



RENT STABILIZATION BOARD

Regular Meeting

Thursday, September 19, 2024 – 7:00 p.m.

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

Teleconference location(s): 1418A 67th Street, Berkeley, CA

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.

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To join by phone: Dial 1-669-444-9171 and enter Webinar ID: 863 5182 3870 and Passcode: 662299. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.

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AGENDA

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

1. **Roll call** – 1 min.*
2. **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.*
3. **Approval of Agenda** – 1 min.*
4. **Public Comment** – 2 min.*
5. **CONSENT ITEMS** – 1 min.*
 - a. Approval of the July 18th 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

168 Forest Ln

609 San Miguel Ave

627 Arlington Ave

1352 Hearst Ave
1635 MLK JR Way
2818 Telegraph Ave
3101 Mabel St.
3138 Ellis St.
2532 College Ave
1520 Bancroft Way
1214 Talbot Ave
1522 Fairview St. #A
1900 Harmon St
1253 Burnett St
2228 Dwight Way
2036 6th St
1940 Haste St
1323 Henry St
739 Channing Way
1620 Woolsey St
1625 Stannage Ave
1041 Cragmont Ave
2113 Delaware St #B

6. **Special Presentation:** *Towards a Union at Home: Renting-Class Power in a Financialized Economy* – 20 min.*
Presenter: Brad Hirn, Practitioner-In-Residence, UC Berkeley Labor Center
7. **Special Presentation:** *Eviction Defense Center (EDC) and East Bay Community Law Center (EBCLC) program year update: Berkeley eviction trends and data post-Eviction Moratorium* – 35 min.*
Presenter: Anne T. Omura, EDC Executive Director; and Meghan Gordon, EBCLC Co-Director of Housing & Clinical Supervising Attorney
8. **APPEAL** – 7:30 p.m.**
***This appeal will not be heard before 7:30 p.m. but may be heard any time thereafter.*

Case No. T-6055 (2150 Oxford Street, Unit 51)

Appellant Tenants (“Tenants”) appeal the hearing decision granting in part and denying in part Tenants’ Petition for Individual Rent Adjustment (“petition”), seeking a rent ceiling reduction due to certain claimed habitability and code violations at the rental unit located at 2150 Oxford Street Unit 51, Berkeley, CA (“premises”).

On appeal, Tenants dispute the hearing examiner’s denial of rent reductions for the following claims: (1) nuisance neighbor, (2) lack of bedroom heat, (3) inadequate kitchen electrical wiring, (4) inadequate building security, (5) unsafe stovetop, and (6) defective stove top. Tenants also dispute the amount of the rent ceiling reduction granted by the hearing examiner for the following claims: (1) loss of electrical outlet, and (2) rat issue.

Tenants' appeal simply repeats arguments and testimony previously submitted and a review of the record shows that the decision is supported by substantial evidence. Therefore, the decision of the hearing examiner should be affirmed.

9. **APPEAL – 8:00 p.m.****

***This appeal will not be heard before 8:00 p.m. but may be heard any time thereafter.*

Case No. T-5986 and T-5987 (1619 Walnut Street, Units A & B)

On September 1, 2023, the Landlord requested a Compliance Hearing for a Rent Stabilization Board (“Rent Board”) appeal decision issued on August 9, 2023. Tenants appeal the subsequent Compliance Decision issued on March 25, 2024, holding that the Landlord complied with the hearing decision relating to on-going heat issues located at rental units 1619 Walnut Street, Units A & B, Berkeley, CA (“premises”).

On appeal, Tenants claim that the hearing examiner erred in his determination that the Landlord complied with the hearing decision. However, the Landlord clearly met the burden of proof by showing, through a preponderance of the evidence, that they were in substantial compliance with the decision on appeal. Accordingly, the Compliance Decision should be affirmed.

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 – 1 min. per speaker*

- a. Chair Update (Chair Simon-Weisberg)
 - (1) Demolition Ordinance and Demolition projects status report (Senior Planner Lief Bursell) – 10 min.*
 - (2) Eviction Moratorium lawsuit dismissed – 5 min.*
<https://oaklandside.org/2024/09/05/eviction-moratorium-lawsuit-dismissed-oakland-alameda-county/>
- b. Request to Extend Administrative Correction Period on a Case-by-Case Basis until October 30, 2024 (Executive Director/Registration Unit Manager) – 5 min.*

11. **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. Updated Regulation 1266 [Self Labor] with current Consumer Price Index (CPI) information (General Counsel) – 3 min.*
- b. Average Rents for New Tenancies: January 1, 2023 through December 31, 2023 (Senior Planner Lief Bursell) – 2 min.*
- c. September 9, 2024 *San Francisco Chronicle* article by Christian Leonard titled, “Feds say this company helps landlords keep rents high. Has it impacted the Bay Area?” (Chair Simon-Weisberg) – 1 min.*
<https://www.sfchronicle.com/bayarea/article/realpage-rent-algorithm-19728353.php>
- d. Deadline to submit agenda items/topics for the October regular Rent Board meeting: **Friday, October 4th by 5:00 p.m.** (Board Secretary)

12. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget & Personnel Committee (Commissioner Walker, Chair) – 5 min.*
Next regularly-scheduled meeting: To Be Announced (TBA)
- b. Environmental Sustainability Committee (Commissioner Martinac, Chair) – 5 min.*
Next regularly-scheduled meeting date: TBA

September 12th agenda

- c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair) – 5 min.*
Next regularly-scheduled meeting: Wednesday, September 18th at 6:00 p.m.

September 18th agenda

- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Commissioner Kelley, Chair) – 5 min.*
Next regularly-scheduled meeting: Thursday, October 10th at 5:30 p.m.

September 5th agenda

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

August 12th agenda

September 9th agenda

- f. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board – 5 min.*

(Mayor Arreguín and Chair Simon-Weisberg, Co-Chairs)

Next regularly-scheduled meeting: TBA

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

Next meeting date: TBA

- h. Updates and Announcements – 5 min.*

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

13. 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, July 18, 2024 – 7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley

**Teleconference location(s): Pilgutua 2, 2750 Gran, Norway and Donald W. Reynolds
Center for American Art and Portraiture, G St NW, Washington, DC**

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Teleconference location(s): Pilgutua 2, 2750 Gran, Norway and
Donald W. Reynolds Center for American Art and Portraiture, G St NW,
Washington, DC

Minutes - Unapproved

1. **Roll call** – Vice-Chair Alpert called the meeting to order at 7:06 p.m.
Aimee Mueller called roll.
Commissioners present: Alpert, Elgstrand, Johnson, Marrero, Martinac, Walker
Commissioners absent: Kelley, Mizell, Simon-Weisberg
Staff present: Brown, Bursell, Mueller, Williams
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 uncaded 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 Acknowledgement statement was played aloud.

