1,515,441</b>	<b>1,515,441</b>	<b>1,476,098</b>
<b>TOTAL CAPITAL RESERVE FUND BALANCE</b>			<b>500,000</b>	<b>500,000</b>

\* Note: this report only reflects charges & revenues against the Rent Board Fund (Fund 440 and Fund 801) and does not include services charged to or received from other funds

\*\* Note: variance in actual expenditures and total fund balance reflects remaining balance in reimbursement offset escrow

\*\*\* Note: \$1,477,473 in FY24 registration revenue was collected as FY23 revenue.

## RESOLUTION 25-03

### SETTING THE FISCAL YEAR 2025/2026 ANNUAL REGISTRATION FEE FOR FULLY-COVERED UNITS; DUE JULY 1, 2025

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

WHEREAS, the Rent Stabilization Board operates based on a fiscal year and each year adopts an operational budget after public review and input; and

WHEREAS, Section 123 of Article XVII of the Charter of the City of Berkeley provides that the Rent Stabilization Board shall finance its reasonable expenses by charging landlords annual registration fees in an amount deemed reasonable by the Board; and

WHEREAS, the Executive Director and Rent Stabilization Board believe that new recurring annual revenues of at least \$8,462,000 in FY 2026 will be necessary to meet the Program's operating needs; and

WHEREAS, the Board believes that, to the extent possible, the Program should continue to meet the needs of owners and tenants requesting our services and maintain a staffing level to allow that to happen; and

WHEREAS, since 2009, the base annual registration fee has only been increased four times; and

WHEREAS, in FY 2019 the Board adopted a fee of \$250, \$245 to cover necessary operational costs and \$5 dedicated to capital needs; and

WHEREAS, in FY 2020 the Board again adopted a fee of \$250, \$245 to cover necessary operational costs and \$5 dedicated to capital needs; and

WHEREAS, in FY 2021, FY 2022, and FY 2023 the Board adopted a fee of \$250 to cover only necessary operational costs; and

WHEREAS, in FY 2023/24 to reach the revenue targets, an annual registration fee of \$290 per unit fee for fully covered units was necessary; and

WHEREAS, because of salary-related savings and higher-than-expected revenue in FY 2024/25, the Board had an operational reserve balance of approximately 17% of annual operational expenditures; and

WHEREAS, in recent years, the Board has targeted a higher operational reserve balance of 16% of annual operational expenditures; and

## RESOLUTION 25-03

### SETTING THE FISCAL YEAR 2025/2026 ANNUAL REGISTRATION FEE FOR FULLY-COVERED UNITS; DUE JULY 1, 2025 (Page 2)

WHEREAS, Measure BB, which was placed on the general election ballot by the Berkeley City Council and subsequently passed by the voters on November 5, 2024, eliminates many previously-established exemptions and requires landlords to register a number of rental units that were previously exempt from registration fees, including, but not limited to: Section 8 and other government-subsidized units; and

WHEREAS, the Rent Ordinance amendments established by Measure BB became law on December 20, 2024; and

WHEREAS, registration fees became due and owing at the time Measure BB was certified as law; and

WHEREAS, the Board made the decision not to begin to bill landlords affected by Measure BB until the upcoming fiscal year registration fees are established so as to not create two billing cycles for these landlords; and

WHEREAS, landlords affected by Measure BB will receive a bill that covers half of the Fiscal Year 2024-2025 given that their units became subject to registration requirements in late December 2024 and all of Fiscal Year 2025-2026; and

WHEREAS, in FY 2025/26 to reach the recurring revenue target, address increased staffing needs and anticipated legal costs, an annual registration fee of \$344 per unit fee for fully covered units is required; and

WHEREAS, there will be no increase in the registration fee from the previous fiscal year; the Board also adopted a registration fee of \$344 for FY 2024/2025; and

WHEREAS, the proposed fee of \$344 represents 1.26% of the average (mean) monthly rent for rental units regulated by the Berkeley Rent Stabilization Program; and

WHEREAS, the Board will meet to consider and adopt a final budget document detailing the revenues, line-item expenditures, and staffing model in June 2025.

THEREFORE, BE IT RESOLVED that the annual FY 2025/26 registration fee for fully covered rental units, due July 1, 2025, is hereby set at \$344 per unit; and

BE IT FURTHER RESOLVED that Rent Stabilization Program staff will continue to collect information on the impacts and expenses associated with registering and providing services for fully covered units in FY 2026.

**RESOLUTION 25-03**

**SETTING THE FISCAL YEAR 2025/2026 ANNUAL REGISTRATION FEE FOR FULLY-COVERED UNITS; DUE JULY 1, 2025 (Page 3)**

Dated: March 20, 2025

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

YES:

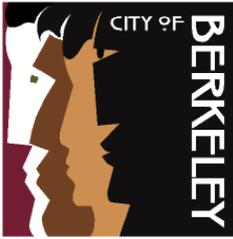
NO:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Soli Alpert, Chairperson  
Rent Stabilization Board

Attest: \_\_\_\_\_  
DéSeana Williams, Executive Director



Rent Stabilization Board  
Office of the Executive Director

DATE: March 20, 2025

TO: Honorable Members of the Rent Stabilization Board

FROM: Honorable Members of the Budget & Personnel Committee  
By: DéSeana Williams, Executive Director  
Shamika Cole, Finance Director

SUBJECT: Recommendation to set the Fiscal Year 2026 Annual Registration Fees

### **Recommendation**

That the Board adopts the following resolutions concerning the Fiscal Year (FY) 2026 annual registration fees:

**Proposed Resolution 25-03** – adopting the annual registration fee, due July 1, 2025, at \$344 per unit for fully-covered units. This fee is calculated based on the revenue necessary to cover recurring operational and capital expenses for the program's services to fully controlled rental units.

**Proposed Resolution 25-04** – adopting the annual registration fee, due July 1, 2025, at \$212 per unit for partially-covered Measure MM units. This fee is calculated based on the revenue necessary to cover the expenses associated with registering and providing services for Measure MM units.

**Proposed Resolution 25-05** – adopting a \$96 per unit annual registration fee, due July 1, 2025, for Summer Fraternity and Sorority units. This fee is calculated based on the revenue necessary to cover program expenses associated with registering and providing services for Summer Fraternity and Sorority Units.

The Budget & Personnel Committee reviewed this proposal at its meeting on March 11, 2025, and voted to send this proposal to the full Board.

### **Background and Need for Rent Stabilization Board Action**

On June 20, 2024, the Board adopted a staffing model and budget for Fiscal Year (FY) 2025, establishing a total expenditure level of \$8,332,918. As part of this process, the Board approved increases to the annual registration fees, setting the fully covered unit fee at \$344 per unit and the Measure MM unit fee at \$212 per unit. Additionally, the Board adjusted the reduced registration fee for Summer Fraternity and Sorority units to \$96 per unit and increased the Affordable Partially Covered Fee for non-profit-managed projects under the City of Berkeley's Housing Trust Fund program to \$53 per unit.

Before implementing the FY 2025 fee adjustments, the Board approved a fee increase in the previous fiscal year, raising the fully covered unit fee to \$290 per unit and the partially covered fee to \$178 per unit for FY 2024. Despite rising program costs, this marked the first fee increase since FY 2019.

Legally, the Board has until the end of June to adopt a line-item budget and expenditure authorization level for FY 2026. The Budget & Personnel Committee has met two (2) times thus far in calendar year 2025 to review various aspects of the agency's budget and staffing model and agree upon the appropriate recommendation for the FY 2026 registration fee levels. At their March 10, 2025 meeting, the Budget & Personnel Committee voted to recommend the Board maintain the fully-covered registration fee at \$344 per unit and the partially-covered Measure MM unit fee at \$212 per unit. The Committee also recommends that the Board maintain the Summer Fraternity and Sorority fee at \$96.

### **Fiscal Year 2024 Year-End Fund Balance**

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The uncommitted reserve amounted to 17% of projected recurring expenditures, exceeding the Board's 16% reserve target. However, these figures are preliminary and have not yet been audited. The City of Berkeley engages an external auditor to review its financial statements, with the audit of the Board's FY 2024 financial statements expected to be completed during FY 2025.

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The FY 2025 budget was structured to better align with projected expenditures while incorporating key operational improvements. This resulted in a more balanced financial plan, including the Board's approval of a \$500,000 allocation for unanticipated operational expenses. Additionally, the adopted budget upheld the Board's policy of maintaining an uncommitted reserve level of 16%.

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However, personnel expenditures have been lower than anticipated in the first half of the year due to vacancies in key positions, including a **Community Services Specialist I, Digital Education and Social Media Coordinator, Accounting Office Specialist II, Assistant Management Analyst**, and a **Community Services Specialist III**. Considering these personnel savings, staff project that total expenditures for FY 2025 will remain within the authorized budget.

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Effective financial stewardship and strategic legal engagement will be essential to ensuring the Board can continue fulfilling its mission.

A mid-year budget update attached to this report details actual expenditures by budget line item. Staff also included a comparison of the previous fiscal year-end projections, including personnel savings.

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- Community Development Program Coordinator (CDPC) – 1
- Community Services Specialist III (CSS III) – 1 (Manager) [Recruitment in Progress]
- Community Services Specialist II (CSS II) – 3 (Housing Counselors, SEIU 1021 CSU)
- Community Services Specialist I (CSS I) – 1 (Housing Counselor, SEIU 1021 CSU)

These staffing adjustments, including the addition of the CSS I and CDPC positions, align with the Rent Board's strategic goals to enhance service delivery and operational performance. The updated structure provides a more balanced team composition, strengthens the unit's capacity, and introduces an entry-level pathway for housing counseling roles, further improving public service outcomes.

Office of the Executive Director

The Executive Director has operated without dedicated administrative support for the past two years. The Rent Board has recently filled the Administrative Staff Assistant position. This role provides critical support to the Executive Director by managing schedules, organizing meetings, handling correspondence, and coordinating logistics to track key project milestones. With this additional support, executive staff can better focus on strategic decision-making and programmatic priorities, ultimately improving overall efficiency.

**Administration of the Empty Homes Tax Ordinance**

At the request of the City Council, the Board agreed to assist the City of Berkeley with the implementation and administration of the voter-adopted Empty Homes Tax (B.M.C. Chapter 7.54), which went into effect on January 1, 2024. The Council allocated a total of \$332,920 in Measure U1 funds to the Rent Board for its work on the Empty Homes Tax in FY 2025. These funds are being used to pay for staff to administer the Empty Homes Tax program in partnership with Berkeley's Finance Department.

Rent Board staff have created an Empty Homes Tax website, drafted forms and guidelines for the processing of exemptions, and implemented an outreach plan. All property owners with vacant units were given an April 1, 2025, deadline to submit exemption and vacancy exclusion claims for the 2024 tax year. Staff will provide the Finance Department with a list of tax-eligible properties early in the 2<sup>nd</sup> quarter of 2025.

