



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

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

**Monday, September 29, 2025 – 5:00 p.m.**

**Rent Stabilization Board Conference Room A – 2000 Center Street, 4<sup>th</sup> floor, 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/81401999608?pwd=D0FXfgUHYYWDjClzShRJGH3Qczbkm.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 1-669-444-9171 and enter Webinar ID: 814 0199 9608 and Passcode: 628825. 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 3:00 p.m. on the day of the Committee meeting in order to be included.**

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

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



#### **COMMUNICATION ACCESS INFORMATION:**

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

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



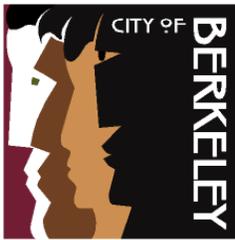
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**AGENDA**

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 March 3, 2025 meeting minutes (attached to agenda)
6. Presentation on Measure BB (Ollie Ehlinger, Staff Attorney/RSB)
7. Title III Update National Association Bilingual Educators (Marrero, Committee Chair)
8. 2025-26 Areas of Focus
9. Future Agenda Items
10. Discussion and possible action to set the next meeting
11. Adjournment

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

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



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, 4th floor, Berkeley, CA 94704**

### **Minutes – To Be approved**

1. Roll Call: Shamika Cole, Finance Director, called Roll at 5:02 p.m.  
Members Present: Shanoski, Chang, Marrero, and Alpert.  
Staff Present: S. Cole
2. Land Acknowledgment Statement: The Recording of the Land Acknowledgment Statement was played.
3. Approval of agenda: M/S/C (Shanoski/Alpert) Motion to approve the agenda. Roll call vote. YES: Shanoski, Chang, Marrero, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 4-0-0-0.
4. Public Comment: No public comment.
5. Election of the Committee Chair: M/S/C (Alpert/Shanoski): Motion to appoint Commissioner Marrero as Chair. Roll call vote. YES: Shanoski, Chang, Marrero, and Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 4-0-0-0.
6. Approval of November 18, 2024 meeting minutes (attached to agenda): M/S/C (Chang/Shanoski). Motion to approve the November 18, 2024 meeting minutes. Roll call vote. YES: Shanoski, Chang, Marrero; NO: None; ABSTAIN: Alpert; ABSENT: None. Carried: 3-0-1-0.
7. Follow Up on Family Engagement Services to Students with Disability and African American Students: No action taken.
8. Protections of Students with a Different National Origin Amidst Federal Mass Deportations: The Committee discussed coordination around tenants that may be experiencing issues with deportation status. There will be continued discussions around possible coordination with Office of Family Engagement and Equity (OFEE) and the Public Information Unit (PIU) around outreach. No action taken.
9. Housing Transition Plan for 12th-Grade Students: No action taken.

10. Students protected under the McKinney-Vento Homeless Assistance Act: Discussion on coordinating Rent Board staff through Executive Director Williams with Mr. V at BUSD. Director Shanoski will connect BUSD staff with Executive Director Williams to coordinate.

11. Future agenda items:

- Future meeting schedule – the Committee decided to meet every other month as a regularly scheduled meeting. The first Monday of each scheduled month. The next meeting is scheduled for Monday, May 5<sup>th</sup> at 5 p.m. The following meetings will be scheduled for October 6, December 8, and February 2, 2026, at 5 p.m.
- Possible replacement of BUSD Director on the Committee
- Winta Clark to attend the May Meeting to discuss coordination on tenant issues
- Coordination with Director Williams on 12th-grade transition and outreach
- Continued coordination on immigration issues

12. Adjournment: M/S/C (Alpert/Chang) Motion to Adjourn. Roll call vote. YES: Marrero, Chang Shanoski, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 4-0-0-0. Meeting adjourned at 5:46 p.m.

**STAFF CONTACT: Shamika Cole, Finance Director (510) 981-7368**

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

Internal



Item 6.