3. **Approval of Agenda**

M/S/C (Alpert/Johnson) APPROVE THE AGENDA WITH THE FOLLOWING CHANGE: VICE-CHAIR ALPERT SHOULD HAVE BEEN NOTED AS THE PRIMARY AUTHOR OF ITEM 8.b., NOT CHAIR SIMON-WEISBERG AS SHOWN ON THE AGENDA. Voice vote. Carried: 6-0-0-3. ABSENT: Kelley, Mizell, Simon-Weisberg.

4. **Public Comment** – There were no speakers.

5. CONSENT ITEMS

- a. Approval of the June 20th regular meeting minutes

M/S/C (Martinac/Elgstrand) APPROVE ALL CONSENT ITEMS AS WRITTEN.
Voice vote. Carried: 6-0-0-3. ABSENT: Kelley, Mizell, Simon-Weisberg.

6. **Special Presentation:** *Empty Homes Implementation Update* by Senior Planner Lief Bursell – Lief Bursell presented and took questions from the Board.

7. **APPEAL – Case No. T-6055 (2150 Oxford Street, Unit 51)**

M/S/C (Alpert/Marrero) CONTINUE THE APPEAL UNTIL THE SEPTEMBER 19TH MEETING. Voice vote. Carried: 6-0-0-3. ABSENT: Kelley, Mizell, Simon-Weisberg.

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.

- a. Chair Update (Chair Simon-Weisberg)

- (1) Update on Ballot Measure: Vice-Chair Alpert reported that the ballot measure has been submitted to the City Clerk’s office.
- (2) Update on the passing of the Demolition Ordinance and Demolition projects status report (Senior Planner Lief Bursell) – Lief Bursell provided an update and took questions from the Board.

- b. Recommendation to adopt Resolution 24-17 Opposing the Criminalization of Homelessness Imposed by Grants Pass v. Johnson (Chair Simon-Weisberg & Vice-Chair Alpert)

M/S/C (Alpert/Walker) ADOPT RESOLUTION 24-17 WITH THE FOLLOWING CHANGE: IN THE FINAL “WHEREAS” PARAGRAPH, THE TEXT SHOULD READ: “WHEREAS THE CITY COUNCIL FAILED TO ADOPT THAT RESOLUTION AT THEIR JULY 9TH MEETING AND INSTEAD VOTED TO SEND IT TO A CLOSED SESSION SCHEDULED FOR JULY 22.” ***Friendly Amendment by Commissioner Elgstrand (not accepted):*** AMEND THE FINAL “WHEREAS” CLAUSE TO READ, “WHEREAS, THE CITY COUNCIL REFERRED THAT RESOLUTION TO THE CITY ATTORNEY AT THE JULY 9TH MEETING.” Roll call vote. YES: Alpert, Johnson, Marrero, Martinac, Walker; NO: None; ABSTAIN: Elgstrand;

ABSENT: Kelley, Mizell, Simon-Weisberg. Carried: 5-0-1-3.

8. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

The following items were mentioned or briefly discussed. Items with additional comments are underlined.

- a. Updated Appendix B of Rent Board Regulations, Chapter 12 – US Bureau of Labor Statistics CPI Information (Legal Unit)
- b. Updated Appendix C of Rent Board Regulations, Chapter 12 – US Department of Housing and Urban Development Lower Income Limits (Legal Unit)
- c. Commissioner attendance records for Board and Committee meetings updated through June 2024 (Board Secretary)
- d. Deadline to submit agenda items/topics for the August regular Rent Board meeting: **Monday, August 5th** by 5:00 p.m. (Board Secretary)

M/S/C (Alpert/Marrero) MOTION TO CANCEL THE AUGUST 15TH REGULAR BOARD MEETING AND DIRECT COMMITTEE STAFFERS TO CANCEL ALL COMMITTEE MEETINGS IN AUGUST WITH THE POSSIBLE EXCEPTION OF THE OUTREACH COMMITTEE. Voice vote. Carried: 6-0-0-3. ABSENT: Kelley, Mizell, Simon-Weisberg.

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget & Personnel Committee (Commissioner Walker, Chair)
Next regularly-scheduled meeting: To Be Announced (TBA)
- b. Environmental Sustainability Committee (Commissioner Martinac, Chair)
Next regularly-scheduled meeting date: TBA
- c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair)
Next regularly-scheduled meeting: Tuesday, September 10th at 6:00 p.m.
- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Commissioner Kelley, Chair) – General Counsel Brown said he would reach out to Committee Chair Kelley about whether to schedule an August meeting or wait until September.
Next regularly-scheduled meeting: TBA
- e. Outreach Committee (Vice-Chair Alpert, Chair) – Committee Chair Alpert said he would discuss with staff whether to cancel the August 12th meeting.
Next regularly-scheduled meeting: Monday, August 12th at 6:00 p.m.

July 8th agenda

- f. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board
(Mayor Arreguín and Chair Simon-Weisberg, Co-Chairs)
Next regularly-scheduled meeting: TBA
- g. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District –
Committee Chair Marrero announced the Committee’s next meeting will be on
September 16th.
(Commissioner Marrero, Co-Chair)
Next meeting date: TBA
- h. Updates and Announcements – Commissioner Marrero highlighted new actions
taken by President Biden to lower housing costs.
- i. Discussion of items for possible placement on future agenda

10. ADJOURNMENT

M/S/C (Johnson/Walker) ADJOURN THE MEETING. Voice vote. Carried: 6-0-0-3.
ABSENT: Kelley, Mizell, Simon-Weisberg. The meeting adjourned at 7:52 p.m.



Rent Stabilization Board

Item 5.b.

RENT STABILIZATION BOARD

DATE: September 19, 2024
TO: Honorable Members of the Rent Stabilization Board
FROM: DeSeana Williams, Executive Director
BY: Basil Lecky, Community Service Specialist II
SUBJECT: Request for waiver of late registration penalties

Recommendation:

That the Board approve the attached recommendations.

Background and Need For Rent Stabilization Board Action:

The Board's penalty waiver process is governed by Regulations 883, 884 and 885. Regulation 883 lists the grounds for administrative waivers. In accordance with Regulation 884, the Executive Director reviews waiver requests that do not meet the criteria for an administrative waiver. Regulation 884 lists 12 categories, which will require a review of the totality of the circumstances by the full Board prior to granting any waiver request. Waivers that require a review of the totality of the circumstances are listed below as "Discretionary Waiver." If none of the 12 listed categories apply to the property, the waiver shall be granted/denied in a ministerial manner, based upon the formula outlined in Regulation 884(C). The Board may only alter these ministerial waivers if staff has incorrectly applied the criteria listed in Regulation 884 (B)(1-12).