Since funding for the Empty Homes Tax comes from the City's Measure U1 fund, Rent Board's staff work on the Empty Homes Tax program will have little impact on the Board's budget aside from a small amount of salary savings from employee salaries being partially paid from Empty Homes Tax funding. Staff anticipates requesting a similar level of funding to continue assisting the Empty Homes Tax Program's implementation and administration in FY 2026.

**Recommended FY 2026 Fee Level**

As of December 31, 2024, the agency has collected \$7,715,345, with additional revenue anticipated before the fiscal year concludes.<sup>1</sup>

Following a comprehensive review of the agency's budget status and projected revenue needs for the upcoming fiscal year, Staff recognizes that our financial position remains stable, largely due to the intentional realignment of our budget development practices. Given this, staff recommends maintaining the current fee structure to sustain this stability and prevent a fee increase for a third

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<sup>1</sup> As will be discussed more fully in the budget report presented to the Board in June, even without increasing the fees for the upcoming fiscal year, Finance Staff believe that the proposed fee structure will generate more revenue for the agency given that there will be considerably more landlords that must pay fully-covered and/or Measure MM fees for their rental units, because the Berkeley voters adopted Measure BB on November 5, 2024. Measure BB removed a number of registration exemptions and requires that many more landlords pay registration fees. While compliance is always difficult to predict when it comes to billing a new demographic, Finance Staff anticipates that revenues will increase in the 2025-2026 fiscal year.

consecutive year. The Budget & Personnel Committee proposes the following fee levels for the next fiscal year:

- Fully Covered Fee: \$344 per unit
- Partially Covered Fee: \$212 per unit
- Summer Fraternity and Sorority Fee: \$96 per unit

To sustain this fee structure while accommodating increases in operational costs, Staff and the Budget & Personnel Committee further recommends that the Board maintain its 16% reserve level—an increase from the 8% reserve level maintained during the COVID-19 pandemic. This adjustment will ensure financial stability while maintaining the agency’s ability to provide essential services.

**Fully-Covered Registration Fee as Percentage of Average (Mean) Rent**

During recommendation discussions with the Budget and Personnel Committee, staff informed that the current fully covered fee at \$344, would result in just 1.26% of the current average rent in Berkeley.

The following table shows the fully covered registration fee as a percentage of the rent, which is the most relevant measure of the impact of the fee.

<b>Fully Covered Registration Fee as a percentage of rent</b>			
<u>Year</u>	<u>Fee</u>	<u>Mean Monthly Rent</u>	<u>% Annual Rent</u>
1984	\$60	\$267	1.87%
1987	\$80	\$293	2.28%
1989	\$100	\$328	2.54%
1991	\$136	\$361	3.14%
1998	\$112	\$720	1.30%
2000	\$124	\$865	1.19%
2005	\$154	\$1,062	1.21%
2010	\$194	\$1,274	1.27%
2014	\$194	\$1,498	1.08%
2015	\$213	\$1,606	1.11%
2016	\$234	\$1,637	1.12%
2017	\$270	\$1,710	1.32%
2018	\$250	\$1,816	1.15%
2019	\$250	\$1,956	1.07%
2020	\$250	\$2,039	1.02%
2021	\$250	\$2,100	0.99%
2022	\$250	\$2,138	0.97%
2023	\$290	\$2,154	1.12%
2024	\$344`	\$2,203	1.27%
2025*	\$344`	\$2,298	1.26%

\* A fully covered fee maintained at \$344 is necessary to cover existing recurring expenditures

The shaded area reflects a pre-vacancy decontrol program, while 1998 transitioned from full rent control to decontrol. Mean monthly rent is calculated from the preceding calendar year, meaning the 2024 registration fee compares the fee with the average (mean) monthly rent in 2023. The 2025 (mean) monthly rent data is the average (mean) monthly rent from January – December 2024.

Since 1998, the beginning of vacancy decontrol, the registration fees have primarily been in a range of 1%-1.32%, and the proposed fee, \$344 would fall well within the range of being historically proportionate to the average annual rent.

Moreover, maintaining the fee would still enable the Board to align its revenue with rising program costs while also ensuring compliance with the targeted 16% reserve level.

### **Conclusion**

Staff and the Budget & Personnel Committee recommend that the Board adopt resolutions to maintain the fee for fully covered units at \$344 and for partially covered units subject to Measure MM at \$212 per unit. The Committee also recommends that the Board maintain a \$96 fee for Summer Fraternity and Sorority.

### **Name and Telephone Number of Contact Person**

DéSeana Williams, Executive Director (510) 981-7368  
Shamika Cole, Finance Director (510) 981-7368

Attachments:

1. FY 2024 Year-End and FY 2025 Mid-Year Budget Update Spreadsheet

Rent Stabilization Program FUND 801 FY 2024 Year End and FY 2025 Mid Year Budget Update				
Description	Adopted FY 2024	Year End FY 2024	Adopted FY FY 2025	Mid Year Update FY 2025
Monthly Employees	3,265,000	2,831,000	3,820,000	1,443,460
Hourly Employees	0	0	0	
Overtime	1,000	12,000	10,000	329
Benefits	2,225,000	1,800,000	2,640,000	927,000
Stipends	164,000	160,000	169,000	81,226
Technology Stipend	5,000	0	15,000	0
Professional Services - Legal Outside			0	275,000
Misc. Legal Expenses	20,000	54,000	90,000	93,500
Temp. Agency Employees	10,000	31,000	10,000	0
Misc. Professional Services	402,800	593,000	393,000	433,382
Office Equip. Mtc. Svcs. / Furniture	25,000	14,000	25,000	11,722
Property Repairs/ Mtc Svcs	500	365	500	0
Bank Credit Card Charges	20,000	14,000	20,000	19,040
Professional Dues & Intern Fees	2,000	2,040	4,200	4,200
Telephones	9,000	8,100	9,000	7,120
Printing and Binding	30,000	68,000	45,000	32,730
Meals & Lodging	7,000	1,100	5,000	0
Registration Fees/Training	13,000	7,200	78,000	30,000
Transportation & Commercial Travel	4,000	4,600	4,000	19,040
Advertising/public access	99,100	37,000	80,000	40,900
Books & Publications	13,000	19,000	55,000	24,500
Rental of Land / Buildings	528,405	335,000	374,000	128,537
Postage	35,000	3,100	42,000	3,400
Messenger / Delivery	500	600	500	0
Office Supplies	13,500	14,100	13,500	15,000
Food and Water	2,500	4,500	5,000	885
Supplies - Clothing		3,000	1,500	3,300
Cap Office Equipment and Furniture	5,000	363,300	50,000	17,300
Non Cap Office Furniture				16,000
Non Cap Computers and Software				0
Furniture				
Computers, Printers, Software	10,000	24,000	20,000	3,300
PC Replacement/City Software Licenses	74,305	74,305	74,305	49,500
Mail Services	3,600	3,600	3,600	2,400
City Vehicle / Fuel & Maint./Prkg	7,500	4,500	19,500	11,000
Displacement Reimbursement Offset	0	0		4,500
Unallocated	233,000	1,000	0	402,365
<b>Recurring Expenditure Subtotal**</b>	<b>7,228,710</b>	<b>6,487,410</b>	<b>8,076,605</b>	<b>4,100,636</b>
Capital Reserve (incl. 3Di, evaluations, training)	277,750	303,422	256,313	256,313
	<b>Adopted FY 2024</b>	<b>Year End FY 2024</b>	<b>Adopted FY FY 2025</b>	<b>Mid Year Update FY 2025</b>
<b>Total Authorized Fund Expenditures*</b>	<b>7,506,460</b>	<b>6,790,832</b>	<b>8,332,918</b>	<b>4,356,949</b>
Fully-covered Unit Revenue	5,725,000	4,283,524	6,880,000	6,268,833
Measure MM Revenue	946,600	1,018,000	1,120,000	1,020,507
Registration Penalties	250,000	495,413	250,000	382,430
Fair Chance Ord. Administration	41,575	41,575	41,575	41,575
Misc. (Project review, Settlements, Admin. Fees)	2,000	2,000	2,000	2,000
<b>Total Authorized Fund Revenue*</b>	<b>6,965,175</b>	<b>5,840,512</b>	<b>8,293,575</b>	<b>7,715,345</b>
<i>FY 24 Registration Revenue***</i>		1,477,473		
<i>Registration Year Revenue</i>		7,317,985		
Annual Surplus/Shortfall	(541,285)	527,153	(39,343)	
<i>Previous FY Carryover Expenditures</i>				
<b>FUND BALANCE (cash basis)</b>	<b>988,288</b>	<b>1,515,441</b>	<b>1,476,098</b>	<b>1,476,098</b>
<b>FUND BALANCE (accrual basis)</b>	<b>988,288</b>	<b>2,056,726</b>	<b>2,017,383</b>	<b>2,017,383</b>
<b>TOTAL UNCOMMITTED OPERATIONAL</b>	<b>975,125</b>	<b>1,515,441</b>	<b>1,515,441</b>	<b>1,476,098</b>
<b>TOTAL CAPITAL RESERVE FUND BALANCE</b>			<b>500,000</b>	<b>500,000</b>

\* Note: this report only reflects charges & revenues against the Rent Board Fund (Fund 440 and Fund 801) and does not include services charged to or received from other funds

\*\* Note: variance in actual expenditures and total fund balance reflects remaining balance in reimbursement offset escrow

\*\*\* Note: \$1,477,473 in FY24 registration revenue was collected as FY23 revenue.

