EVICTION / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Tuesday, November 10, 2026 – 6:00 p.m.
Berkeley Rent Board Conference Room A – 2000 Center Street, Suite 400, Berkeley, CA
Teleconference Location –Prudential Properties Unit 11-Potworks, St. James Parish, Nevis, KN1102

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

To access this meeting by Zoom
Join from a PC, Mac, iPad, iPhone, or Android device. If you do not want your name to appear on the screen, use the drop-down menu and click on "Rename" to rename yourself to be anonymous. To request to speak, use the “Raise Hand” icon by rolling over the bottom of the screen.

To join by phone
Dial 1-669-444-9171, enter Webinar ID: 831 9105 8332 and Passcode: 315346. To comment during the public comment part of the agenda, Press *9 and wait to be recognized by the Committee Chair.

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

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

Communications access information
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.

BERKELEY RENT BOARD

AGENDA: EVICTION / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Tuesday, November 10, 2026- 6:00 p.m.

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

Teleconference Location – Prudential Properties Unit 11-Potworks, St. James Parish, Nevis, KN1102

1. Roll call
2. Land Acknowledgment Statement: The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.
3. Approval of the Agenda
4. Approval of the July 14, 2026 Meeting Minutes
5. Public Comment
6. Special Presentation: Matthew Koewler, Agency Representative, Berkeley Housing Authority
7. Discussion and possible action regarding recent eviction statistics (see attachment)
8. Discussion and possible action regarding Fall 2026 Owner Move-In Report (see attachment)
9. Confirm next meeting date
10. Adjournment

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

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

BERKELEY RENT BOARD

EVICTION / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Tuesday, July 14, 2026 6:30 pm
Berkeley Rent Board Conference Room A – 2000 Center Street Suite 400, Berkeley, CA
Teleconference Location – 2321 Tenth Street, Unit A, Berkeley, CA 94710 and
Minutes- Unapproved

1. Roll call- Committee Staffer Oliver Ehlinger called the roll at 6:35 pm. All commissioners were present.
2. Land Acknowledgment Statement was played.
3. Commissioner Johnson moved to approve the agenda. Commissioner Mizell seconded. Roll call vote: 4-0-0-0.
4. Approval of the May 12. 2026 Meeting Minutes: Commissioner Mizell moved to approve the May 12, 2026 Minutes. Commissioner Johnson seconded. Roll call vote: 4-0-0-0.
5. Public Comment: There were no public speakers.
6. The Committee discussed the Committee Work Plan submitted by Committee Chair Elgstrand and took no formal action.
7. Discussion and possible action regarding recent eviction statistics. Committee Staffer Ehlinger provided a report on eviction notices and lawsuits received by the agency from April 1, 2026 to June 30, 2026. The Committee discussed the report and took no formal action.
8. The Committee discussed the Spring 2026 Owner Move-in report and took no formal action
9. The Committee discussed the annual Ellis Withdrawal report and took no formal action.
10. The Committee discussed the annual Foreclosure report and took no formal action.
11. The Committee set its next meeting date for September 8 at 6:00pm.
12. Adjournment. Commissioner Johnson moved to adjourn at 7:14 pm. Commissioner Mizell seconded. Roll call vote: 4-0-0-0.

STAFF CONTACT: Ollie Ehlinger, Staff Attorney – (510) 981-4924
COMMITTEE: Stefan Elgstrand (Chair), Xavier Johnson, Nathan Mizell, Dominique Walker

BERKELEY RENT BOARD

Memorandum

DATE: November 10, 2026

TO: Honorable Members of the Eviction/Section 8/Foreclosure Committee

FROM: Oliver Ehlinger, Staff Attorney

SUBJECT: Rent Board Eviction Data: July 1, 2026-October 31, 2026

Under Berkeley Municipal Code section 13.76.130.D, any landlord covered by the Just Cause for Eviction provisions of the Rent Stabilization Ordinance must file "a copy of any notice of termination, notice to quit, and summons and complaint" with the Board within three days of the service of that document on the tenant.