Ministerial Waivers

In accordance with Regulation 884, the Executive Director reviews waiver requests that do not meet the criteria enumerated in Regulation 883. The following waiver request will be decided ministerially, unless the Board has reason to believe the underlying basis of the recommended assessment is inappropriate.

Waiver	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
	168 Forest Ln	SONIA RAINA	270.00	270.00	0.00
	609 San Miguel Ave	BIN YU & SHEN KENING	356.00	356.00	0.00
	627 Arlington Ave	JAECHOON CHON & YOUJEONG HONG	962.00	962.00	0.00
	1352 Hearst Ave	XIAO YANG	568.00	568.00	0.00
	1635 MLK JR Way	ZAYTUNA CLG STRATEGIC ACQUISIT	11,320.00	9,056.00	2264.00
	2818 Telegraph Ave	SYLVIA MULVIHILL TRUST c/o CASA DE MANANA	264.00	264.00	0.00
	3101 Mabel St.	DEREK BAAK	1,996.00	1,996.00	0.00
	3138 Ellis St.	S3 FOLSOM LLC	1,160.00	1,160.00	0.00
	2532 College Ave	YI ZHANG	2,900.00	2,900.00	0.00
	1520 Bancroft Way	JOHN ALEXANDER	264.00	264.00	0.00
	1214 Talbot Ave	JESSICA J. & JOHN F. STANTON FAMILY TRUST	356.00	356.00	0.00
	1522 Fairview St. #A	THE CHAN DALTON TRUST	1,580.00	1,580.00	0.00
	1900 Harmon St	YUSUF AHMAD	212.00	212.00	0.00
	1253 Burnett St	HUAXIANG ZHANG	528.00	475.20	52.80
	2228 Dwight Way	DWIGHT BLAKE BEAR	2,365.00	2,128.50	236.50
	2036 6th St	BUNTHA & HIMALAY RAJANAKHAN	144.00	144.00	0.00

	1940 Haste St	1940 HASTE STREET LLC	3,533.00	3,533.00	0.00
	1323 Henry St	ANDREW R VAMIS	1,740.00	1,740.00	0.00
	739 Channing Way	AMBER ROAN	2,962.00	2,962.00	0.00
	1620 Woolsey St	NOOR KHAN	144.00	115.20	28.80
	1625 Stannage Ave	CAROL MAFFIN	580.00	464.00	116.00
	1041 Cragmont Ave	SRINIVAS REDDY	356.00	356.00	0.00
	2113 Delaware St #B	NOAH LOWRY	356.00	356.00	0.00
TOTAL			\$34,916	\$32,217.90	\$2,698

Financial Impact: Ministerial Waivers

Approval of the Executive Director's recommendations will decrease the Board's current accounts receivable by **\$32,217.90**.

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

September Waivers

Ministerial

Address	Details
168 Forest Ln	This property is an owner-occupied single-family home. The owner has owned this property since August 2020. The owner stated they moved out of state in April 2022 and were gone for 2 years. They rented their house while they were out of state and did not receive any invoice regarding the registration fees or penalties. They are now back in Berkeley occupying the house as their primary residence. 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 Reg 884 C.
609 San Miguel Ave	This property is a single-family rental home covered by Measure MM. The owner, who has owned the property since April 1994, stated that the registration fee invoice was mistakenly mailed to the rental property instead of their address. As a result, penalties were assessed by the time the renter delivered the invoice to the owner. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.
627 Arlington Ave	This property is a rented single-family home covered by Measure MM. It is covered by Measure MM. The owner has owned the property since September 2021. The owner stated that they did not receive the initial bill because the tenants discarded it, as it was addressed to the previous owner. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.
1352 Hearst Ave	This property is a rented single-family home covered by Measure MM. The owner has owned it since November 2012. The owner stated that the invoice for the registration fees was sent to her mother's address, who is 96 years old. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior six years per Reg 883 H.1.
1635 MLK JR Way	This property consists of 9 units, 8 of which are currently rented and 1 is exempt. The owner has owned the property since August 2022. The owner stated that the property did not have any tenants at the time of purchase. Additionally, they were not informed of any outstanding fees and penalties owed to the Rent Board by the previous owner. In October 2022, they contacted the Rent Board to register the units. The owner is requesting that the penalties incurred by the previous owner be waived. This is the second late payment within the prior five years. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per Reg 884 C.
2818 Telegraph Ave	This property consists of 19 units, of which 18 are rented and 1 is exempt. The owner has owned the property since October 1995. Bishop Fiduciary Services has been managing the property since April 2023. While they were reviewing the Rent Board data for this rental, they discovered some discrepancies. By the end of November, they were able to correct any missing or incorrect information. They are requesting a waiver of penalties due to these discrepancies. They do not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior six years per Reg 883 H.1.

3101 Mabel St.	This property consists of 10 units, of which 7 are rented and 3 are exempt. The owner has owned the property since May 2023. Prior to purchasing the property, it had been vacant for years. After acquiring it, the owner undertook renovations to bring the building into compliance with city codes. Following the renovations, the owner made numerous attempts to register the property with the Rent Board, but these efforts were unsuccessful due to a lack of communication. On January 8, 2024, the owner received information about the registration requirements and paid the full amount owed, including penalties. The owner believes that the delay in finalizing the registration and paying the fees was not due to a lack of effort on their part. They are therefore requesting that the penalties be waived. The current owner does not have a history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior six years per Reg 883 H.1.
3138 Ellis St.	This property consists of 6 units, with 2 rented and four exempt. The owner has owned this property since October 2019. The property manager stated that they sent the initial payment for the registration fees on June 29, 2023. However, they did not discover that their initial payment was not reconciled until they received a past-due notice on March 4, 2024. In response, they placed a stop payment on the check and issued a new one. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior six years per Reg 883 H.1.
2532 College Ave	This property consists of 4 rented units. The owner has owned this property since March 2022. The owner stated they were not in the United States when the registration fee was due. They also did not have access to their mail. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior six years per Reg 883 H.1.
1520 Bancroft Way	This property consists of 3 rented units. The owner has owned this property since May 1995. The owner stated that they were informed by staff that no payment was needed until the next registration period because the unit had not been rented previously. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior six years per Reg 883 H.1.
1214 Talbot Ave	This property is a rented single-family home that is covered by Measure MM. The owner has owned this property since August 2020. The owner stated that invoices were addressed to the previous owner, who used the property as a primary residence, and not them. The current owner had no way of knowing that the registration fees were accruing. Additionally, the unit was vacant undergoing remodeling until February 2024. There is no history of late payment on the account. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior six years per Reg 883 H.1.
1522 Fairview St. #A	This property is a rented condo covered by Measure MM. The owner has owned this property since July 2018. The owner stated they recently discovered a discrepancy between County records and Rent Board records. To address this issue, the owner worked with the Rent Board to correct the records and pay any outstanding fees. 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 six years per Reg 883 H.1.
1900 Harmon St	This property is a rented single-family home covered by Measure MM. The owner has owned the property since January 2017. The owner stated they moved to San Ramon and did not receive notices regarding the registration fees and penalties. Once they received the invoices from the tenant, they had missed the deadline. This is the second late payment from the owner. Staff recommends waiving 90% of the penalties because this is the second late payment within the prior six years per Reg 883 H.2.