## RESOLUTION 25-04

### SETTING THE FISCAL YEAR 2025/26 ANNUAL REGISTRATION FEE FOR PARTIALLY COVERED MEASURE MM UNITS; DUE JULY 1, 2025

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

WHEREAS, the Rent Stabilization Board operates based on a fiscal year and each year adopts an operational budget after public review and input; and

WHEREAS, Section 123 of Article XVII of the Charter of the City of Berkeley provides that the Rent Stabilization Board shall finance its reasonable expenses by charging landlords annual registration fees in an amount deemed reasonable by the Board; and

WHEREAS, the Acting Executive Director and Rent Stabilization Board believe that new recurring annual revenues of at least \$8,462,000 in FY 2025/26 will be necessary to meet the Program's operating needs; and

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

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

WHEREAS, Resolution 20-17 established that the Rent Stabilization Board will not charge a Registration Fee for partially covered Measure MM units for the remainder of the FY 2020/21; and

WHEREAS, Resolution 20-17 further resolved that any additional expenses associated with registering or providing services for partially covered units during the remainder of the current fiscal year shall be considered and potentially increase the Registration Fee for partially covered units for the 2021/22 Fiscal Year; and

WHEREAS, Resolution 20-17 authorized Rent Stabilization Program staff to offer a number of services previously unavailable to tenants and landlords of partially covered units including, but not limited to mediation regarding a variety of different rental housing concerns and counseling regarding: evictions and security deposits, the Berkeley Emergency Response Ordinance, the local eviction moratorium (BMC Section 13.110), the state eviction moratorium (AB 3088), the statewide anti-rent-gouging law (AB 1482), the Tenant Buyout Ordinance, the Rental Housing Safety Program, and the Short-Term Rental Ordinance; and

## RESOLUTION 25-04

### SETTING THE FISCAL YEAR 2025/26 ANNUAL REGISTRATION FEE FOR PARTIALLY COVERED MEASURE MM UNITS; DUE JULY 1, 2025 (Page 2)

WHEREAS, in FY 2021/22 the Board adopted a total fee of \$150, \$100 to cover the additional expenses associated with registering and providing services for partially covered Measure MM units during FY 2022, and \$50 to cover expenses associated with registering and providing services in FY 2021; and

WHEREAS, in FY 2022/23 the Board adopted a fee of \$150 to cover the expenses associated with registering and providing services for partially covered Measure MM units during FY 2022/23; and

WHEREAS, in FY 2023/24 the Board adopted a fee of \$178 per unit fee for partially covered Measure MM units to cover program expenses; and

WHEREAS, the Board believes that, to the extent possible, the Program should continue to meet the needs of owners and tenants of partially covered Measure MM units that request our services and increase the staffing level to allow that to happen; and

WHEREAS, the Executive Director and Rent Stabilization Board believe that \$1,272,000 in annual revenue will be necessary to register and provide services to Measure MM units in FY 2025/26; and

WHEREAS, in FY 2025/26 to account for an increase in recurring expenditures, organizational capacity, and anticipated legal costs, a \$212 per unit fee for partially covered Measure MM units is required; and

WHEREAS, there will be no increase in the registration fee from the previous fiscal year; the Board also adopted a Measure MM registration fee of \$212 for FY 2024/2025; and

WHEREAS, Measure BB, which was placed on the general election ballot by the Berkeley City Council and subsequently passed by the voters on November 5, 2024, eliminates many previously-established exemptions and requires landlords to register a number of rental units that were previously exempt from registration fees; and

WHEREAS, the Rent Ordinance amendments established by Measure BB became law on December 20, 2024; and

WHEREAS, registration fees became due and owing at the time Measure BB was certified as law; and

WHEREAS, the Board made the decision not to begin to bill landlords affected by Measure BB until the upcoming fiscal year registration fees are established so as to not create two billing cycles for these landlords; and

**RESOLUTION 25-04**

**SETTING THE FISCAL YEAR 2025/26 ANNUAL REGISTRATION FEE FOR PARTIALLY COVERED MEASURE MM UNITS; DUE JULY 1, 2025 (Page 3)**

WHEREAS, landlords affected by Measure BB will receive a bill that covers half of the Fiscal Year 2024-2025 given that their units became subject to registration requirements in late December 2024 and all of Fiscal Year 2025-2026; and

WHEREAS, the Board will meet to consider and adopt a final budget document detailing the revenues, line-item expenditures, and staffing model in June 2025.

NOW THEREFORE, BE IT RESOLVED that the annual FY 2025/26 registration fee for partially covered Measure MM units, due July 1, 2025, is hereby set at \$212 per unit; and

BE IT FURTHER RESOLVED that Rent Stabilization Program staff will continue to collect information on the impacts and expenses associated with registering and providing services for partially covered Measure MM units in FY 2025/26.

Dated: March 20, 2025

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

YES:

NO:

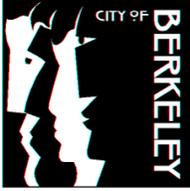
ABSTAIN:

ABSENT:

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Soli Alpert, Chairperson  
Rent Stabilization Board

Attest: \_\_\_\_\_  
DéSeana Williams, Executive Director



**Rent Stabilization Board  
Legal Unit**

DATE: March 20, 2025  
TO: Honorable Members of the Rent Stabilization Board  
FROM: Oliver Ehlinger, Staff Attorney  
SUBJECT: Adopting a Summer Rental Period Registration Fee for Sororities and Fraternities for the 2025/26 Registration Year

**Recommendation**

That the Board adopt Resolution 25-05 to authorize a Summer Rental Period registration fee of \$96.00 as well as procedures for sororities and fraternities for the upcoming 2025/26 registration year. Under the proposed resolution, qualifying sororities and fraternities shall be eligible to participate in a revised registration process which shall include a prorated registration fee for summer rentals provided that the following conditions are met: 1) A contact person/liaison must be provided for all future Board-related matters; 2) Any participating sorority or fraternity must be in good standing with the registration requirements of the ordinance; 3) All qualifying sororities and fraternities must meet the requirements for sorority or fraternity status as determined by the Rent Board; and 4) Participating sororities and fraternities must comply with registration procedures developed by the Agency.

At its March 11, 2025 committee meeting, the Budget & Personnel Committee approved consideration of maintaining the summer registration fee at \$96.00. The attached Resolution, which has been continually re-adopted since 2010 is attached.

**Background**

In late 2009-early 2010 our agency was made increasingly aware that many fraternities were and had been renting out some of their rooms during the summer to non-members to support their budgets and operating costs. The agency discovered that this practice was, in fact, widespread. Because units that are not expressly exempted under the ordinance must be registered the agency was compelled to investigate the matter. Our investigation confirmed that fraternity houses have routinely been renting to non-members, particularly during the summer months.

Because the Board believed that most fraternities were unaware of their obligation to register these seasonal/summer units, the Board authorized an Amnesty Program in November 2010 for chapters that had been renting out rooms to non-members on a seasonal or summer basis. The

Amnesty Program was successful in its goal of resolving prior years registration fees owed the agency as the Board collected \$49,583 in past due registration fees from twenty-two (22) chapters. In addition, through the Amnesty Program, staff was able to make positive contacts with various members of the fraternity community including property owners, property managers, student representatives and UC Berkeley staff.

At the conclusion of the Amnesty Program fourteen lawsuits were filed in Superior Court against those property owners and chapters that had not availed themselves of the Amnesty Offer. All of those cases resolved via settlement.

Between 2010 and 2016, the Board, annually adopted resolutions continuing the practice of allowing a limited summer rental program, provided specific conditions were met and adhered to.

### **Measure AA**

The passage of Measure AA in 2016 codified the determination that a room rented in a fraternity or sorority would be exempt from the ordinance only if it is occupied by a member of the fraternity or sorority and that the property is owned by the chapter or an entity whose sole purpose is the maintenance of the chapter.

Board Regulations 520 and 808 were adopted in 2017 to implement the fraternity/sorority registration process. Regulation 520 codifies the language in Measure AA setting out the terms for exemption for a fraternity/sorority room and Regulation 808 codifies the ability of the Board to set and charge an annual reduced registration fee for rooms rented out by chapters to non-members on a seasonal basis.

### **Summer Registration Process**

As a result of the Amnesty Program, staff had numerous discussions with representatives of the Greek community regarding our agency's' registration process. These talks, which covered the unique needs and concerns of fraternities, were with chapter presidents, students, property managers, members of the Fraternity Alumni Council (FAC), the FAC as a group, alumni representatives, and attorneys representing a consortium of chapters. This process enabled all stakeholders to be educated on the rights and responsibilities of the Greek community as it related to rent control and housing.

After numerous committee meetings and Board presentations, the Board approved, via resolution, a Summer Registration Process for fraternities at its May 14, 2012 meeting. The pilot summer registration process for fraternities required chapters to:

- 1) Pay a reduced, pro-rated fee of \$50 per unit for summer rentals;
- 2) Fill out Registration Forms specifically tailored to summer rentals and;
- 3) Provide the Board with a permanent contact person/liaison.

For the 2012/13 year, the agency collected \$9,520.00 in registration fees from the various fraternities representing the registration of one hundred seventy six (176) units. As part of the registration process, staff conducted unannounced inspections of four chapters to ensure that Fraternity Summer Registration Forms were placed in the room as mandated by the Board's prior resolution. Forms were in place for these chapters.

The pilot program was renewed for the 2013/14 registration year. For the 2013/14 year, the agency collected \$8,144 in registration fees from the various fraternities representing one hundred sixty (160) units. Four chapters claimed full exemption and one chapter failed to make any payments. Two chapters paid summer registration fees approximately two weeks late.

For the 2014/15 registration year, the agency collected \$8,076 in registration fees from the various chapters representing one hundred forty six (146) summer rental units and four full-time units. In addition to the \$8,076 in fees collected, the agency also collected \$9,506 in full-time registration fees due to two chapters having been suspended and renting to other tenants and one house being sold to private ownership and being rented as a rooming house.

Two chapters paid late but received Administrative Waivers. These chapters were notified of the ramifications should they continue to pay late in the future. One chapter remained in arrears for non-payment and was sued as part of our annual Small Claims Court efforts.

For the 2015/16 registration year, the agency collected \$8,786 in registration from the various chapters representing one hundred forty six (146) units.

For the 2016/17 registration year, the seasonal fee was increased to \$60 per room and the agency collected \$15,424 in registration fees from twenty-three (23) chapters representing nineteen (19) full-time units and one hundred eighty one (181) summer rental units.

For the 2017/18 registration year, the seasonal fee was increased to \$70 per room. The agency has collected \$11,600 in registration fees from one hundred forty (140) units representing eighteen (18) chapters. Two rooms were registered as "full-time" rentals. Two chapters paid full registration fees totaling \$8,370 due to their renting their houses to other chapters.

For the 2018/2019 registration year, the seasonal fee remained at \$70 per room. The agency has collected \$13,543 in registration fees and penalties from one hundred sixty-nine (169) units representing eighteen (18) chapters, Full registration fees totaling \$14,147 were paid for 57 units whose chapters chose to rent the houses out full-time to other chapters.

For the 2019/20 registration year, the seasonal fee remained at \$70 per room. The agency collected \$14,259 in registration fees and penalties from twenty-one (21) chapters registering one hundred sixty (160) rooms. Four chapters paid the full registration fees for their house since those chapters rented out their houses to other fraternities. These fees totaled \$16,250 and represents sixty-five (65) units.

For the 2020/21 registration year, the seasonal fee remained at \$70 per room. The agency collected \$7,490 in registration fees from twenty (20) chapters registering one hundred seven

(107) rooms. Four chapters paid full registration fees for either the entire property or some of the units on the property for fifty-four (54) units totaling \$13,440. Nine chapters claimed no summer rentals and two chapters failed to provide registration fees or forms. In total, the agency collected \$20,930 for the 2020/21 Summer Fraternity Registration.

For the 2021/22 registration year, the seasonal fee remained at \$70 per room. The agency collected \$7,280 in registration fees from eighteen (18) chapters registering one hundred four (104) rooms. Six chapters registered a total of twenty-seven (27) rooms as fully rent-controlled and paid \$6,750 in registration fees. In total, the agency collected \$18,280 in registration fees. Thirteen (13) chapters claimed all rooms were exempt.