# Berkeley's Rent Stabilization Ordinance & Measure BB Change

PRESENTED FOR  
2x2 Joint Committee on Housing  
September 29, 2025

PRESENTED BY  
Berkeley Rent Board Staff Attorney, Ollie Ehlinger

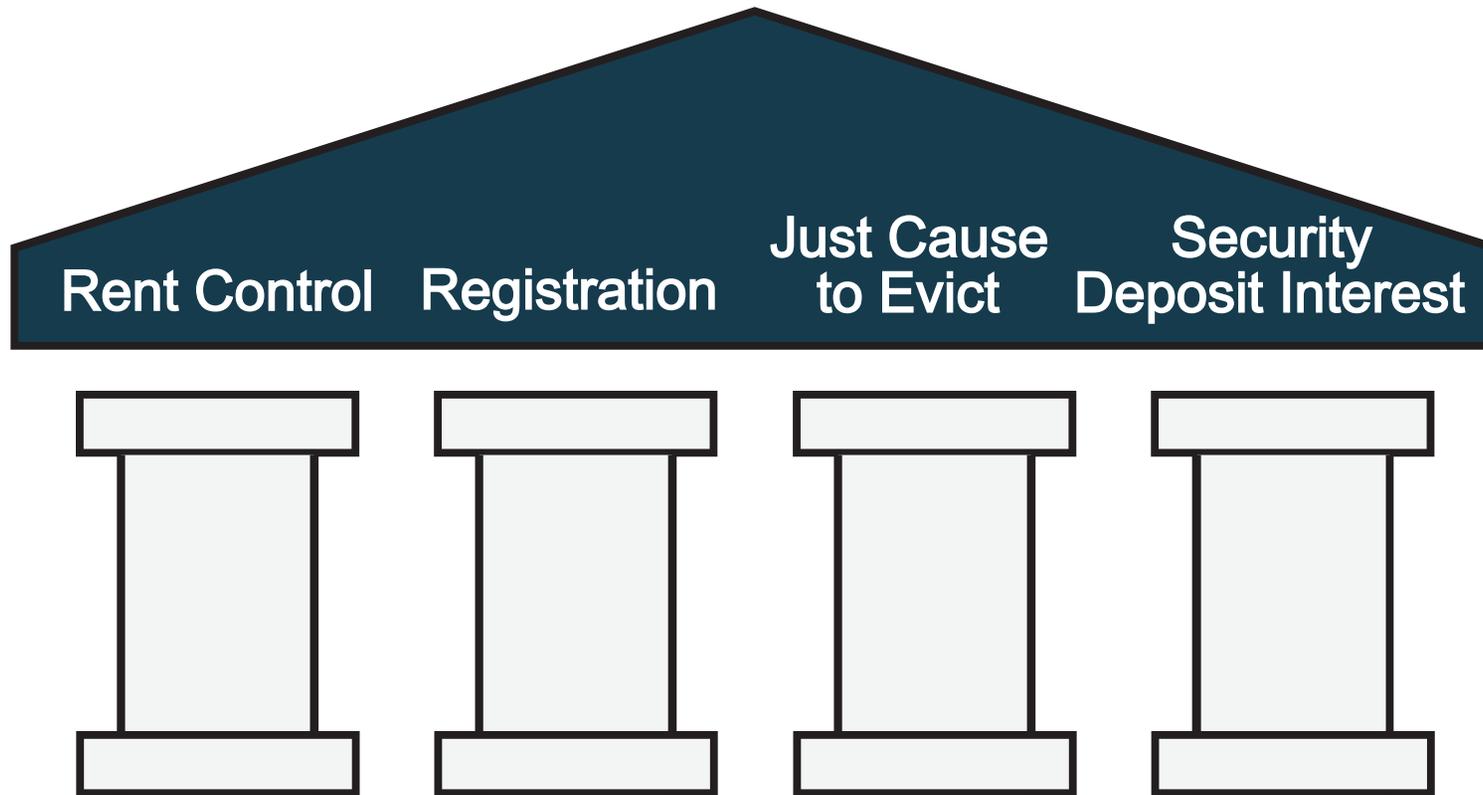


# A BRIEF OVERVIEW OF THE RENT ORDINANCE AND THE RENT BOARD

## The Rent Ordinance:

- Can only be amended by the voters through **the initiative process**
- **Overseen by the elected Rent Board** (made up of nine commissioners)
- **Day-to-day administration is done by the Rent Board agency**, which operates independently from the City of Berkeley

# The 4 Pillars of the Rent Ordinance



## Pillar 1: *Rent Control*

- 1 Rent and services at the beginning of a tenancy become the “base” rent for the tenancy.
- 2 Base rent may only increase each year by a set amount based on the CPI (Consumer Price Index).