1253 Burnett St	This property consists of 2 units with both units being rented. The owner has owned this property since June 2017. The owner stated that they never received an invoice regarding the registration fees and penalties. This is the second late payment from the owner. Staff recommends waiving 90% of the penalties because this is the second late payment within the prior six years per Reg 883 H.2.
2228 Dwight Way	This property consists of 10 rented units. The owner has owned this property since June 2010. The owner stated they had a change in management and made attempts to update the contact information. However, the registration fee invoices were still being sent to the old managements address. This is the second late payment from the owner. Staff recommends waiving 90% of the penalties because this is the second late payment within the prior six years per Reg 883 H.2.
2036 6th St	This property consists of 3 rented units. The owner has owned this property since March 2000. The owner stated he was not informed about the registration fee when he came to the Rent Board to register the units. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior six years per Reg 883 H.1.
1940 Haste St	This property consists of 6 rented units. The owner has owned this property since February 2014. The owner stated there were inaccuracies in our data base. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior six years per Reg 883 H.1.
1323 Henry St	This property consists of 3 rented units. The owner has owned this property since April 2022. The owner inherited the property in April 2022 and did not receive the registration fee invoice until June 2024. The current tenants passed along the invoice to the owner at that time, informing them of the overdue fees for the first time. The owner paid the 2022/23 registration fee late and did not pay the 2023/24 registration fee. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per Reg 884 C.
739 Channing Way	This property consists of 13 rented units covered by Measure MM. The property manager stated that they received an invoice for the registration fee in May 2024 from the previous property manager. They severed ties with the previous manager in August 2022, and any correspondence sent to the previous manager was not forwarded to them until the invoice they received in May 2024. By the time they received the invoice, penalties had already accrued. The owner has no history of late payment. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 883 C.
1620 Woolsey St	This property consists of 3 units, with 2 units rented and 1 unit exempt. The owner has owned this property since October 2003. The owner stated they were not aware they had to register the unit since registration starts July 1st. This is the owner's second late payment. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per Reg 884 C.
1625 Stannage Ave	This property consists of 2 units that are currently exempt. The owner has owned this property since November 2016. The owner stated they received a letter on 10/2/2023 from the Rent Board dated 9/18/2023 informing them of the past due registration fee. They opened the letter on 10/3/23 and noticed that the 10/2/23 deadline had passed. We the owner called the Rent Board regarding the late notice, they were told the Rent Board is not responsible for late delivery of mail and that they were still liable for the penalty. This is the owner's second late payment. Staff recommends waiving 80% of the penalties because this is the second late payment within the prior five years per Reg 884 C.

1041 Cragmont Ave	This property is a rented single-family home covered by Measure MM. The owner has owned this property since December 2010. The owner stated They were unaware of the annual registration fee until the current tenants forwarded them the invoice. The owner does not have a history of late payment. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.
2113 Delaware St #B	This property is a rented condo covered by Measure MM. The owner has owned this property since February 2007. The owner stated they were experiencing hardship since their daughter passed away. The owner has no history of late payments. Staff recommends waiving 100% of the penalties because this is the first late payment within the prior five years per Reg 884 C.



Berkeley Housing Landscape

Trends, Activities & Highlights

Meghan Gordon, Co-Director of Housing Unit & Clinical Supervising Attorney

September 19, 2024



Housing Trends

Post-Moratorium eviction wave,
constructive evictions, and tenant right's
violations



A Sustained Eviction Wave

Post-moratorium eviction lawsuit numbers surged and sustained across Alameda County

- That said, we have not seen a sustained spike of evictions in Berkeley.
- The number of cases set for settlement conference has also ballooned to calendars of 70-100+ cases, compared to pre-pandemic calendars of around 40-50.
- Majority of County tenants are unrepresented.

MONTH	Lawsuits Filed
July 2023	520
August 2023	529
September 2023	594
October 2023	579
November 2023	482
December 2023	582
January 2024	565
February 2024	555
March 2024	543
April 2024	468
May 20204	539
June 2024	466
July 2024	498

Pre-pandemic, average number of UD filings were about 300 per month



Changes in Eviction Court

There is a new head eviction judge in Alameda County

- Our prior Judge's term was less than one year
- This transition will likely inject uncertainty in court function over the next few months



Berkeley Trends: Constructive Evictions and Tenants' Rights Violations

While the number of Berkeley evictions has not spike as much as neighboring cities, we are still seeing misconduct that can push tenants out of their homes.

Some trends we've seen from bad actors include:



- Broad ranging harassment which includes, unlawful entry into tenants' homes, non-stop harassing phone calls and texts, and filing baseless restraining orders. Nearly 1/3 of our Berkeley clients seek assistance for harassment
- Refusing to make repairs which can sometimes lead to failing Section 8 inspections.
- Pressuring tenants to accept "buyouts", where tenants are offered money to voluntarily move out
- Illegal rent increases
- Unilaterally reducing housing services (removing parking, charging for utilities in violation of rental agreement, removing storage access)



Tenant Centered Activities

Tenants' Rights Workshops, Community
Outreach & Legal Representation



Community Based Workshops and Targeted Outreach

By going directly to our clients' communities, we make our services more accessible.