For the 2022/23 registration year, the seasonal fee remained at \$70 per room. The agency collected \$9870 in summer registration fees from seventeen (17) chapters registering one hundred forty-one (141) rooms. Four chapters registered a total of 48 rooms as fully rent-controlled and paid \$12,000 in registration fees. In total, the agency collected \$21,870 in registration fees.

For the 2023/2024 registration year, the seasonal fee remained at \$70 per room. The agency collected \$7,840.00 in summer registration fees from 14 chapters registering 112 rooms. 5 chapters registered a total of 81 fully-rent-controlled, year-round rentals and paid \$23490.00 in fees. In total, the agency collected \$35,440.00 from fraternity chapters in the current fiscal year, which includes payment of penalties and delinquent fees from prior years.

After seven registration cycles with a \$70.00 summer rental fee, the Board raised the seasonal rental fee to \$96.00 for the 2024/2025 registration year. The agency collected \$60,166.00 in total. 18 Chapters registered 137 summer rentals, for \$13,152.00 in registration fees. 11 Chapters registered 123 year-round rentals, for \$42,312.00 in registration fees. The agency also collected \$4832.00 in past late registration fees. Staff attributes this increase in collection to the increased summer and year-round registration fees and the return of two larger fraternity properties to the rental market for both summer and year-round rentals, after a period of renovation.

### **Registration for Sororities**

As the initial research, review and compliance activities with fraternities wound down in 2012, the Board made clear that staff was to begin communications with the various sororities. Commencing in January 2013, staff began this process.

Staff identified thirteen sorority chapters that owned and operated houses in Berkeley. As a result of staff review and investigation it was confirmed that no houses rented rooms to non-members. To determine the exempt status of sororities, staff corresponded with each chapter representative as well as conducted site inspections. As a result of these efforts, staff obtained declarations from chapter representatives affirming that no rooms/units were rented to non-sorority members.

Based on staff's findings that no sororities are being rented to non-members, staff recommended reviewing their status every three years. Staff randomly contacted several chapters during

2015/16 and again during 2018/19 and have confirmed that their houses either remained closed down for the summer or exclusively reserved for their members. Staff will conduct additional similar random checks periodically in the future.

### **Conclusion**

For the most part, chapters have paid registration fees and filed Unit Status and/or Registration Forms. While staff has provided a moderate level of assistance to the various chapter representatives, a vast majority of chapters have been able to register their houses with little or no assistance. A discreet minority of chapters however have provided more of a challenge with late payment and/or failure to timely file the required forms. While staff is engaged in compliance efforts with these chapters, the reduced fee assessed has covered the costs of operating the summer rental program. As allowed by law, the attached resolution continues the program initially started in 2012 and staff proposes setting the seasonal registration fee at \$96.00.

We believe the proposed Resolution is the most fair and equitable way for the Board to address the matter of registering any possible sorority or fraternity summer rentals. For the majority of the Board's registration year, fraternities operate rental units that have been conditionally exempted from rent and eviction controls. While the non-member students who occupy these units are fully protected by rent and eviction controls during the summer, they uniformly vacate at the end of the summer break. Fraternities consistently rent these units at below market rents, and imposing a full fee and registration reporting requirement for such a short tenancy represents a substantial burden for an organization that exists for the sole purpose of maintaining the chapter/house. This process not only covers our costs to administer the program but also increases the likelihood that tenants renting these units will be timely informed of their rights.

### **Name and Telephone Number of Contact Person:**

Oliver Ehlinger, Staff Attorney (510) 981-4930

## **RESOLUTION 25-05**

### **ESTABLISHING THE REGISTRATION FEE FOR FRATERNITIES AND SORORITIES FOR THE SUMMER RENTAL PERIOD DURING THE 2025/26 FISCAL YEAR**

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

WHEREAS, for over thirty-six years neither fraternities nor sororities were expressly exempt from the provisions of the Rent Stabilization Ordinance; and,

WHEREAS, as early as 1982, the City Attorney crafted legal opinions for the Rent Board and City Council that confirmed the applicability of the ordinance to fraternities and sororities due to their similarity to rooming houses; and,

WHEREAS, the Board did not charge a number of fraternities for Registration Fees before the 2012/2013 fiscal year, because the Board was not made aware that fraternities were routinely renting to non-members during the summer months; and,

WHEREAS, when the Board became aware of these summer rentals, the Commissioners authorized an amnesty program wherein the fraternities were only charged fees for three years and all penalties were forgiven; and

WHEREAS, by Resolution 12-07, the Board initiated a pilot program during the 2012/2013 fiscal year to charge all qualifying fraternities \$50 per unit for summer rentals to non-members in order to meet the anticipated costs for implementing services related to this discreet group of summer fraternity rentals; and

WHEREAS, Board staff was largely successful in registering fraternities' summer tenancies; and,

WHEREAS, before the 2013/2014 fiscal year, staff investigated summer rentals in sororities and found that the vast majority of sorority rooms did NOT qualify as controlled rental units; and,

WHEREAS, the Board adopted Resolution 13-04 on May 13, 2013, which made clear that the Board wishes to continue to charge a reduced fee for summer rentals in fraternities and wishes to

## RESOLUTION 25-05

### **ESTABLISHING THE REGISTRATION FEE FOR FRATERNITIES AND SORORITIES FOR THE SUMMER RENTAL PERIOD DURING THE 2025/2026 FISCAL YEAR (Page 2)**

extend the same option to sororities should they decide to provide housing to non-member summer tenants; and,

WHEREAS, the Board adopted similar resolutions in from 2014 through 2024 which made clear that the Board wishes to continue to charge a reduced fee for summer rentals in fraternities and wishes to extend the same option to sororities should they decide to provide housing to non-member summer tenants; and,

WHEREAS, fraternities and sororities are now exempt under the Berkeley Rent Stabilization and Eviction for Good Cause Ordinance (B.M.C. 13.76.050C.5.) as long as a rental unit or room is rented to an active member of the chapter and that chapter owns the fraternity or sorority where the member is residing; and,

WHEREAS, on April 24, 2017, the Board adopted Rent Board Regulation 520 specifying that rental units located within a fraternity or sorority that is occupied by a non-member is subject to all sections of the Rent Control Ordinance and that tenants who occupy rental units for only part of the year in such chapters shall be considered “authorized seasonal rentals” and those rooms/units shall be charged a reduced registration fee; and,

WHEREAS, on April 24, 2017 the Board adopted Rent Board Regulation 808 specifying that an “authorized seasonal rental” of a fraternity or sorority is a rental that occurs during the summer months and that the Board is authorized to charge a reduced registration fee for these rentals and said fee shall be set when the Board sets its annual fee for all units; and

WHEREAS, the Board set the summer rental fee at \$70 per unit from Fiscal Year 2018 through Fiscal Year 2024; and

WHEREAS, the Board increased the summer rental fee to \$96.00 per unit for the 2024/2025 registration year to match any increase in the fees for fully-covered units.

## **RESOLUTION 25-05**

### **ESTABLISHING THE REGISTRATION FEE FOR FRATERNITIES AND SORORITIES FOR THE SUMMER RENTAL PERIOD DURING THE 2025/2026 FISCAL YEAR (Page 3)**

NOW, THEREFORE, BE IT RESOLVED that for the 2025/2026 registration year, the reduced registration fee for authorized seasonal rentals for qualifying fraternities and sororities shall be maintained at \$96 per unit for summer rentals to non-members in order to meet the anticipated costs for implementing services related to this discreet group of summer fraternity/sorority rentals; and,

BE IT FURTHER RESOLVED that for purposes of this Resolution, the “Summer Rental Period” shall be May 11, 2025, through August 15, 2025; and,

BE IT FURTHER RESOLVED that if a non-fraternity/non-sorority member remains a tenant during any time outside of the Summer Rental Period, the fraternity/sorority shall be required to pay a full registration fee as defined by Resolution 25-05 for the rental unit; and,

BE IT FURTHER RESOLVED that fraternities and sororities shall be required to submit Fraternity/Sorority Summer Registration Forms for each rental to a non-member living at the chapter during the Summer Rental Period; and,

BE IT FURTHER RESOLVED that fraternities and sororities shall post a copy of this Fraternity/Sorority Summer Registration Form in a clearly visible space in the room/unit occupied by the non-member tenant throughout the entirety of the Summer Rental Period; and,

BE IT FURTHER RESOLVED that all fraternities and sororities shall provide a permanent contact person to whom Board staff can send a bill (this person should not be a student, as the Board intends to maintain contact with this representative for all matters related to current and future registration and billing); and,

BE IT FURTHER RESOLVED that, this Resolution incorporates by reference the fraternities listed in Board Resolutions 12-07,13-04, 14-04, 15-03, 16-03, 17-06, 18-07, 19-10, 20-06, 21-08 and the sororities listed in Board Resolution 17-06, 18-07, 19-10, 20-08, 21-08, 22-09; 23-09; and 24-08;

## **RESOLUTION 25-05**

### **ESTABLISHING THE REGISTRATION FEE FOR FRATERNITIES AND SORORITIES FOR THE SUMMER RENTAL PERIOD DURING THE 2025/2026 FISCAL YEAR (Page 4)**

and

BE IT FURTHER RESOLVED that the Board shall revisit the issue of which fraternities and sororities qualify for a reduced Summer Rental Period registration fee should the Board wish to adopt a similar fee in future years; and,

BE IT FURTHER RESOLVED that if another fraternity or sorority not identified by this Resolution submits a claim that it should qualify for the reduced Summer Rental Period registration fee, the fraternity/sorority shall submit its claim to the Board, and staff shall review any such claim and determine its eligibility; such determination may be appealed to the Board as other claims of exemption are reviewed; and,

BE IT FURTHER RESOLVED that in no case shall a fraternity or sorority be permitted to participate in this program to pay a reduced registration fee for the Summer Rental Period for the 2025/2026 fiscal year unless that fraternity/sorority has fully resolved any past due Board registration fees and is otherwise in compliance with the Rent Ordinance registration requirements; and,

BE IT FURTHER RESOLVED that Board staff shall be empowered to investigate and inspect fraternities and sororities during the Summer Rental Period to ensure they are complying with the terms of this Resolution; and,

BE IT FURTHER RESOLVED that Board staff is authorized to develop rules and procedures to implement the counseling, registration, and services associated with this program; and,

BE IT FURTHER RESOLVED that violations of terms set forth in this Resolution shall require Board staff to charge fraternities and sororities a full registration fee for all units where violations are found and require that Board staff charge penalties allowed by Berkeley Municipal Code Section 13.76.080.