## Pillar 2: *Registration*

1

Landlords must pay an **annual fee** used to administer the ordinance.

2

Landlords must file **registration statements** informing the Board of changes to the unit and new tenancies.

## Pillar 3: *Just Cause for Eviction*

- A landlord may only evict a tenant for one of **Ten Just Causes**
- A landlord must file eviction notices and lawsuits with the **Rent Board**
- The Alameda Superior Court, and not the Rent Board, decides who prevails

# 10 Just Causes to Evict

1. Non-Payment of Rent (equal to greater than one month of Fair Market Value of unit of equivalent size)
2. Violation of Material Term of Lease
3. Substantial Damage Caused to Unit
4. Destruction of Peace
5. Refused Lawful Landlord Access (e.g. for repairs)
6. Refused to vacate temporary housing offered by landlord after repairs completed (when tenant can return to repaired unit)
7. Landlord seeks to make necessary repairs up to code after permits obtained and tenant offered other available units
8. For Owner/Relative Occupancy
9. Landlord received permit to demolish unit
10. Landlord returning to principal residence as provided in rental agreement ("Sabbatical Provision")

## Pillar 4: *Security Deposit Interest*

Landlords must pay the tenant interest on their deposit in December of each year.

## Levels of Coverage Under the Rent Ordinance

FULLY COVERED	PARTIALLY COVERED	EXEMPT
<ul style="list-style-type: none"> <li>• Most multi-family properties constructed prior to 1980</li> <li>• <b>All four components of the Rent Ordinance apply</b></li> </ul>	<ul style="list-style-type: none"> <li>• Most single-family homes, most condominiums, and properties constructed after 1980</li> <li>• <b>Registration, Just Cause for Eviction, and Security Deposit Interest apply but NOT Rent Control</b></li> </ul>	<ul style="list-style-type: none"> <li>• 9 specific property types (i.e. “Golden Duplexes,” permitted ADUs)</li> <li>• <b>No components of the Rent Ordinance apply</b></li> </ul>

# Services Under the Rent Ordinance

<i>Fully Covered Units</i>	<i>Fully and Partially Covered Units</i>	
<p><b>PETITIONS</b></p> <p>Owners and tenants may petition to adjust the rent based on changes in services or conditions at the property</p>	<p><b>HOUSING COUNSELING</b></p> <p>Free advice regarding rights and responsibilities under the Rent Ordinance and landlord-tenant laws</p>	<p><b>MEDIATION</b></p> <p>Free dispute resolution between owners and tenants</p>

# RECENT CHANGES TO THE RENT ORDINANCE

## Measure BB

- Measure BB was passed by Berkeley voters in the November 2024 election
- Measure BB Makes Changes to:
  - The types of rental units covered by the Rent Ordinance
  - Registration requirements for certain units
  - The Just Causes for Eviction
- Measure BB also provides some tenants an enforceable right to create Tenant Associations

# Measure BB Changed How the Rent Ordinance Applies to Certain Units

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## *Before Measure BB:*

Full exemption for a rental unit where the owner of the property shares a kitchen or bathroom with the tenant and lives on the property as their primary residence



## *After Measure BB:*

The exemption only applies to tenancies where the owner occupied the property at the inception of the tenancy

# Measure BB Changed How the Rent Ordinance Applies to Certain Units *cont.*

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## *Before Measure BB:*

- Government-owned/subsidized units (GSUs) were only subject to the Just Cause for Eviction and Security Deposit Interest provisions of the Rent Ordinance
- Rental units owned by the Graduate Theological Union were exempt from all provisions of the Rent Ordinance



## *After Measure BB:*

- GSUs must also be registered with the Rent Board as fully or partially covered depending on the unit type
- Rental Units owned by the Graduate Theological Union must now be registered with the Rent Board and are subject to all provisions of the Rent Ordinance



## Notice of Tenant Rights

For tenancies starting on or after December 20, 2024, landlords must provide the tenant a disclosure notice about their rights under the Rent Ordinance and state law:

- The landlord must post the notice in the common area
- Landlords must sign an affidavit included on all tenancy registration forms confirming that the tenant was provided the notice
- Landlords registering tenancies in place BEFORE December 20, 2024 do NOT have to provide this notice

**NOTE: The Rent Board has created a template Notice of Tenant Rights for both fully covered and partially covered units.**



## Utility Charges in Fully Covered Units

Measure BB changed how landlords are permitted to charge for utility services (electricity, water, sewer, gas, waste management).