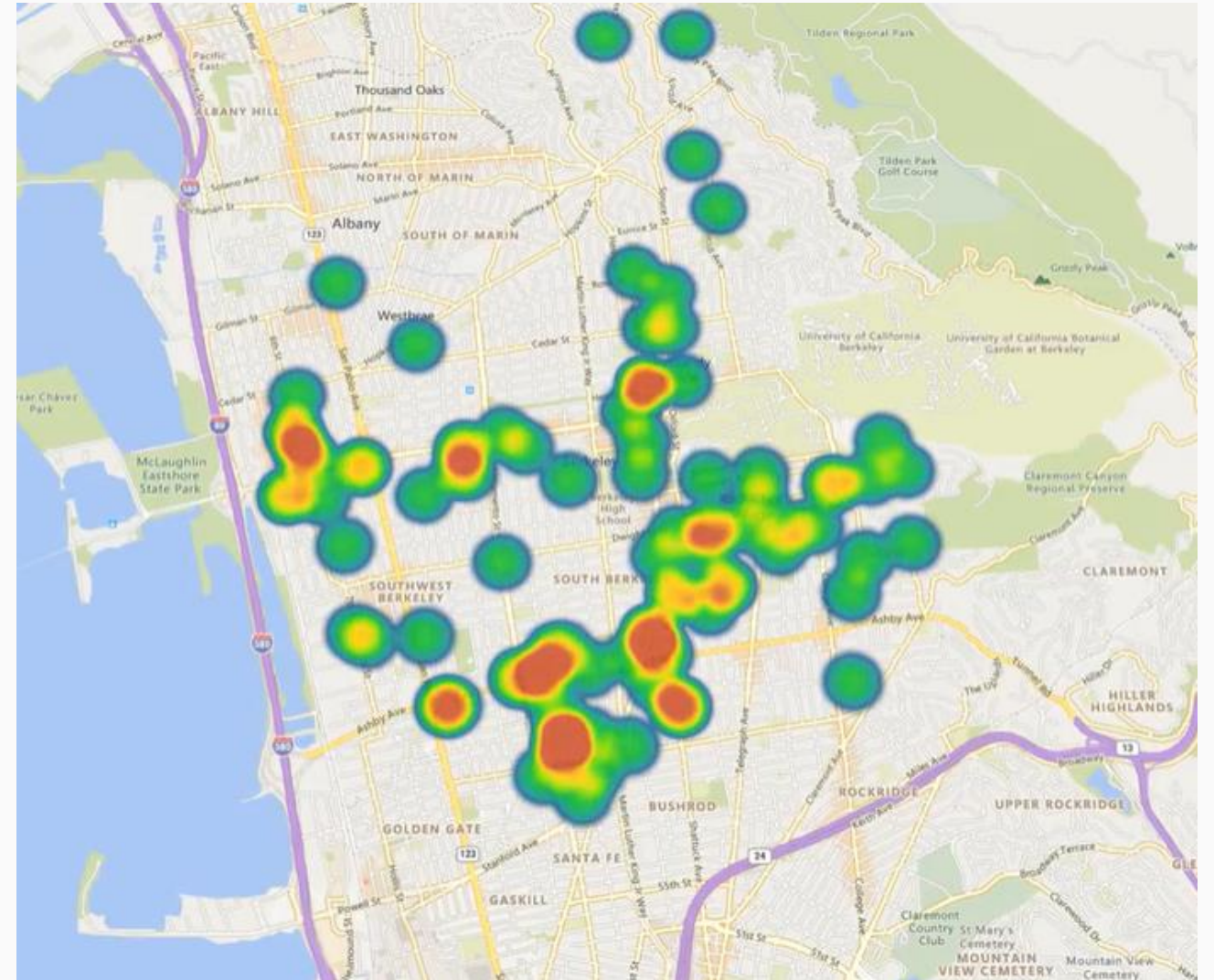
- In 2023-2024, our team conducted tenants' rights presentations in the community.
- We reached nearly 50 tenants across two different subsidized senior housing facilities, as well as nearly 30 Berkeley Law students.
- In addition to these presentations our staff also provided brief consultations for attendees.



Tenants' Rights Workshop

By informing and empowering tenants on their housing rights, we address issues before they escalate to eviction lawsuits and constructive evictions.

- Our weekly tenants' rights workshop is an opportunity for tenants to receive one-on-one legal advice on a broad range of housing issues.
- In this workshop, we find that many Berkeley tenants seek advice concerning harassment, repairs requests, reasonable accommodation requests, and Section 8 and subsidized housing terminations, and illegal rent increases.



Heatmap of Berkeley Services, showing highest need near South Berkeley



Full Legal Representation

Trends for our full representation of Berkeley Tenants

- **Berkeley Evictions:** Increase in the number of seniors in subsidized housing facing evictions.
- **Rent Board Hearings:** EBCLC has increased our counseling and representation in rent board hearings.
- **Section 8 Advocacy:** Increase in our clients need for support in transferring their subsidies.
- **Social Work:** We have seen primarily disabled seniors who reside alone, seeking high level case management due to their complex needs. While many of them are well-connected (to Lifelong, the Regional Center of the East Bay, etc.), it is a challenge to find sustainable and long-term case management to hand them off to.



Community Open House, Voter Registration and Celebration

September 26, 2024: Political education, free legal services and civic engagement

This upcoming election season will be monumental for our clients as there are several measures up for a vote that will undoubtedly shape the future of rent control and just cause in Berkeley and beyond.

EBCLC is hosting a Community Open House and Celebration where we will provide free legal services and information on ballot measures impacting our clients. In partnership with the Alameda County Registrar of Voters, we will provide onsite registration at our office near South Berkeley, making this election more accessible for our community.



Community Open House & Celebration

Thursday, September 26th 11am-5pm
East Bay Community Law Center
2921 Adeline St, Berkeley CA



Free Food & Drinks

Free Legal Services

Voter Registration & Education

Ballet Folklórico

Supported in part by a Civic Arts Grant from the City of Berkeley



Highlights: Our Impact

Preserving Long-Term Tenancies with Holistic
Services

Preserving Long Term Rent Controlled Tenancies

Holistic approach to tenant advocacy

A Berkeley tenant with a 24-year rent controlled tenancy received an eviction notice in 2023. Because of mental and physical health issues exacerbated by COVID-19, they lost their job and were unable to pay rent – an unfortunate but common circumstance during the pandemic. Over the course of their tenancy, their unit had serious habitability issues such as mold, plumbing issues, bugs, among many other issues but management did not address them.

After litigating this case for several months, EBCLC negotiated an agreement for the tenant to stay in his unit. EBCLC in partnership with EDC, assisted the tenant in getting rental assistance, while also negotiating a \$25,000 waiver of back rent due to years of unaddressed repairs.

The legal team also worked together with our Social Worker to provide critical support and resources to support the client as they navigated several systems and obstacles in obtaining other social services. They now remain in their long-term home at the same rental rate, providing crucial stability.



Thank you!



EAST BAY
COMMUNITY
LAW CENTER



Rent Stabilization Board

DATE: September 19, 2024

TO: Honorable Members of the Rent Stabilization Board

FROM: Lief Bursell, Senior Planner

SUBJECT: Status Update on Berkeley Demolition Ordinance Applications

Residential Dwelling Unit Demolition Application Update

Beginning in calendar year 2022, there have been fourteen development applications that propose the demolition of existing multi-family residential buildings that include dwelling units that are either subject to rent control, or potentially subject to rent control when rented. These applications propose the removal of one-hundred and eight (108) residential units, sixty-seven of which were occupied by tenants at the time Rent Board staff reviewed the application. This update includes a new SB 330 preliminary development application that was submitted for 2425 Durant Avenue. The 2425 Durant Avenue project proposes to replace three existing, rent-controlled buildings with 21 units with a new residential building with one-hundred and seventeen dwelling units. This application only proposes eighteen (18) replacement BMR units.