**RESOLUTION 25-05**

**ESTABLISHING THE REGISTRATION FEE FOR FRATERNITIES AND SORORITIES  
FOR THE SUMMER RENTAL PERIOD DURING THE 2025/2026 FISCAL YEAR (Page 5)**

Dated: March 20, 2025

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

YES:

NO:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Soli Alpert, Chair  
Rent Stabilization Board

Attest: \_\_\_\_\_  
DéSeana Williams, Executive Director



Rent Stabilization Board

DATE: March 20, 2025

TO: Honorable Members of the Rent Stabilization Board

FROM: Honorable Members of the Budget & Personnel Committee  
 By: DéSeana Williams, Executive Director  
 Matt Brown, General Counsel

SUBJECT: Discussion and possible action regarding whether to adopt proposed Resolution 25-06 which would allow landlords to pass through a portion of the Fiscal Year 2025/2026 Registration Fee to certain tenants

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The Rent Ordinance authorizes the Board to approve passing a portion of the annual registration fee to tenants as a rent adjustment.<sup>1</sup> Since 2010 the Board has allowed landlords who still have very long-term tenancies (pre-1999) to pass through a portion of their registration fees for those rental units, since they have not had the opportunity to raise the rents pursuant to market pursuant to what the Costa-Hawkins Rental Housing Act allows. The Board has mitigated any financial hardships to low income tenant households by reimbursing this temporary rent increase using the AEPHI Lawsuit Settlement Fund. This fund is almost completely empty, so there is no way to reimburse these tenants moving forward.

At its March 11, 2025 meeting, the Budget & Personnel Committee decided it would not make a recommendation on whether the Board should continue to allow landlords to pass through a portion of the registration fee to very long-term tenants given that the reimbursement option for low-income tenants is no longer available. Instead of a recommendation, the committee voted to send this item to the Board for discussion.

Should the Board decide to pass through a portion of the Fiscal Year 2025/2026 registration fee to certain tenants, it will adopt proposed Resolution 25-06. Should the Board decide not to adopt this resolution, landlords will not be able to pass through a portion of the registration fee to any tenants.<sup>2</sup>

**Name and Telephone Number of Contact Person**

DéSeana Williams, Executive Director (510) 981-7368

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<sup>1</sup> Berkeley Municipal Code Sections 13.76.060N. and 13.76.080L.

<sup>2</sup> The Rent Ordinance requires the Board to take affirmative action in order to pass any portion of the registration fee on to tenants, so if the Board does not pass a resolution authorizing it, landlords will not be able to pass any portion of the fee on to tenants.

## RESOLUTION 25-06

### **AUTHORIZATION TO PASS THROUGH TO CERTAIN TENANTS A PORTION OF THE FISCAL YEAR (FY) 2025/26 REGISTRATION FEE AS A TEMPORARY GENERAL ADJUSTMENT OF RENT CEILINGS**

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

WHEREAS, the Rent Stabilization Board operates on the basis of a fiscal year and each year adopts an operational budget after public review and input; and

WHEREAS, Section 123 of Article XVII of the Charter of the City of Berkeley provides that the Rent Stabilization Board shall finance its reasonable expenses by charging landlords annual registration fees in amounts deemed reasonable by the Board; and

WHEREAS, the Executive Director and Rent Stabilization Board believe that recurring annual revenue of \$8,462,000 in FY 2025/26 will be necessary to meet the Program's operating and capital needs and it will require an annual registration fee of \$344 per unit for fully covered units \$212 for partially covered Measure MM units; and

WHEREAS, BMC Sections 13.76.060N. and 13.76.080L. of the Rent Stabilization Ordinance authorize the Rent Board to approve passing a portion of annual registration fees along to tenants as a rent adjustment; and

WHEREAS, prior to the voters changing the way in which the Annual General Adjustment (AGA) was calculated effective in 2005, the Board passed along to tenants all increases in the registration fees as one of the components of the AGA; and

WHEREAS, with the voter-approved change in how the AGA is calculated, the Board is no longer allowed to include new increases to the registration fee as part of the AGA, but only as a pass-through adopted and extended each year; and

WHEREAS, the Rent Stabilization Board consistently found that it would be fair and equitable in view of the purposes of the Rent Ordinance to pass along to tenants part or all of the increase in the registration fee as a temporary adjustment of rent ceilings; and

WHEREAS, under vacancy decontrol, owners are expected to consider past and anticipated future operating cost increases when setting the initial rent for a new tenancy, and therefore, increases to the registration fee presumably have been factored into the rent charged; and

WHEREAS, under 10% of the rental units in the City have a tenancy that began prior to January 1, 1999, when vacancy decontrol was fully implemented; and

## RESOLUTION 25-06

### **AUTHORIZATION TO PASS THROUGH TO CERTAIN TENANTS A PORTION OF THE FISCAL YEAR (FY) 2025/26 REGISTRATION FEE AS A TEMPORARY GENERAL ADJUSTMENT OF RENT CEILINGS (Page 2)**

WHEREAS, the Board has attempted to guarantee that owners of these non-decontrolled rental units continue to receive a pass-through for increased costs to the registration fee; and

WHEREAS, the Rent Stabilization Board finds that it would be fair and equitable in view of the purposes of the Rent Stabilization Ordinance to continue to pass along to certain tenants a portion of the 2025 registration fee as a temporary adjustment of rent ceilings;

WHEREAS, the Board also understands and wishes to mitigate the financial hardships experienced by tenants at 50% or less of Area Median Income (AMI) as calculated by the Department of Housing and Urban Development (HUD) for the Oakland-Fremont, CA HUD FMR Area, or otherwise receiving certain forms of income-qualifying assistance, who have to pay the pass-through; and

WHEREAS, the Board has very limited unclaimed overcharge money available in the AEPHI Lawsuit Settlement Fund designated under Regulation 1271(B) for programs that benefit low- and/or moderate-income tenants but the AEPHI Lawsuit Settlement Fund; and

WHEREAS, funding for reimbursements authorized in years past is projected to be exhausted by the end of the current calendar year.

NOW THEREFORE, BE IT RESOLVED that for each rental unit in which the tenancy began prior to January 1, 1999, for which a full registration fee is paid for Fiscal Year 2025/26, the landlord may, by serving legal notice pursuant to California Civil Code section 827, increase the rent by up to \$14.00 a month for twelve consecutive months, provided, however, that this partial registration fee pass-through shall not be considered part of the permanent rent ceiling for purposes of calculating the 2026 Annual General Adjustment; and

BE IT FURTHER RESOLVED that this twelve-month temporary general adjustment of up to \$14.00 may not be imposed prior to July 1, 2025, and, regardless of when first collected, shall terminate no later than December 31, 2026; and

BE IT FURTHER RESOLVED that the maximum increase shall not result in a pass-through greater than \$14.00 per month, and notice to tenants of any pass-through shall be on a form provided by the Board or use language approved by the Executive Director; and

BE IT FURTHER RESOLVED that the landlord shall be required to submit a copy of the above-referenced form to the Rent Board before collecting the pass-through; and

**RESOLUTION 25-06**

**AUTHORIZATION TO PASS THROUGH TO CERTAIN TENANTS A PORTION OF THE FISCAL YEAR (FY) 2025/26 REGISTRATION FEE AS A TEMPORARY GENERAL ADJUSTMENT OF RENT CEILINGS (Page 3)**

Dated: March 20, 2025

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

YES:

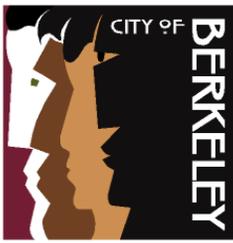
NO:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Soli Alpert, Chairperson  
Rent Stabilization Board

Attest: \_\_\_\_\_  
DéSeana Williams, Executive Director



Rent Stabilization Board  
Office of the Executive Director

DATE: March 20, 2025

TO: Honorable Members of the Rent Stabilization Board

FROM: By: DéSeana Williams, Executive Director

SUBJECT: Modifying Staffing Model – Converting the Policy Director to a Principal Program Manager

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## Background

The Berkeley Rent Stabilization Board continues to serve as a leader in rent control administration while simultaneously adapting to the growing demands of rental regulation, compliance enforcement, and public service delivery. With the recent implementation of the Measure BB Ordinance, the agency now oversees approximately 3,000 additional rental units, which may significantly increase the volume of service requests, compliance monitoring, and landlord-tenant interactions.

As part of a comprehensive effort to improve operational efficiency, enhance program oversight, and meet increasing service demands, this proposal recommends converting the Policy Director position with a Principal Program Manager (PPM).

The agency currently operates with 28 Full-Time Equivalent (FTE) career positions across seven functional units. Two of these—the Public Information Unit (PIU) and the Registration Unit—are among the most public-facing and are directly impacted by the Measure BB expansion.

- The Public Information Unit (PIU) provides direct tenant-landlord counseling, outreach, and education.
- The Registration Unit maintains rental unit registration, information data, fee collection, and compliance enforcement.

The intention of the Policy Director was to be responsible for high-level policy research and program strategic planning. However, as the agency's workload increases with expanded compliance responsibilities and direct service provision, the agency requires a role that supports policy development and ensures coordinated oversight of our public-facing program implementation and operational coordination.

## **Restructuring of the Executive Office**

### **Current Structure:**

- Policy Director (to be eliminated) – Requires new classification- Previously slated to oversee policy research, program initiatives, and high-level strategy.
- Registration Manager – Oversees all rental unit registration and fee collection efforts.
- CSS III/Public Information Unit Manager – Manages tenant and landlord counseling, outreach, and education.

### **Proposed Structure:**

- **Principal Program Manager (Existing Classification-New Position) – Replaces Policy Director**
  - **Supervises:**
    - Registration Unit Manager
    - CSS III/Public Information Unit Manager
  - **Primary Functions:**
    - Oversees Rent Board Program compliance, data system function and integrity, and public information functions.
    - Manages program initiatives, housing data analytics, and regulatory compliance efforts.
    - Provides increased leadership capacity for registration compliance and public information functions.
    - Ensures a coordinated response to the increased volume of Measure BB-related service requests.
    - Strengthens alignment between fee collection, compliance monitoring, and public outreach.
    - Oversees research and data analysis related to rent control policies, including registration trends, enforcement activities, and public engagement metrics.
    - Develops policy recommendations based on service data and agency research to support Board decision-making.
    - Drafts reports, memoranda, and policy documents related to program operations, tenant and landlord compliance, and legislative changes impacting rent control.
    - Monitors and analyzes proposed state and local housing legislation, assessing its impact on agency operations and regulatory authority.
    - Supervises program initiatives related to compliance enforcement, data-driven policy evaluation, and developing best practices in rent stabilization.
    - Implements performance monitoring and service efficiency improvements.
    - Strengthens cross-unit coordination for policy implementation.
    - Implements performance monitoring to improve service delivery.

## **Rationale for Staffing Model Change**

### **1. Enhanced Operational Oversight:**

- With an expanded rental unit portfolio of over 25,000 units, the Rent Board must ensure that registration compliance and public education efforts are tightly coordinated. A unified management structure will enhance enforcement efforts, ensuring consistency in messaging and transparency in compliance expectations for landlords.