For the period from July 1, 2026 through October 31, 2026, the Board received the following eviction filings:

Total Termination Notices: 253 (approximately 63 a month)

Termination Notices alleging non-payment of rent: 210

Termination Notices alleging substantial violations of a material term of the rental agreement: 44

Termination Notices alleging nuisance: 8

Termination Notices alleging substantial damage to the rental unit: 2

Termination Notices alleging tenant has failed to provide access to the unit: 3

Termination Notices alleging Owner Move-in: 3

Termination Notices alleging withdrawal of units under Ellis Act: 1

Termination Notices that did not state a cause: 1

Termination Notices alleging termination of an at-will-tenancy: 1

Unlawful Detainer Complaints: 18 (approximately 4 a month)

Note that an eviction notice may allege more than one cause.

BERKELEY RENT BOARD

Memorandum

DATE: November 10, 2026

TO: Honorable Members of the Eviction/Section 8/Foreclosure Committee

FROM: Ollie Ehlinger, Staff Attorney
Jen Fabish, Community Services Specialist

SUBJECT: Owner Move-in Eviction Tracking Report (July 2023 – June 2026)

BACKGROUND

I. Measure Y

In November 2000, in response to a rash of owner-move-in evictions, Berkeley voters adopted Measure Y as an amendment to the Rent Stabilization and Eviction for Good Cause Ordinance. Known as Berkeley's owner move-in (OMI) law, Measure Y was subsequently codified under Berkeley Municipal Code (B.M.C.) Section 13.76.130A.9. Under B.M.C. 13.76.130A.9b., an owner could evict a tenant so that the owner, or his/her spouse, child, or parent could occupancy in a rental unit. The owner or relative must have intended to live in the unit for 36 continuous months. Additionally, with few exceptions, property owners could not evict seniors or disabled tenants who have occupied their rental units for five years or more in buildings with four or more units. In addition, property owners who evicted tenant households that qualified as low income were required to pay $4,500 relocation assistance prior to the tenants relinquishing possession of their rental units.

After an owner move-in eviction, the rental rate for the next tenancy established in the vacant unit cannot exceed the lawful apparent rent ceiling that applied to the former tenancy. (Rent Board Reg. 1016). Furthermore, the evicted tenant/s have the opportunity move back into the unit if they expressed an interest in doing so at the time of the eviction. (B.M.C. 13.76.130.A9.o.)

II. Measure AA

In November 2016, Berkeley voters passed Measure AA, which amended Measure Y. While many of above-referenced provisions of the owner move-in law remain the same, Measure AA implemented the following substantial changes:

- Property owners who evict tenants for owner move-in purposes must pay a standard relocation fee to all tenant households where at least one occupant has resided in the unit for more than one year.
- Qualifying low-income, disabled, elderly, families with minor children, or those tenancies that began prior to 1999 are eligible to receive an additional relocation assistance payment.
- Families with minor children are protected from being evicted during the school year.
- A City or Rent Board hearing examiner can adjudicate disputes regarding a tenant's entitlement to the additional relocation assistance.

The 2026 standard relocation assistance amount is $19,413, and is increased each year by the percentage increase in the Consumer Price Index – All Urban Consumers in the San Francisco-Oakland-San Jose Region for the 12-month period ending June 30 of the prior year, as published by the United States Department of Labor. The current additional relocation assistance amount is $6,471, which may also be adjusted each year as described above.

Finally, as under Measure Y, Measure AA requires that ". . . at least twice annually, Rent Board Staff shall report to the Rent Board regarding the occupancy status of units possession of which has been recovered . . . within the prior thirty-six months." (B.M.C. 13.76.130.A9.r.) Please note that, after the passage of Measure BB in 2024, the owner move-in cause for eviction is now codified at B.M.C 13.76.130.A.8.

OMI Report: July 1, 2023-June 30, 2026

STAFF MONITORING

To ensure that tenant protections are not violated, Rent Board staff endeavor to contact occupants living in units that have received OMI eviction notices at least once every six months. Staff typically send a letter to select units notifying the occupant of the rent ceiling that would apply if they are a tenant rather than the owner or qualified family member. Staff also research information in our database and county ownership records to ensure that residency information is correct. Additionally, staff typically conduct focused site visits to try to ascertain residency when there is a question as to whether the owner or family member actually lives in the unit after an OMI notice is sent.