Additionally, the project at 2138 Center Street (also 2128 Oxford) was approved by the Zoning Adjustments Board (ZAB) on July 11, 2024. This project was approved with greater than one-for-one replacement of existing sixteen dwelling units with a total of forty (40) BMR units.

Project Status (As of 9/12/24)	# Projects	# Existing Units	Tenant Occupied	# BMR Units	Net Gain/Loss
ZAB Approved	7	56	21	72	+16
App. Complete	2	16	14	13	-3
Under Review	2	6	4	19	+13
Pre-Application	3	30	28	32	+2
Total	14	108	67	136	+28

Overall, if all existing projects were approved and moved forward to construction, they would result in a net gain of twenty-eight BMR units (beyond the one-for-one replacement of a BMR unit for each existing residential unit). Of the fourteen proposed development applications, seven applications are currently proposing at least one-to-one replacement of rent-controlled units with BMR units.

Attachments:

- 1) Residential Demolition Application Update Presentation Slides (Updated for 9-19-2024)
- 2) 9-19-2024 Residential Demolition Application Update

Name and Telephone Number of Contact Person:

Lief Bursell, Senior Planner (510) 981-7368



Residential Dwelling Demolition Application Update

Projects involving demolition of Rent-Controlled Dwellings

Updated for September 19, 2024



Demo Project Updates Sep. 19, 2024

2425 Durant Avenue (21 Units)

- SB 330 Preliminary Application
- Submitted 8/8/24 one day before Revised Demo Ordinance went into effect
- Proposed 117 new units (18 BMR)
- Unit discrepancy: 19 Units in app., 21 Rent-Controlled, permit for 2 ADUs in process

2128 Oxford (16 Units)

- Mixed-use building with 16 rent-controlled units
- 26-story, 450 Unit Mixed-Use building
- 40 BMR units, including 16 replacement BMR units
- Ellis Act eviction in July of 2021 (one tenancy)
- \$11 Million to Housing Trust Fund
- Approved by ZAB on 9/12/24

2022-2024 Development Applications Proposing Demolition of Residential Units

Project Status (As of 9/12/24)	# Projects	Existing Units	Tenant Occupied	# BMR Units	Net Gain/Loss
ZAB Approved	7	56	21	72	+16
App. Complete	2	16	14	13	-3
Under Review	2	6	4	19	+13
Pre-Application	3	30	28	32	+2
Total	14	108	67	136	+28



Questions

Application Date	Project Address	Application Type	Application Status	Project Description	# Existing Residential Units Proposed for Demolition	# Tenant Occupied Units	# Replacement Units	One to One Replacement with BMR?	Total BMR Units	Council District
8/8/2024	2425 Durant Ave.	SB 330 Pre-App	Complete	Demo 21 existing units (3 structures) and build 117 new units with 18 BMR replacement	21	21	18 BMR	No	18	7
6/5/2024	2442 Haste St.	Use Permit	Under Review	Demo Existing 4plex - build 36 new units, 2 BMR, 1 replacement unit	4	4	3 BMR	No	3	7
8/4/2023	1330 Haskell St.	Use Permit	Approved by ZAB (2/22/2024)	Construct two detached units in place of existing duplex.	2	0	0 BMR	No	0	2
6/22/2023	2733 San Pablo Ave	Use Permit	Under Review	Construct a new 8-story mixed-use building with 152 dwelling units	2	0	2 BMR	Yes	16	2
5/20/2023	1790 University Ave	Use Permit	Application Complete (12/6/2023)	Construct a five-story mixed-use building containing 17 dwelling units and ground floor commercial space.	1	1	1 BMR	Yes	2	4
4/26/2023	2127-59 Dwight Way	Use Permit	Approved by ZAB (11/30/2023)	Construct a six-story multi-family building, with 58 new dwelling units	8	5	7 BMR	No	7	4
2/10/2023	2300-10 Ellsworth St.	Use Permit	Application Complete (9/21/2023)	Construct a seven-story residential building with 69 units.	12	12	9 BMR	No	9	7
1/23/2023	2601 San Pablo Avenue (1110-12 Parker and 2609 San Pablo)	SB 330 Pre-App	SB 330 Preliminary Application Complete (12/5/2023)	Merge six parcels and construct an eight-story mixed-use residential development with 242 dwelling units	4	2	4 BMR	Yes	4	2
12/2/2022	3030 Telegraph (aka 2330-36 Webster)	Use Permit	Approved by ZAB on 6/08/2023	Construct 5-Story mixed-use building with 144 dwellings	4	0	4 BMR	Yes	8	8
11/14/2022	2538 Durant	Use Permit	Approved on consent by ZAB on 4/27/2023	Demolish 12 dwelling units & develop an eight-story residential building with 83 units	12	8	6 BMR	No	6	7
10/20/2022	2138 Center Street (aka 2128 Oxford)	Use Permit	Approved	Merge two lots to construct a 26 story mixed-used building with 450 dwellings	16	0	16 BMR	Yes	40	4
9/22/2022	2427-33 San Pablo Avenue	Use Permit	Approved by ZAB on 7/11/24	Construct a five-residential replacement apartment units and Group Living Accommodation (GLA) with 77 private rooms	8	8	8 BMR	Yes	8	2
5/10/2022	1827 & 1899 Oxford	SB 330 Pre-App	SB 330 Preliminary Application Under Review	Construct 118 new dwellings with 12 BMR	8	6	8 BMR	Yes	12	6
5/10/2022	1773 Oxford	Use Permit	Approved by ZAB on 1/12/2023	Demolish six units and develop a five-story residential building with 22 units	6	0	3 BMR	No	3	6



Rent Stabilization Board
Office of the Executive Director

DATE: September 19, 2024

TO: Honorable Members of the Rent Stabilization Board

FROM: DéSeana Williams, Executive Director

SUBJECT: Request to Extend Administrative Correction Period on a Case-by-Case Basis until October 30th

Summary

Due to our recent relocation, over 130 registration statements were returned to our office. The Registration Unit's preliminary findings indicate that at least 30 of these properties had forwarding addresses where the post office forwarding period had expired. Additionally, 25 properties have a history of previous payments to the Rent Board, and 10 have experienced ownership changes within the last year.

We are requesting the extension of the administrative correction period until October 30th, to be applied on a case-by-case basis, to allow affected property owners who did not receive their registration statements the opportunity to take advantage of the administrative waiver. This extension will also streamline the waiver process by granting the Executive Director or her designee the authority to waive penalties on a case-by-case basis, thereby reducing the current waiver queue.