### **2. Improved Compliance & Program Alignment:**

- Registration fee collection and tenant-landlord counseling are interconnected functions in enforcing rent stabilization regulations.
- A unified leadership approach ensures that both teams align their efforts in increasing landlord compliance and educating the public.

### **3. Strategic Workforce Optimization:**

- Eliminating the Policy Director position reduces redundancy.
- The Principal Program Manager brings direct program oversight, regulatory compliance experience, and operational management skills, ensuring a stronger focus on program execution and service delivery.

### **4. Financial Efficiency:**

- The Principal Program Manager's position is an already established position that integrates operational leadership with policy execution, allowing for a seamless transition without creating a new role. This change does not require additional funding beyond existing salary allocations, making it a fiscally responsible solution that enhances service delivery without requiring an additional FTE.

### **5. Strengthened Policy Development, Research, and Compliance Oversight:**

- The Principal Program Manager will assume key policy functions previously proposed to be handled by the Policy Director, ensuring that the agency remains at the forefront of housing regulations, compliance trends, and legislative updates.
- Responsibilities will include analyzing policy impacts, drafting and reviewing policy documents, and providing recommendations for regulatory changes to align with state and local housing laws.
- The Principal Program Manager will conduct ongoing research on rent stabilization trends, eviction protections, and housing affordability, translating findings into data-driven policy proposals for the Board's consideration.
- In collaboration with the Registration and Public Information Units, the PPM will integrate policy research with outreach efforts, ensuring that landlords and tenants receive updated guidance on rental laws and compliance requirements.
- This role will also oversee the review of registration compliance data, using findings to shape enforcement strategies and proactively identify gaps in current policies.

## **Financial Impact**

Revising the current staffing model to include a Principal Program Manager position has an annual salary and benefits cost of \$324,598 and will be fully absorbed within the existing FY24 - 25 budget allocation due to salary savings from existing vacancies.

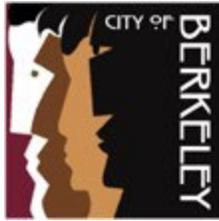
These significant salary savings from current vacancies have created an opportunity to amend our current staffing model to include the Principal Program Manager position. This position will provide much-needed leadership and administrative capacity to the registration process, data integrity, compliance, and policy work, and additional oversight to the Public Information and Registration Units. Funding in the amount of \$113,864 is currently available in the FY24 -25 budget to fund this position. The Board will review anticipated salary savings and expected revenue to sustain this position in FY25 -26 and beyond.

## **Recommendation**

The Budget and Personnel Committee recommends that the Board authorizes the conversion of the Policy Director position to the Principal Program Manager, who will oversee both the Registration and Public Information Units as outlined in this proposal.

## **Contact Information**

**DéSeana Williams, Executive Director**  
(510) 981-7368



CITY OF BERKELEY  
Established Date: Jul 30, 2017  
Revision Date: Dec 7, 2018

## **Principal Program Manager**

Class Code 9021

### **SALARY RANGE**

**\$162,537.65 - \$196,697.49 Annually**

### **Description**

#### **DEFINITION**

Plans, organizes, directs, and supervises one or more major City programs or projects that are highly visible and have a substantial impact, including the development and implementation of program goals and elements; performs a variety of technical tasks relative to the assigned program or project; and develops procedures, programs, and methodologies.

#### **CLASS CHARACTERISTICS**

This management level classification may be populated with multiple incumbents who mission. The Principal Program Manager is a supervisory level responsible for directing one or more complex City programs or projects. Incumbents are expected to demonstrate skills and knowledge particular to their assignment. Under general direction, the Principal Program Manager organizes, coordinates and directs various staff and activities associated with the development and implementation for programs and projects.

Principal Program Manager is distinguished from the Program Manager II in that it has full supervisory responsibilities, including completing performance evaluations and counseling for performance improvement.

### **Examples of Duties**

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

1. Recommends and assists in the implementation of goals and objectives; establishes schedules and methods for the performance of project or program implementation; implements policies and procedures;
2. Plans, prioritizes, assigns, supervises and reviews the work of staff involved in the performance of project or program implementation as well as the activities of professional, paraprofessional and support staff;

3. Evaluates operations and activities of assigned responsibilities; recommends improvements and modifications; prepares various reports on operations and activities;
4. Participates in budget preparation and administration; prepares cost estimates for budget recommendations; submits justifications for staff, equipment, and supplies; monitors and controls expenditures;
5. Participates in the selection of staff; provides or coordinates staff training; works with employees to correct deficiencies; implements discipline procedures;
6. Organizes, coordinates, and manages one or more major programs or projects with high visibility and impact;
7. Supervises administrative functions associated with program management including budget preparation, financial management, and grant application preparation and administration; manages the procurement process including the development of RFP/RFQs; negotiates terms, conditions and administers contracts;
8. Represents the department in a variety of meetings and forums involving program coordination and implementation;
9. Conducts complex analyses and makes technical investigations and research on a variety of issues impacting the City;
10. Plans, develops and supervises complex studies and prepares and presents findings and recommendations;
11. Serves as liaison with representatives from federal, state, local, private and community organizations in the implementation of assigned program(s);
12. Reviews the effectiveness of service delivery and work flow; develops and supervises the implementation of recommendations regarding program elements;
13. Analyzes laws and regulations and their impact to assigned program(s);
14. Develops and maintains informational and statistical reports regarding program performance, goal attainment, and service levels;
15. Maintains regular contact with public, including internal and external meetings and/or site visits to ensure compliance with program requirements;
16. Performs related duties as assigned.

### **Knowledge and Abilities**

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

Knowledge of:

1. Advanced principles and practices of project/program development, management and administration in the assigned program area;
2. Management and administrative principles and practices;
3. Principles of budget development and administration;
4. Principles and practices of supervision, training, and performance evaluations;

5. Advanced principles and practices of research, analysis, and report writing;
6. Principles and practices of effective employee supervision, including selection, training, work evaluation and discipline;
7. Pertinent Federal, State, and local statutes, ordinances, and regulations, as needed for area of assignment;
8. Regulatory and programmatic requirements and services as they relate to assigned program;
9. Principles and practices of grant administration, public procurement, contract law, and negotiations.

Ability to:

1. Organize, implement, and direct program or project operations and activities;
2. Effectively plan, develop, implement, and supervise comprehensive programs and policies with a broad impact and high degree of complexity;
3. Assist in the development and monitoring of an assigned program budget;
4. Collect and analyze large volumes of data and reach a sound conclusion;
5. Supervise, train, and evaluate assigned staff;
6. Use, at a highly proficient level, computers, computer applications, and software including Word, Excel, and other software relevant to the assigned program area;
7. Prepare and present clear and concise technical or analytical reports and visually engaging presentations for City Council and community;
8. Interpret and apply program requirements and/or regulatory practices, rules, and policies to actual situations;
9. Meet deadlines in a highly political environment;
10. Communicate effectively, both orally and in writing;
11. Effectively analyze legislation and/or regulatory changes and their impact to City services;
12. Establish and maintain productive working relationships with those contacted in the course of the work;
13. Use English effectively to communicate in person, over the telephone, and in writing;
14. Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines; and 15. Manage and supervise support staff.

**Minimum Qualifications**

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

Equivalent to graduation from a four (4) year college or university with major coursework in business or public administration or a related field and five (5) years in the development and implementation of programs, including two (2) years in a lead capacity. Experience in a public agency setting is desirable. Additional professional-level

experience as outlined above may be substituted for the college education on a year-for-year basis.

**OTHER REQUIREMENTS:**

Must be able to travel to various locations within and outside the City of Berkeley to meet program needs and to fulfill the job responsibilities. When driving on City business, the incumbent is required to maintain a valid California driver's license as well as a satisfactory driving record. Must be able to attend evening and weekend meetings.

## RESOLUTION 25-07

### ADJUSTING THE FISCAL YEAR 2024-2025 STAFFING MODEL POSITION DETAIL TO CONVERT THE POLICY DIRECTOR POSITION TO A PRINCIPAL PROGRAM MANAGER POSITION

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

**WHEREAS**, the Berkeley Rent Stabilization Board (“Rent Board”) is responsible for administering and enforcing the Rent Stabilization and Eviction for Good Cause Ordinance to ensure stability, equity, and accessibility within Berkeley’s rental housing market; and

**WHEREAS**, the Rent Board has identified the need to enhance operational oversight, strengthen compliance enforcement, and improve programmatic alignment within the agency; and

**WHEREAS**, the agency currently operates with 28.0 Full-Time Equivalent (FTE) career positions across eight functional units, two of which, the Public Information Unit (PIU) and the Registration Unit are predominately public-facing and central to the administration of the Rent Ordinance; and

**WHEREAS**, as part of an ongoing effort to improve efficiency and organizational structure, the Executive Director proposes modifying the staffing model by replacing the Policy Director position with a Principal Program Manager (PPM); and

**WHEREAS**, the Principal Program Manager position already exists within the City’s job classifications; and

**WHEREAS**, the new Principal Program Manager (PPM) will assume many of the responsibilities previously assigned to proposed Policy Director position while also taking on direct supervisory authority over the Registration Manager and the Public Information Unit Manager, strengthening coordination between rental unit registration compliance and public outreach efforts; and

**WHEREAS**, the Principal Program Manager will play a pivotal role in integrating policy research and development with regulatory enforcement, ensuring that both landlords and tenants receive clear, accurate, and timely information regarding rental laws and compliance requirements; and

## RESOLUTION 25-07

### **ADJUSTING THE FISCAL YEAR 2024-2025 STAFFING MODEL POSITION DETAIL TO CONVERT THE POLICY DIRECTOR POSITION TO A PRINCIPAL PROGRAM MANAGER POSITION (Page 2)**

**WHEREAS**, consolidating operational oversight under the Principal Program Manager will allow for more effective coordination of rental registration fee collection, tenant-landlord counseling, and public education efforts, ensuring streamlined and efficient service delivery; and

**WHEREAS**, eliminating the Policy Director position in favor of a Principal Program Manager will reduce redundancy in policy oversight, align with the agency's evolving operational needs, and enhance programmatic efficiency without adding additional FTEs; and

**WHEREAS**, after performing the mid-fiscal year budget review in February and examining the current workload and filled positions, the Executive Director and the Budget & Personnel Committee recommended that the Board convert the Policy Director Position to a Principal Program Manager Position; and

**WHEREAS**, the total annual financial impact of adding a Principal Program Manager (\$324,598) will be absorbed within the agency's existing FY24-25 budget allocation due to salary savings from existing vacancies;

**NOW, THEREFORE, BE IT RESOLVED** that the Rent Stabilization Board formally approves the modification of the staffing model by replacing the Policy Director position with a Principal Program Manager (PPM), who will oversee both the Registration and Public Information Units and take on the responsibilities as outlined; and

**BE IT FURTHER RESOLVED** that staff is directed to ensure that this modification is implemented in a manner that maintains fiscal responsibility and operational efficiency while enhancing program oversight, policy coordination, and compliance enforcement.