When staff receives information that a new tenant may be living in a rental unit following an OMI eviction, staff may contact the owner and/or tenant to ascertain the facts and circumstances pertaining to this occupancy. Staff will often provide counseling to both the owner and tenant when appropriate regarding the proper rent ceilings for that unit. Additionally, when appropriate, staff will attempt to contact tenant households displaced from a rental unit due to an OMI notice to explain the options, rights and remedies that may be available if it appears that the Ordinance has been violated.

COVID-19 SHELTER-IN-PLACE & EVICTION MORATORIUM

Due to the COVID-19 pandemic, the City of Berkeley declared a local State of Emergency on March 3, 2020. On March 16, 2020, the City of Berkeley Public Health Officer issued a Shelter-in-Place Order, and has subsequently issued a number of Health Orders aimed at reducing the spread of COVID-19. On March 17, 2020, the City of Berkeley passed the COVID-19 Emergency Response Ordinance that placed a moratorium on most evictions, including OMI evictions through April 2023. (B.M.C. 13.110.) Starting May 1, 2023, and lasting until the COVID eviction moratorium's ultimate expiration on August 31, 2023, certain owner move-in evictions were permitted. During this "transition" period of the moratorium, owners who owned only one rental property in Berkeley were permitted to initiate an owner move-in eviction. However, the Rent Board did not receive any owner move-in requests during the "transition" period of the moratorium.

OMI NOTICES AND RELOCATION ASSISTANCE PAYMENTS

Notices Filed with the Rent Stabilization Board

Between July 1, 2023, and June 30, 2026, a total of 16 OMI eviction notices were filed. Ten were for owner move-in, and six were for a qualifying relative move-in.

Unit designation	Number of notices sent	Unit appears tenant-occupied
Single family home	1	0
Duplex	5	0
Triplex	3	0
Fourplex	7	5
Five units & more	0	0

Relocation Assistance

Nine tenant households received the standard relocation payment. In one case, the tenants did not reside at the property for a year or more, so no standard relocation payment was owed. Six tenant households received an additional relocation assistance payment. Five notices from this reporting period were rescinded and the relocation assistance payments deposited with the Rent Board were refunded to the owner. In one case, both the standard and additional relocation assistance payments remain in escrow with the Rent Board until the owner provides proof that a recission notice was property served on the tenants.

Grounds for Additional Relocation Assistance Payment	Number of Claims
Minor Child	2
Disabled	2
Low Income	4
Long-Term Tenant	0
60 or more years old	4

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

NARRATIVE DATA FROM STAFF RESEARCH

Single Family Homes

There was one OMI notice served on single-family homes during the current reporting period. Because the tenants did not reside at the property for a year or more, no standard relocation payment was required.

Duplexes

Units at five duplex properties received OMI notices during the current reporting period. Two of the units in question are listed as “rent free” and three are listed as “owner occupied” in the Rent Board’s rent registry.

Of the five duplex properties, four are eligible for the owner-occupied (golden) duplex exemption if occupied by an owner with at least a 50% interest in the property. Two of the eligible properties received notices for family, not owner move-ins. Staff has received information indicating an owner moved into a third property, but it is unclear whether that owner has at least a 50% interest in the property. In the last case, which remains under investigation, the unit has been claimed as owner-occupied, but the second unit is still show as "rented" in the rent registry.

Triplexes

There were three OMI notices served on triplex properties during the current reporting period. In two cases, staff have verified that the owner/family member moved in. In the last case, the unit has been claimed as owner-occupied.

Fourplexes

Seven notices were served fourplex properties during the current reporting period. In five cases, the notices were rescinded, and in another case, the owner claims to have rescinded the notice, but has not yet provided proof that the recission was served on the tenants. In the last case, the unit has been claimed as owner-occupied.

Five or more units

There were no OMI notices served on properties with five or more units during the current reporting period.

OWNERSHIP HISTORY PRIOR TO OMI FILING

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

Ownership Prior to Notice	Number of Properties
less than 1 year	4
Between 1 and 2 years	3
2 to 5 years	2
5 to 10 years	1
More than 10 years	6

LOCATION OF OMI PROPERTIES

Geographic Location and Market Area

The table below shows the geographic location and market area of properties that received an OMI Notice in the last six months of the current reporting period. Attachment 2 shows the geographic location and market area for all properties subject to OMI notices during the current reporting period.