Background:

The Berkeley Rent Board's amnesty and administrative correction periods under Resolution 22-21 played a crucial role in assisting property owners who faced challenges in meeting registration deadlines due to data transfer errors or COVID-19-related issues. In previous cycles, the extension of the Administrative Waiver granted by the Board successfully waived \$37,334 in penalties, aiding property owners significantly during the ongoing internal audit and records review and the COVID-19 recovery period.

With the recent disruption caused by our office relocation, a significant number of registration statements were returned undelivered. Among these, numerous properties were impacted by expired postal forwarding, previous rent payments, or recent ownership changes. This has created an unintended barrier for property owners who are otherwise compliant or who have made efforts to stay current with their obligations.

Recommendation:

We recommend that the Board approve the extension of the administrative correction period until October 30th on a case-by-case basis. This extension will:

1. Allow property owners who never received their registration statements to benefit from the administrative waiver.
2. Reduce the administrative burden and backlog of waiver requests.
3. Grant the Executive Director or her designee the discretion to waive penalties where appropriate, thereby expediting the resolution of outstanding cases.

Conclusion

Extending the administrative correction period will provide necessary relief to property owners affected by the office relocation. It will ensure equitable access to penalty waivers for those who, through no fault of their own, did not receive their registration statements. Additionally, it will support the efficient functioning of the Rent Board by reducing the waiver queue and empowering staff to handle corrections swiftly and fairly.

Name and Telephone Number of Contact Person

DeSeana Williams, Executive Director, (510) 981-4949
Rent Stabilization Board

Item 11.a.**1266. Self Labor**

(A) Self labor compensation shall include reasonable compensation for labor performed by the landlord in the operation of a property. Self labor compensation shall be included as a maintenance and operating expense, or as part of a capital improvement, upon documentation of the amount and nature of the work performed. The compensation for skilled and unskilled labor shall be calculated at the hourly rate established for the year in which such labor was performed. If no hourly rate has been established for the year in which such labor was performed, compensation shall be calculated by using the hourly rate of the nearest year for which a rate has been established. The hourly rates for skilled and unskilled labor for the years since 1979 are as follows and shall be adjusted each year by 100% of the change in the Consumer Price Index, all items, for the San Francisco-Oakland-Hayward metropolitan area for the prior calendar year:

Year	Unskilled	Skilled		Year	Unskilled	Skilled
1979	\$6.00	\$10.00		2002	\$179.72	\$29.53
1980	\$6.51	\$10.86		2003	\$18.01	\$30.02
1981	\$7.50	\$12.50		2004	\$18.33	\$30.54
1982	\$8.47	\$14.12		2005	\$18.55	\$30.92
1983	\$9.11	\$15.18		2006	\$18.91	\$31.52
1984	\$9.18	\$15.30		2007	\$19.52	\$32.53
1985	\$9.70	\$16.17		2008	\$20.16	\$33.60
1986	\$10.12	\$16.86		2009	\$20.79	\$34.64
1987	\$10.41	\$17.36		2010	\$20.94	\$34.90
1988	\$10.77	\$17.95		2011	\$21.23	\$35.38
1989	\$11.24	\$18.74		2012	\$21.78	\$36.30
1990	\$11.79	\$19.66		2013	\$22.36	\$37.27
1991	\$12.33	\$20.54		2014	\$22.86	\$38.11
1992	\$12.87	\$20.54		2015	\$23.51	\$39.19
1993	\$13.30	\$22.16		2016	\$24.13	\$40.21
1994	\$13.65	\$22.75		2017	\$24.85	\$41.42
1995	\$13.88	\$23.13		2018	\$25.65	\$42.76
1996	\$14.15	\$23.58		2019	\$26.65	\$44.41
1997	\$14.47	\$24.12		2020	\$27.53	\$45.88
1998	\$14.97	\$24.95		2021	\$28.00	\$46.67
1999	\$15.44	\$25.74		2022	\$28.90	\$48.17
2000	\$16.10	\$26.83		2023	\$30.52	\$50.86
2001	\$16.81	\$28.02		2024	\$31.63	\$52.72

(B) For a landlord to receive compensation for skilled labor, the landlord must provide evidence of having experience and skills comparable to specialized workers in the building trades for jobs requiring skilled labor, such as plumbing, roofing, carpentry, electrical and masonry work. If a landlord is licensed, or certified as a journeyman/woman, in a particular craft, he/she meets the requirement for skilled labor in that craft, but licensing or certification is not a requirement for the

skilled labor rate.

(C) Notwithstanding the above, a landlord may receive greater or lesser allowance for self labor if it is shown that the hourly rates established pursuant to subsection (A) above are substantially unfair in a given case.

(D) Compensation for self-management shall be at the unskilled labor rate, regardless of the landlord's qualifications, and there shall be a maximum allowance of 5% of the gross rental income as compensation for self-management. Self-management activities shall include, but not limited to: renting vacant units, collecting rents, coordinating or supervising maintenance, repairs and purchasing, maintaining financial and management records, and paying bills.



MEMORANDUM

DATE: September 19, 2024

TO: DéSeana Williams, Executive Director

FROM: Lief Bursell, Senior Planner
Jen Fabish, Community Services Specialist

SUBJECT: Average Rents for New Tenancies: January 1, 2023 through December 31, 2023

In the table below, average rents are derived from only those units which had a new tenancy recorded in the Rent Board's online database during the period of January 1, 2023 through December 31, 2023.

Average Rents: New Tenancies Only

# Bedrooms	Average Rent
Studio	\$2,020
1	\$2,428
2	\$3,293
3	\$4,306
All Units	\$2,761



RENT STABILIZATION BOARD
ENVIRONMENTAL SUSTAINABILITY COMMITTEE

Thursday, September 12, 2024 – 6:00 p.m.

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

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.

To access this meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device by clicking on this URL: <https://us06web.zoom.us/j/83042348909?pwd=wE3at1L0EvTOlZbRKGiBrbnb9ABTtD.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: 830 4234 8909 and Passcode: 007946. 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 ndahl@berkeleyca.gov with the Subject line in this format: "PUBLIC COMMENT ITEM FOR ENVIRONMENTAL SUSTAINABILITY COMMITTEE". Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 4:00 p.m. on the day of the Committee meeting in order to be included.**

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

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

COMMUNICATION ACCESS INFORMATION:



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

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



RENT STABILIZATION BOARD
ENVIRONMENTAL SUSTAINABILITY COMMITTEE

Thursday, September 12, 2024 – 6:00 p.m.

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

AGENDA

1. Roll call (1 min.)
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors, and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this uncaded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*
3. Approval of the Agenda (2 min.)
4. Public Comment (5 min.)
5. Approval of June 5, 2024 Meeting Minutes (2 min.)
6. Update on Data Set of Housing Services Paid for by Landlords (Gas, Heat Electric) (5 min.)
7. Decarbonization Without Displacement (30 min.)
8. Announcements (5 min.)
9. Next Meeting (2 min.)
10. Future Agenda Items (5 min.)
11. Adjournment (2 min.)