**RESOLUTION 25-07**

**ADJUSTING THE FISCAL YEAR 2024-2025 STAFFING MODEL POSITION DETAIL TO  
CONVERT THE POLICY DIRECTOR POSITION TO A PRINCIPAL PROGRAM MANAGER  
POSITION (Page 3)**

Dated: March 20, 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

## **Berkeley Rent Stabilization Board Travel and Training Policy**

### **Berkeley Rent Board Travel and Training Policy**

#### **1. Purpose**

This policy establishes pre-approval, reimbursement, and funding availability guidelines for Rent Board employees and Commissioners who attend professional development events, training sessions, conferences, and other business-related travel.

#### **2. Scope**

This policy applies to:

- All Rent Board employees attending City-approved work-related travel.
- All elected Rent Board Commissioners attending trainings, conferences, or meetings that enhance their ability to serve in their official capacity.

This policy does not apply to:

- Personal travel unrelated to Rent Board business.
- Travel funded by external organizations that cover all related expenses.

#### **3. Pre-Approval Process**

##### **3.1 Travel Request Submission**

- Employees and Commissioners must submit a Travel and Training Request Form at least 45 days in advance of the event.
- Requests must include:
  - Name and description of the event.
  - Justification for attendance and relevance to Rent Board duties.
  - Estimated costs, including registration, travel, lodging, and meals.

##### **3.2 Authorization**

- For Employees: The Executive Director or designee must approve travel requests.
- For Commissioners: The Board Chair and the Executive Director must approve the request.

#### **4. Allowable Expenses**

Rent Board funds may cover the following reasonable and necessary expenses:

- Registration Fees – Payment for attendance at approved events, including workshops and conferences.
- Transportation – The most economical and practical method of travel, including airfare, train, and mileage reimbursement for personal vehicle use at IRS rates.
- Lodging – Limited to standard room rates at government or conference-negotiated rates.
- Meals – Reimbursed on a per diem basis, following GSA CONUS rates. Alcohol is not reimbursable.
- Ground Transportation – Reimbursement for ride-shares, taxis, public transit, or rental cars when necessary.

**Non-Allowable Expenses include:** First-class airfare, room upgrades, entertainment, in-room services, minibar charges, personal expenses, or any cost exceeding reasonable business standards.

## **5. Payment and Reimbursement Process**

### **5.1 Direct Payment for Expenses**

- Employees may use a City-issued credit card or submit a purchase order request for registration fees and lodging when possible.

### **5.2 Personal Payment and Reimbursement**

- Employees may request pre-payment for registration fees and travel expenses. Alternatively, both employees and Commissioners may cover the costs upfront and seek reimbursement after the trip.
- Reimbursement requests must be submitted within 30 days of travel. Statement of Expense forms and receipts submitted after this date may not be processed, and the employee assumes full, personal responsibility for the costs she/he incurred.

### **5.3 Required Documentation**

- Receipts for all eligible expenses must be submitted along with a Statement of Expense Form.
- Failure to submit documentation within 30 days may result in denied reimbursement.

## **6. Advances for Travel Expenses**

- Advances are only available to employees and must be requested at least 10 business days before travel.
- Advances are not available to Commissioners, who must use the reimbursement process instead.

## **7. Budget and Financial Tracking**

- The Rent Board's Finance Unit will maintain a travel budget tracking system to ensure funds are available before approval.
- The Executive Director and Board Chair will receive quarterly updates on available training and travel funds to ensure equitable access.

## **8. Compliance and Accountability**

- Any travel not pre-approved will not be eligible for reimbursement.
- Commissioners and employees must submit post-travel reports summarizing key takeaways for Board review if requested.
- Non-compliance with this policy may result in denied reimbursements or future travel restrictions.

## **RESOLUTION 25-08**

### **ADOPTING A TRAVEL AND TRAINING POLICY FOR EMPLOYEES AND RENT BOARD COMMISSIONERS**

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

**WHEREAS**, the Berkeley Rent Stabilization Board (the "Rent Board") is responsible for administering and enforcing the Rent Stabilization and Eviction for Good Cause Ordinance; and

**WHEREAS**, professional development and participation in training, conferences, and relevant industry events enhance the ability of both Rent Board employees and elected Commissioners to fulfill their roles effectively; and

**WHEREAS**, there is currently no formal Rent Board-specific travel policy governing the process for business travel, training, and expense reimbursements; and

**WHEREAS**, previous City of Berkeley travel resolutions (Resolution No. 63,413) included Rent Board Commissioners in the reimbursement framework, but subsequent amendments (Resolution No. 67,992) removed this inclusion, necessitating the establishment of a standalone travel policy; and

**WHEREAS**, the City of Berkeley’s Administrative Regulation 3.9 governs employee travel but does not fully account for the unique travel and training needs of Rent Board Commissioners; and

**WHEREAS**, a clear and transparent policy ensures equitable access to professional development opportunities, maintains fiscal responsibility, and establishes uniform guidelines for pre-approvals, reimbursement processes, and financial oversight.

**RESOLUTION 25-08**

**ADOPTING A TRAVEL AND TRAINING POLICY FOR EMPLOYEES AND RENT BOARD COMMISSIONERS (Page 2)**

**NOW, THEREFORE, BE IT RESOLVED** that the Berkeley Rent Stabilization Board adopts the attached Travel and Training Policy governing all official Rent Board travel; and,

**BE IT FURTHER RESOLVED** that this policy is applicable to both employees and Commissioners; and

**BE IT FURTHER RESOLVED** that this policy will take effect immediately upon adoption; and

**BE IT FURTHER RESOLVED** that the Board may review this policy annually to ensure alignment with budgetary constraints, operational needs, and best practices in travel and training management.

Dated: March 20, 2025

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

YES:

NO:

ABSTAIN:

ABSENT:

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Soli Alpert, Chairperson  
Rent Stabilization Board

Attest: \_\_\_\_\_  
DéSeana Williams, Executive Director  
Rent Stabilization Board

**RESOLUTION 25-09**

**CLARIFYING THAT LANDLORDS WHO HAD RENTAL UNITS COME UNDER COVERAGE OF THE RENT ORDINANCE DUE TO THE BERKELEY VOTERS' ADOPTION OF MEASURE BB SHALL NOT BE PROHIBITED FROM RAISING RENTS DUE TO RENT BOARD REGISTRATION FEES NOT BEING PAID PRIOR TO JULY 1, 2025**

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

**WHEREAS**, Measure BB, which was placed on the general election ballot by the Berkeley City Council and subsequently passed by the voters on November 5, 2024, eliminates many previously-established exemptions and requires landlords to register a number of rental units that were previously exempt from registration fees, including, but not limited to: Section 8 and other government-subsidized units; and

**WHEREAS**, the Rent Ordinance amendments established by Measure BB became law on December 20, 2024; and

**WHEREAS**, at the time Measure BB became law, agency staff began to provide services to landlords and tenants of all units affected by this new registration requirement; and

**WHEREAS**, registration fees became due and owing at the time Measure BB was certified as law; and

**WHEREAS**, the Board made the decision not to begin to bill landlords affected by Measure BB until the upcoming fiscal year registration fees are established so as to not create two billing cycles in short proximity for these landlords; and

**WHEREAS**, landlords affected by Measure BB will receive a bill that covers half of the Fiscal Year 2024-2025 given that their units became subject to registration requirements in late December 2024 and all of Fiscal Year 2025-2026; and

## RESOLUTION 25-09

**CLARIFYING THAT LANDLORDS WHO HAD RENTAL UNITS COME UNDER COVERAGE OF THE RENT ORDINANCE DUE TO THE BERKELEY VOTERS' ADOPTION OF MEASURE BB SHALL NOT BE PROHIBITED FROM RAISING RENTS DUE TO RENT BOARD REGISTRATION FEES NOT BEING PAID PRIOR TO JULY 1, 2025 (Page 2)**

**WHEREAS**, BMC Section 13.76.110D.4. and Regulation 1147 make clear that landlords are prohibited from imposing rent increases until they are fully compliant with the registration process which includes full payment of all registration fees; and

**WHEREAS**, technically, landlords who now have to register their rental units due to Measure BB are not in compliance with the registration requirements of the Rent Ordinance as they have not paid fees since the law went into effect; and

**WHEREAS**, given that the Board has not yet billed any of these units, it would be unfair to restrict landlords from lawfully increasing tenants' rents solely based on their noncompliance with the registration requirements of the Rent Ordinance; and

**WHEREAS**, landlords affected by Measure BB should have the opportunity to comply with timely payment of registration fees once they receive their bills;

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Berkeley Rent Stabilization Board hereby clarifies that landlords who are now required to pay registration fees based on the changes made to the Rent Ordinance by Measure BB are permitted to lawfully increase rents until July 1, 2025, regardless of whether they have paid any Board registration fees; and

**BE IT FURTHER RESOLVED** that by adopting this resolution the Board makes no determination regarding what constitutes a "lawful rent increase" and that tenants shall maintain the right to contest increases they believe to be unlawful; and

**RESOLUTION 25-09**

**CLARIFYING THAT LANDLORDS WHO HAD RENTAL UNITS COME UNDER COVERAGE OF THE RENT ORDINANCE DUE TO THE BERKELEY VOTERS' ADOPTION OF MEASURE BB SHALL NOT BE PROHIBITED FROM RAISING RENTS DUE TO RENT BOARD REGISTRATION FEES NOT BEING PAID PRIOR TO JULY 1, 2025 (Page 3)**

**BE IT FURTHER RESOLVED** that the restriction on imposing rent increases identified by the Rent Ordinance and corresponding regulations shall continue to apply to all fully-controlled rental units (including those that became subject to registration requirements due to Measure BB) after July 1, 2025, when all landlords will have had a full and fair opportunity to comply with the statutory Rent Ordinance registration requirements.