Date filed	Street	Market Area
3/2/2026	2410 Stuart St. #D	South Berkeley (Area 5)
3/2/2026	2410 Stuart St. #A	South Berkeley (Area 5)
8/5/2025	2853 Sacramento	South Berkeley (Area 5)
10/8/2025	1737 Cedar	Central Berkeley (Area 2)

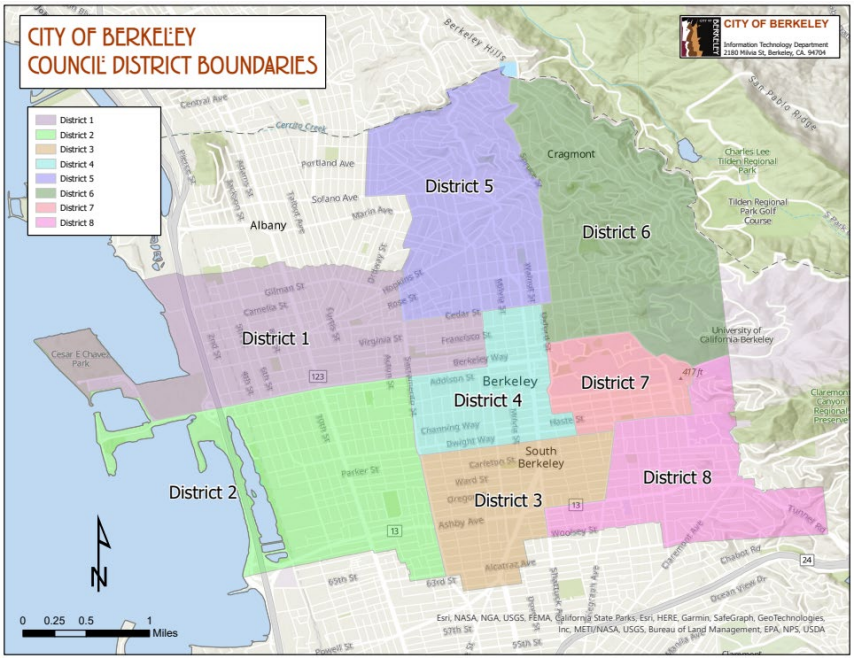
City of Berkeley Census Tract Map & Market Areas



Council Districts

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

Date Filed	**Street**	**Council District**
3/2/2026	2410 Stuart St. #D	8
3/2/2026	2410 Stuart St. #A	8
8/5/2025	2853 Sacramento	3
10/8/2025	1737 Cedar	5



CONCLUSION

During this reporting period (January 1, 2023 - December 31, 2025), the Board received a total of eight OMI eviction notices. During the initial three-year monitoring period (December 2000 – December 2003), the Board received 110 eviction notices. Historically, after the passage of Measure Y, the number of evictions reported for each three-year period was significantly less than the initial period. This trend can be seen in Attachment 3, which shows, in six-month increments, the number of OMI eviction notices the Board has received since September 2000. The first reporting period in the table reflects only four months (September-December 2000), but during this time, 47 of the 56 evictions occurred during the three months prior to the adoption of Measure Y. While the Board did not track the number of OMI notices received prior to September 2000, it has been reported that the number of notices issued during the period from December 1997 to December 2000 was similar to or greater than the four-month period from September to December 2000, before Measure Y became law.

Although the implementation of Measure Y reduced the displacement of long-term tenants and required some relocation assistance for the most vulnerable displaced tenants, as housing prices and rents increased dramatically, so did the number of OMI evictions. The number of OMI evictions started to pick up in early-2014 (e.g., there were 19 OMI notices filed from January – June 2014). Between 2014 and 2016, there were 78 notices filed.

In November 2016, Berkeley voters passed Measure AA, which requires a standard relocation payment to all households and an additional payment if a member of the evicted household is elderly, disabled, a long-term tenant, low income, of if there is a minor child in the household.

The City's COVID-19 Emergency Response Ordinance, passed in March 2020, placed a moratorium on evictions, including OMI evictions. Two notices were filed in 2021 despite the moratorium and were subsequently rescinded. From May 1, 2023, through August 31, 2023, the moratorium was amended to allow the owner of a single rental property in Berkeley to perform an owner move-in eviction, but no notices were filed during that period. Since the expiration of the moratorium on August 31, 2023, 16 notices have been filed. Four of those notices were filed in the last six months of the current reporting period.