For leases entered into on or after February 6, 2024, utility charges are permitted only if:

- The charges are included in rent at the beginning of the tenancy; OR
- The unit is individually-metered and the tenant places the utility service in their name

## *Example of Utility Language That is No Longer Permitted*

*“Rent is \$2,000 monthly. Tenant shall be responsible for water, electricity, and gas charges. Landlord shall provide tenant a billing statement for each utility and tenant is responsible for including payment for such utility with next month’s rent.”*

However, the landlord may be able to petition to add these the cost of these utilities to the base rent if this lease started after February 6, 2024.

## *Example of Permitted Utility Language*

*“Rent shall be \$2,200 monthly, which includes the cost of water, gas, electricity, sewer, and garbage. Tenant shall be responsibility for establishing and maintaining cable and internet services if desired.”*

# Measure BB Changes to the Just Causes for Eviction

- 1 Refusal to sign a new fixed-term lease no longer grounds for eviction.
- 2 Nonpayment eviction limited to rental debt over one-month Fair Market Rent as calculated by HUD.
- 3 Breach of lease must cause substantial injury to be grounds for eviction and notice must specifically allege the breach.

# Requirements for Eviction Notices

1

Must be filed with the Rent Board within 3 days of service on the tenant *(no longer 10 days)*.

2

Must contain a statement that assistance regarding the notice is available at the Rent Board.



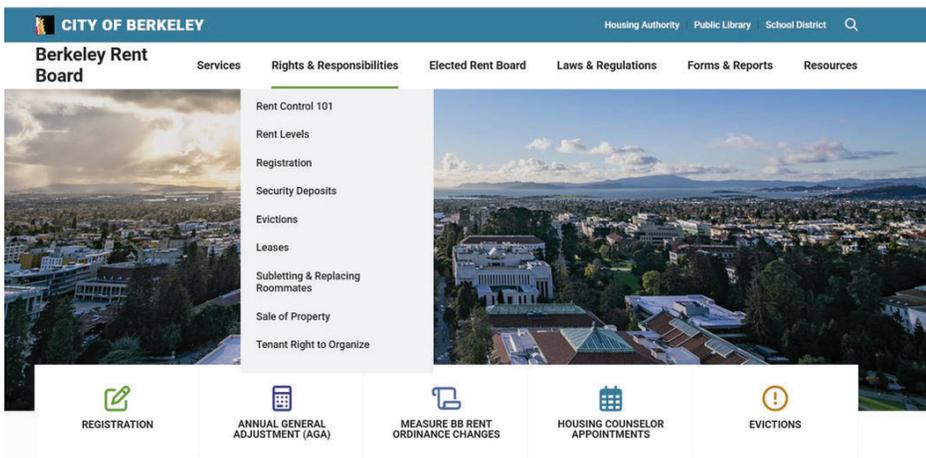
## Tenant Associations

- Measure BB provided tenants in some properties an enforceable right to organize into a Tenant Association. This right is limited to professionally managed properties, or properties with 10 or more units.
- A tenant association is formed when the tenants present the landlord with a petition that contains signatures representing tenants from 50% of the occupied units at the property.
- Landlords must confer good faith with a validly formed Tenant Association at least quarterly.

# RESOURCES

# The Rent Board's Website!

[rentboard.berkeleyca.gov](http://rentboard.berkeleyca.gov)



- Information organized under six main categories:
  - Services, Rights & Responsibilities, Elected Rent Board, Laws & Regulations, Data & Reports, Resources
- Search the site by clicking the spyglass icon in the upper right corner
  - Search results only include material on the Rent Board's website (not the City's)
  - To search for information on a particular property, you must use the Rent Registry!
- Guide to Rent Control: PDF available on website (search for "guide to rent control")

# The Rent Board's Rent Registry!

[Rentregistry.cityofberkeley.info](https://rentregistry.cityofberkeley.info)