Dated: March 20, 2025

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

YES:

NO:

ABSTAIN:

ABSENT:

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Soli Alpert, Chairperson  
Rent Stabilization Board

Attest: \_\_\_\_\_  
DéSeana Williams, Executive Director  
Rent Stabilization Board

**RESOLUTION 25-10**

**APPROVING EMPLOYMENT CONTRACT AMENDMENTS TO INCLUDE SUCCESSION PLANNING CLAUSE AND ADJUST COMPENSATION PACKAGE FOR RENT STABILIZATION BOARD GENERAL COUNSEL MATTHEW BROWN**

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

**WHEREAS**, the Board is authorized under Section 123(2) of Article XVII of the Charter of the City of Berkeley to employ staff as necessary to perform its functions; and

**WHEREAS**, the General Counsel shall serve as the chief legal advisor and litigator for the Board and is charged with the responsibility of protecting the interests of the Board and its employees as provided for under California law and Article XVII of the Charter of the City of Berkeley; and

**WHEREAS**, Matthew Brown currently serves as General Counsel; and

**WHEREAS**, The Board at its February Meeting reviewed information regarding the General Counsel’s salary as compared to other similarly situated employees in the office of the Berkeley City Attorney; and

**WHEREAS**, the Board would like to adjust Mr. Brown’s salary to be more in line with those of similarly situated legal employees in the office of the City Attorney; and

**WHEREAS**, the Board has employed Mr. Brown for over 21 years; and

**WHEREAS**, the Board would like to add a succession planning clause to Mr. Brown’s current employment agreement to prepare the agency for his as-of-yet undetermined departure.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Berkeley Rent Stabilization Board hereby authorizes its Executive Director and Board Chair to execute appropriate contract amendments to the existing employment agreement of Matthew Brown that will raise his base salary from \$121.01 per hour to \$141.68 per hour; and

**RESOLUTION 25-10**

**APPROVING EMPLOYMENT CONTRACT AMENDMENTS TO INCLUDE  
SUCCESSION PLANNING CLAUSE AND ADJUST COMPENSATION PACKAGE FOR  
RENT STABILIZATION BOARD GENERAL COUNSEL MATTHEW BROWN**

(Page 2)

**BE IT FURTHER RESOLVED** that this pay adjustment to Mr. Brown's existing employment agreement is retroactive to February 20, 2025, and will take effect during the first pay cycle following that date; and

**BE IT FURTHER RESOLVED** that Mr. Brown's existing employment agreement shall be further amended to include a succession planning clause; and

**BE IT FURTHER RESOLVED** that all other terms of Mr. Brown's existing employment agreement will remain the same; and

**BE IT FURTHER RESOLVED** that the employment agreement will be made available for public inspection once all parties have signed the amendments articulated herein.

Dated: March 20, 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

**From:** [Berkeley City Clerk Department](#)  
**To:** [Mueller, Aimee B.](#)  
**Cc:** [Commission](#)  
**Subject:** REMINDER: Notification of 2025 Annual Form 700 Filing Requirement (Due by April 1, 2025)  
**Date:** Thursday, March 13, 2025 3:19:57 PM  
**Attachments:** [Filing Instructions.pdf](#)

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**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

This email is generated from the NetFile system on behalf of the Berkeley City Clerk Department. It is safe to click the links and open the attachments in this email.

Commissioner Mueller:

**This email serves as notice that the annual Form 700 filing covering the period from January 1, 2024, to December 31, 2024, is due no later than April 1, 2025.**

As a Berkeley commissioner, you are required to file an annual Statement of Economic Interests (Form 700) and disclose specific economic interests as outlined in the City's Conflict of Interest Code.

Please log into [NetFile, the City's online filing portal](#) using your email address ([amueller@berkeleyca.gov](mailto:amueller@berkeleyca.gov)) to submit your Annual Form 700 for your city positions.

For assistance with the submission process, please refer to the attached filing instructions.

**IMPORTANT:** The City's Conflict of Interest Code mandates the termination of city commission appointments if the annual form 700 is not filed by the April 1, 2025, deadline. Unfortunately, no extensions are available for this filing deadline. Noncompliance may lead to fines and penalties under state law.

- For questions about how to use the e-filing system, please contact NetFile Technical Support at [filehelp@netfile.com](mailto:filehelp@netfile.com)
- For technical questions regarding what to report, contact the Fair Political Practices Commission at [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or (866) 275-3772 (toll free)
- For questions about your filing requirement, please contact the City

Clerk Department at 510.981.6908 or [commission@berkeleyca.gov](mailto:commission@berkeleyca.gov)

Sincerely,

Neetu Salwan  
Assistant City Clerk  
Berkeley City Clerk Department  
[Commission@berkeleyca.gov](mailto:Commission@berkeleyca.gov)  
510.981.6908



# STATEMENT OF ECONOMIC INTERESTS NETFILE ONLINE FILING SYSTEM

## Step 1: Log into NetFile to file the Form 700 electronically

1. Existing user: Go to <http://www.netfile.com/filer/> log in using your email address and password.
2. New User: If you are a new user, please follow the link "New User? Request a Password" to obtain your password. Simply enter your email address and a new password will be sent to you within a few minutes.
3. Lost password: In case you have misplaced or forgotten your NetFile password, please click on the "Lost Your Password?" link and provide your email address. A new password will be sent to you within a few minutes. Kindly ensure to check your email's spam folder as well.
4. Need to change email address: If you require a change in your registered email address, please contact the City Clerk Department and provide the updated information.

After successfully logging into your account, NetFile offers a variety of helpful resources including video tutorials, a user guide, and reference documents.

## Step 2: Find your disclosure category

Click on the City of Berkeley Conflict of Interest Code link at the top of your home page. Find your position to see what information you need to disclose on your Form 700.

## Step 3: How to file Form 700 electronically from your NetFile account page

- Under "Filings to Complete", select **all** boxes in the **Create** column, then click on "Start Selected Document(s)." Follow the onscreen prompts to navigate through the form.

**Your Filing Category Requirements** (Click to collapse or expand this panel)

1

Review the following document before proceeding - [City of Berkeley Conflict of Interest Code](#).

## Filings to Complete

### Current Filings to Complete

This table lists current unfulfilled filings you need to complete. Find the unfulfilled filing or filings you want to complete. Check the appropriate box or boxes in the **Create** column and then click the **Start Selected Document** button. **Note:** You may not be able to combine certain filing types.

Period Start	Period End	Deadline	Form	Type	Departments	Positions	Create	Edit	Del...
1/1/2024	12/31/2024	04/01/2025	Fppc700	Annual	All known	All known	<input type="checkbox"/>		

**Start Selected Document**

## Step 4: After reviewing your draft Form 700, e-file the document in the system. No paper copy is required.

Learn more about the Form 700 by visiting the Fair Political Practices Commission (FPPC) website: <http://www.fppc.ca.gov/Form700.html>. The FPPC also provides advice at [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or (1-866-275-3772).



Rent Stabilization Board

**RENT STABILIZATION BOARD  
BUDGET & PERSONNEL COMMITTEE MEETING**

**Tuesday, March 11, 2025 – 5:30 p.m.**

**Rent Stabilization Board Conference Room A – 2000 Center Street, Ste. 400- 4th floor, 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/86075991717?pwd=Ungn85z4Gj2ybdjs95bnerZzjBbhEv.1>. If you do not wish your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself as anonymous. To request to speak, use the "Raise Hand" icon by rolling over the bottom of the screen.

**To join by phone:** Dial 1-669-900-6833 and enter Webinar ID: 860 7599 1717 and Passcode: 496349. 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 [DeWilliams@berkeleyca.gov](mailto:DeWilliams@berkeleyca.gov) with the Subject line in this format: "PUBLIC COMMENT ITEM FOR BUDGET & PERSONNEL 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**  
**BUDGET & PERSONNEL COMMITTEE MEETING**  
**Tuesday, March 11, 2025 – 5:30 p.m.**  
**Rent Stabilization Board Conference Room A – 2000 Center Street, Ste. 400- 4th floor, Berkeley**

**AGENDA**

1. Roll Call
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-Chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors, and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*
3. Approval of agenda
4. Public Comment
5. Approval of February 18, 2025, meeting minutes (attached to agenda)
6. Introduction of New Staff - Desireé Oliver
7. Discussion and Possible Action regarding the End of the Pass-through program funding (Report Attached)
8. Discussion and Possible Action on the Recommendation to Adopt the Fiscal Year 2025/26 Registration Fee for Fully Covered and Measure MM Units (report and staff presentation attached)
9. Future agenda items
10. Discussion and possible action to set the next meeting
11. Adjournment

**STAFF CONTACT: DéSeana Williams, Executive Director (510) 981-7368**  
**COMMITTEE:** Soli Alpert, Andy Kelley, Nathan Mizell, Chair, Dominique Walker



## RENT STABILIZATION BOARD

### LEGISLATION, IRA / AGA & REGISTRATION COMMITTEE MEETING

Thursday, March 6, 2025 – 6:00 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/84445817762?pwd=a2b2i9gPHlrMND2mwVlpR5npvzrqJ1.1>. 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: 844 4581 7762 and Passcode: 265015. 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](mailto: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 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.

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

**Thursday, March 6, 2025 – 6:00 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. Election of Committee Chair
5. Approval of the minutes of the December 12, 2024 meeting (See attached).
6. Public Comment
7. Discussion and possible action regarding the promulgation of new regulations to implement newly adopted Right to Organize – B.M.C. Section 13.76.135
8. Discussion and possible action regarding future agenda items
9. Confirm next meeting date
10. Adjournment

**STAFF CONTACT: Matt Brown, General Counsel (510) 981-4930**  
**COMMITTEE: Soli Alpert, Stefan Elgstrand, Ida Martinac, Nathan Mizell**



**2 X 2 JOINT COMMITTEE ON HOUSING**

**RENT STABILIZATION BOARD (RSB)/BERKELEY UNIFIED SCHOOL DISTRICT (BUSD)**

**Monday, March 3, 2025 – 5:00 p.m.**

**Rent Stabilization Board Conference Room A – 2000 Center Street, 4<sup>th</sup> floor, Berkeley, CA 94704**

**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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**To join by phone:** Dial 1-669-444-9171 and enter Webinar ID: 852 4009 0170 and Passcode: 587250. 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 e-mail comment for the Committee’s consideration and inclusion in the public record, email [sscole@berkeleyca.gov](mailto:sscole@berkeleyca.gov) with the Subject line in this format: “PUBLIC COMMENT ITEM FOR 2X2 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.**

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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:**



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Rent Stabilization Board

## **2 X 2 JOINT COMMITTEE ON HOUSING**

### **RENT STABILIZATION BOARD (RSB)/BERKELEY UNIFIED SCHOOL DISTRICT (BUSD)**

**Monday, March 3, 2025 – 5:00 p.m.**

**Rent Stabilization Board Conference Room A – 2000 Center Street, 4<sup>th</sup> floor, Berkeley, CA 94704**

#### **AGENDA**

1. Roll Call
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-Chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors, and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*
3. Approval of agenda
4. Public Comment
5. Election of Committee Chair
6. Approval of November 18, 2024, meeting minutes (attached to agenda)
7. Follow Up on Family Engagement Services to Students with Disability and African American Students
8. Protections of Students with a Different National Origin Amidst Federal Mass Deportations
9. Housing Transition Plan for 12th-Grade Students
10. Students protected under the McKinney-Vento Homeless Assistance Act
11. Future Items
  - a. Meeting Schedule
12. Adjournment

**STAFF CONTACT: Shamika Cole, Finance Director (510) 981-4903**

**COMMITTEE:** Vanessa Marrero (RSB), Soli Alpert (RSB), Mike Chang (BUSD), Jennifer Shanoski (BUSD)