Attachment 1: Table reflecting geographic location and market area of properties subject to OMI notices for the period of July 2023 – June 2026.

Attachment 2: Table reflecting council district of properties subject to OMI notices for the period of July 2023 – June 2026.

Attachment 3: Table of OMI notices filed with the Rent Board for the period of September 2000 through June 2026.

ATTACHMENT 1

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

Date filed	Street	Market Area
12/13/2023	1929 Hopkins St.	North Berkeley (Area 1)
12/21/2023	1725 10th St.	West Berkeley (Area 4)
9/30/2024	1898 Harmon St.	South Berkeley (Area 5)
12/26/2024	2416 Fulton St.	University Area (Area 3)
2/12/2025	2729 Stuart St.	University Area (Area 3)
2/12/2025	1310 Berkeley Way #1	Central Berkeley (Area 2)
2/12/2025	1310 Berkeley Way #4	Central Berkeley (Area 2)
4/7/2025	1817 Rose St.	North Berkeley (Area 1)
7/17/2025	1636 California St.	Central Berkeley (Area 2)
7/21/2025	2821 Grant St.	South Berkeley (Area 5)
8/5/2025	2597 Le Conte	University Area (Area 3)
10/8/2025	1109 The Alameda	North Berkeley (Area 1)
3/2/2026	2410 Stuart St. #D	South Berkeley (Area 5)
3/2/2026	2410 Stuart St. #A	South Berkeley (Area 5)
8/5/2025	2853 Sacramento	South Berkeley (Area 5)
10/8/2025	1737 Cedar	Central Berkeley (Area 2)

ATTACHMENT 2

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

Date Filed	Street	Council District
12/13/2023	1929 Hopkins St.	5
12/21/2023	1725 10th St.	1
9/30/2024	1898 Harmon St.	3
12/26/2024	2416 Fulton St.	4
2/12/2025	2729 Stuart St.	8
2/12/2025	1310 Berkeley Way #1	1
2/12/2025	1310 Berkeley Way #4	1
4/7/2025	1817 Rose St.	5
7/17/2025	1636 California St.	1
7/21/2025	2821 Grant St.	3
8/5/2025	2597 Le Conte	6
10/8/2025	1109 The Alameda	5
3/2/2026	2410 Stuart St. #D	8
3/2/2026	2410 Stuart St. #A	8
8/5/2025	2853 Sacramento	3
10/8/2025	1737 Cedar	5

ATTACHMENT 3

OMI Eviction Notices Filed with the Berkeley Rent Board

Date of Eviction Notice	Number of Notices Received
September – December 2000 *(only four months)	56
January – June 2001	32
July – December 2001	21
January – June 2002	17
July – December 2002	9
January – June 2003	13
July – December 2003	10
January – June 2004	14
July – December 2004	5
January – June 2005	16
July – December 2005	6
January – June 2006	10
July – December 2006	1
January – June 2007	7
July – December 2007	2
January – June 2008	1
July – December 2008	7
January – June 2009	7
July – December 2009	7
January – June 2010	6
July – December 2010	3
January – June 2011	6
July – December 2011	2
January – June 2012	5
July – December 2012	5
January – June 2013	10
July – December 2013	3
January-June 2014	19

Date of Eviction Notice	Number of Notices Received
July – December 2014	8
January – June 2015	16
July – December 2015	10
January- June 2016	17
July-December 2016	8
January-June 2017	15
July-December 2017	4
January – June 2018	6
July-December 2018	3
January-June 2019	12
July – December 2019	2
January – June 2020*	0
July – December 2020*	0
January – June 2021*	0
July – December 2021**	2
January – June 2022*	0
July – December 2022*	0
January-June 2023***	0
July – December 2023****	2
January – June 2024	0
July – December 2024	2
January – June 2025	4
July – December 2025	4
January – June 2026	4
Total Notices Filed	419

* Due to the COVID-19 pandemic, on March 17, 2020, the City of Berkeley passed an Urgency Ordinance placing a moratorium on evictions in most cases, including OMI evictions.

**Two notices were served on the same property during this period despite the eviction moratorium. They were rescinded.

*** From May 1, 2023 through August 31, 2023, the eviction moratorium was amended to allow the owner of a single rental property in Berkeley to perform an owner move-in eviction.

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