- **Owners, make an account to:**
  - Pay registration fees online
  - Enroll in paperless billing, which is coming soon!
  - Report unit and tenancy changes to the Rent Board in a timely manner
  - Report changes in owner contact information to ensure you receive important correspondence, including bills
  - Access video tutorials and FAQs on navigating and using the Rent Registry
- **Tenants:**
  - Use the public portal to find information like the coverage level and current rent ceiling for a unit by typing the address into the search bar
- **Staff at agencies that administer government subsidies:**
  - Access the public portal to determine a unit's coverage to process rent increase requests

# Rent Board Housing Counselors

## Housing counselors can:

- Explain owner and tenant rights and responsibilities under the Rent Ordinance, and related state and local laws.
- Help owners and tenants navigate the Rent Board's petition and mediation processes.
- Make referrals to community-based legal services.
- Help owners and tenants access other city department services

## Housing counselors cannot:

- Provide legal advice.
- Provide an opinion on the merits of an owner or tenant's petition.
- The Rent Board's hearing examiner will make a decision after both sides have an equal opportunity to be heard.
- Provide technical assistance on forming or running tenant associations.



# Thank you!

## Questions?



### Contact Us

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

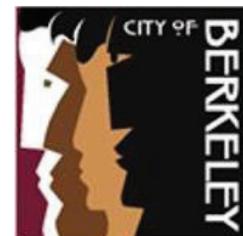


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Education, and More!  
[bit.ly/RSBmailinglists](https://bit.ly/RSBmailinglists)



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## SUPPORT FOR TITLE III FUNDING

From Commissioner, Vanessa Danielle Marrero of the 2x2 Joint Committee on Housing — September 29, 2025

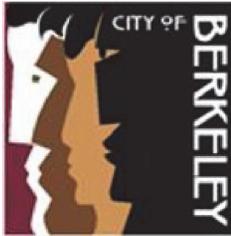


## 2x2 Joint Committee on Housing



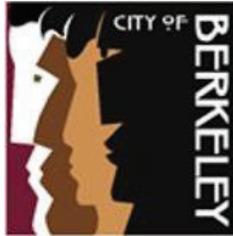
The 2x2 Joint Committee on Housing brings together Rent Board and Berkeley Unified School District leaders to address urgent rental housing challenges affecting families in Berkeley. Our work centers on coordinated solutions that protect students' learning environments by promoting stable, affordable housing for households with school-aged children.

- **Members of the 2x2 Joint Committee on Housing**
- **Collaboration between the Rent Board & Berkeley Unified School District (BUSD)**
- **Focus on educational and rental housing issues impacting families with school-aged children**





Addressed To



• **Members:** Rosa DeLauro & Josh Harder

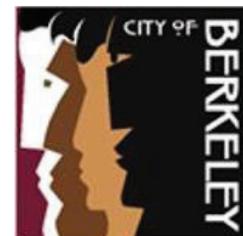


• **US House:** House Committee on  
**Appropriations** –

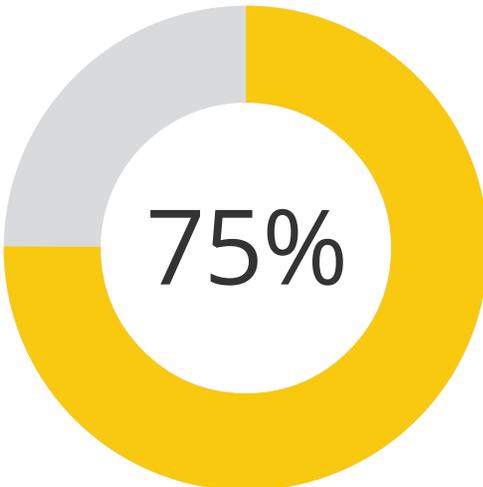


• **Subcommittee** on Labor, HHS, Education,  
and Related Agencies





We Support Stable Homes



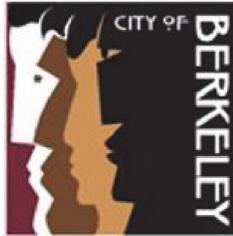
**Support for Title III Funding — We strongly support the timely release and full protection of FY26 Title III funds under ESSA.**

**With over 5.3 million English Learners nationwide including 6.5% (594) of students in the Berkeley Unified School District (BUSD) are English Learners, as reported by the California School Dashboard for the 2024 data year and confirmed in the District Profile from the California Department of Education. Total enrollment of 9,077.**

**these resources are essential for achieving English proficiency and helping students meet academic standards.**



## We Care For Student Stability



- **Continuity**

Stable Title III funding keeps programs running so students avoid educational disruptions caused by frequent moves or service gaps.