STAFF CONTACT: Nathan Dahl, Public Information Unit Manager (510) 981-4935

COMMITTEE: Ida Martinac (Chair), Stefan Elgstrand, Xavier Johnson



Rent Stabilization Board

RENT STABILIZATION BOARD
EVICTON / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Wednesday, September 18, 2024 – 6:00 p.m.

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

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.

To access this meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device by clicking on this URL: <https://us06web.zoom.us/j/82484338140?pwd=yU30QIJ0xGFqOaThKs06EvFbS5tjqw.1>. If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself to be anonymous. To request to speak, use the "Raise Hand" icon by rolling over the bottom of the screen.

To join by phone: Dial 1-669-444-9171 and enter Webinar ID: 824 8433 8140 and Passcode: 416345. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

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

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COMMUNICATION ACCESS INFORMATION:

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Rent Stabilization Board

RENT STABILIZATION BOARD

EVICTON / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Wednesday, September 18, 2024 – 6:00 p.m.

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

AGENDA

1. Roll call
2. Land Acknowledgment Statement: The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.
3. Approval of the agenda
4. Approval of the Minutes of the June 11, 2024 meeting
5. Public Comment
6. Discussion and possible action regarding recent eviction data
7. Discussion and possible action regarding Ellis Act Eviction Report
8. Discussion and possible action regarding Measure AA Owner Move-in Eviction Report
9. Confirm next meeting date
10. Adjournment

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

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



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

Thursday, September 5, 2024 – 5:30 p.m.

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

Teleconference location: 1418-A 67th Street, Berkeley

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

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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/81003862061?pwd=jKbu2nCCRfbkPddXs2IekgAekSPtlc.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: 810 0386 2061 and Passcode: 015483. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

To submit an email comment for the Committee's consideration and inclusion in the public record, email mbrown@berkeleyca.gov with the Subject line in this format: "PUBLIC COMMENT ITEM FOR LIRA COMMITTEE". Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 3:30 p.m. on the day of the Committee meeting in order to be included.**

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RENT STABILIZATION BOARD

LEGISLATION, IRA / AGA & REGISTRATION COMMITTEE MEETING

Thursday, September 5, 2024 – 5:30 p.m.

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

Teleconference location: 1418-A 67th Street, 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 (Huchiuñ-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.
3. Approval of the agenda
4. Approval of the minutes of the April 9, 2024 meeting
5. Public Comment
6. Discussion and possible action regarding adding an official comment period for representatives of the City of Berkeley employee unions at regular Board meetings.
7. Discussion and possible action regarding future agenda items
 - ➔ Bulk waste pickup for tenants (Commissioner Kelley)
 - ➔ Potential Regulation regarding Occupancy Subleases (Commissioner Alpert)
8. Confirm next meeting date
9. Adjournment

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

COMMITTEE: Soli Alpert, Andy Kelley (Chair), Ida Martinac, Nathan Mizell



**RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING**

Monday, August 12, 2024 – 6:00 p.m.

Rent Stabilization Board Conference Room A – 2000 Center Street, 4th floor, Berkeley

Teleconference location: 1418-A 67th Street, Berkeley

Teleconference location: 2010 5th Street, Apt. 260, Berkeley

REVISED AGENDA

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

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To join by phone: Dial 1-669-900-6833 and enter Webinar ID: 814 4542 3760 and Passcode: 560312. 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 ndahl@berkeleyca.gov with the Subject line in this format: "PUBLIC COMMENT ITEM FOR OUTREACH COMMITTEE". Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 4:00 p.m. on the day of the Committee meeting in order to be included.**

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2000 Center Street, Suite 400, Berkeley, CA 94704 ■ TEL: (510) 981-7368 (981-RENT) ■ TDD: (510) 981-6903 ■ FAX: (510) 809-3921

EMAIL: rent@berkeleyca.gov ■ WEB: rentboard.berkeleyca.gov



**RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING**

Monday, August 12, 2024 – 6:00 p.m.

Rent Stabilization Board Conference Room A – 2000 Center Street, 4th floor, Berkeley

Teleconference location: 1418-A 67th Street, Berkeley

Teleconference location: 2010 5th Street, Apt. 260, Berkeley

REVISED AGENDA

1. Roll call (1 min.)
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors, and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this uncended stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*
3. Approval of the Agenda (2 min.)
4. Approval of the Minutes of the July 8, 2024 Meeting (2 min.)
5. Public Comment (5 min.)
6. Discussion of Language Access Policy and Style Guide (20 min.)
7. Berkeley Unified School District African American Success Framework Committee connection (5 min.)
8. Review of Recent and Upcoming Outreach Events and Activities (5 min.)
9. Next Meeting Date, Sept. 9 2024 – Berkeley Rent Board Conference Room A (5 min.)
10. Future Agenda Items (5 min.)
11. Announcements (3 min.)
12. Adjournment (2 min.)

STAFF CONTACT: Nathan Dahl, Public Information Unit Manager (510) 981-4935

COMMITTEE: Soli Alpert (Chair), Stefan Elgstrand, Andy Kelley, Vanessa Marrero



RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING

Monday, September 9, 2024 – 6:00 p.m.

Rent Stabilization Board Conference Room A – 2000 Center Street, 4th floor, Berkeley

Teleconference location: 1418A 67th St, Berkeley, CA 94702

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

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**RENT STABILIZATION BOARD
OUTREACH COMMITTEE MEETING**

Monday, September 9, 2024 – 6:00 p.m.

Rent Stabilization Board Conference Room A – 2000 Center Street, 4th floor, Berkeley

Teleconference location: 1418A 67th St, Berkeley

AGENDA

1. Roll call (1 min.)
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors, and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this uncended stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*
3. Approval of the Agenda (2 min.)
4. Approval of the Minutes of the August 12, 2024 Meeting (2 min.)
5. Public Comment (5 min.)
6. Review of 2024 Annual General Adjustment and Security Deposit Interest Postcard (15 min.)
7. Review of Language Line Log of calls for 2024. (10 min.)
8. Review of Community Events Calendar on Rent Board Webpage (3 min.)
9. Discussion of Language Access Policy and Style Guide (10 min.)
10. Next Meeting Date – Oct. 14, 2024 is Indigenous People's Day (5 min.)
11. Future Agenda Items (5 min.)
12. Announcements (3 min.)
13. Adjournment (2 min.)

STAFF CONTACT: Nathan Dahl, Public Information Unit Manager (510) 981-4935

COMMITTEE: Soli Alpert (Chair), Stefan Elgstrand, Andy Kelley, Vanessa Marrero