- **Progress**

Reliable resources support sustained academic growth, language development, and consistent access to instructional supports.

- **Equity**

Full funding ensures every learner—regardless of background—has the opportunity and support needed to meet academic standards.



## Caring for Your Home



Help housing-insecure families protect student learning



Coordinate Rent Board & BUSD for student-centered solutions



Prioritize marginalized communities, students, persons with disabilities, and older adults



## Stable Homes, Stronger Schools



When shaping policy to support housing stability, we must center student learning and family well-being. Thoughtful incentives and protections help reduce displacement, allowing students to remain in school and progress academically.

Key commitments to achieve these goals include:

- **Support Letter to Protect full funding of Title III for FY26–27**
- **Advance policies that promote stability, equity, and opportunity in our community**
- **Uphold safe, stable, and equitable environments for all residents and students**



## Supporting Families & Homes



- **Outreach**

Coordinate joint communications from the Rent Board and BUSD to inform families about Title III programs, available housing resources, and enrollment support.

- **Data Coordination**

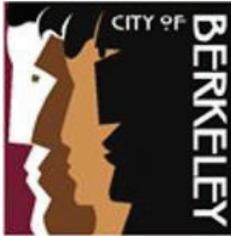
Align student and housing data between agencies to proactively identify at-risk students and target supports that reduce mobility and chronic absenteeism.

- **Support Services**

Expand family navigation services to assist with language access, disability accommodations, benefits enrollment, and referrals to stable housing options.



Supporting  
Berkeley  
Students

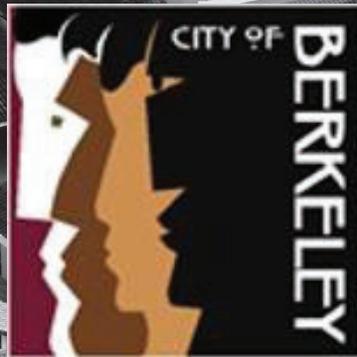


**Together, we can secure full Title III funding and strengthen housing stability so every Berkeley student can learn and thrive.**



Shared commitment to community well-being  
and continued collaboration

**THANK YOU FOR YOUR  
ATTENTION AND SUPPORT**





August 30, 2025

The House Committee on Appropriations-House Subcommittee on Labor, Health and Human Services, Education, and Related Agencies  
Representative, Tom Cole  
Representative Rosa DeLauro  
Representative Josh Harder  
2358-B Rayburn House Office Building,  
Washington, D.C, 20515

Dear Honorable DeLauro and Harder of The House Committee on Appropriations – House Subcommittee on Labor, Health and Human Services, Education, and Related Agencies. As members of the 2x2 Joint Committee on Housing, created to facilitate collaboration between the Rent Board and the Berkeley Unified School District (BUSD), we are committed to addressing rental housing issues that impact families with school-aged children. We recognize the importance of stable housing in supporting the educational success and well-being of our community’s children and families.

In this context, we strongly support the timely release and full protection of Title III funding for Fiscal Year 2026 under the Every Student Succeeds Act (ESSA). These funds are vital for programs that help over 5.3 million English Learners nationwide acquire English proficiency and meet their academic goals. Ensuring consistent and transparent funding is essential to prevent disruptions that could hinder students’ achievement and stability.

Our committee also emphasizes the importance of supporting families facing housing insecurity, especially those impacted by rent increases and evictions. By working together, the Rent Board and BUSD create integrated solutions that promote both housing stability and educational success for vulnerable populations, including marginalized communities, students, persons with disabilities, and older adults.

We respectfully urge you to support the full funding of Title III for FY26–27, recognizing that these investments are critical to fostering equity, stability, and opportunity within our community.

Thank you for your attention to this matter. We look forward to continuing our shared commitment to creating a safe, stable, and equitable environment for all residents and students in Berkeley.

Sincerely,

Chair, Soli R. Alpert  
Berkeley Rent Stabilization Board

Committee Chair, Commissioner Vanessa Danielle Marrero  
Berkeley Rent Stabilization Board

Director Jennifer Shanoski,  
Berkeley Unified School District’s Board of Education

Director Micheal Chang,  
Berkeley Unified School District’s Board of Education