



EVICTION / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Tuesday, May 12, 2026 – 5:30 p.m.

Berkeley Rent Board Conference Room A – 2000 Center Street, Suite 400, Berkeley, CA 94704

**Teleconference Location – 2321 Tenth Street, Unit A, Berkeley, CA 94710 and
2309 Blake Street, Unit 210, Berkeley, CA 94704**

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: 824 8433 8140 and Passcode: 416345. 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.



AGENDA: EVICTION / SECTION 8 / FORECLOSURE COMMITTEE MEETING

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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. Election of Committee Chair
4. Approval of the Agenda
5. Approval of the September 16, 2025, Meeting Minutes
6. Public Comment
7. Review of Committee Purview (verbal report)
8. Discussion and possible action regarding recent eviction statistics (Attachment 1)
9. Discussion and possible action regarding contents of Owner Move-in Reports
10. Report on Regulation 1283 (Attachment 2)
11. Confirm next meeting date
12. Adjournment

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

COMMITTEE: Stefan Elgstrand, Xavier Johnson, Nathan Mizell, Dominique Walker



EVICTON / SECTION 8 / FORECLOSURE COMMITTEE MEETING

Tuesday, September 2025, 6:30 pm

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

Minutes- Unapproved

1. Roll call- Staff Attorney Oliver Ehlinger called the roll at 6:39 pm.

Present: Elgstrand, Mizell, Johnson

2. Land Acknowledgment Statement was played.
3. Approval of the Agenda: Commissioner Mizell moved to approve the agenda. Commissioner Johnson seconded. Roll call vote: 3-0-0-0.
4. Approval of the July 8, 2025, Meeting Minutes: Commissioner Johnson moved to approve the July 8, 2025 Minutes. Commissioner Mizell seconded. Roll call vote: 3-0-0-0.
5. Public Comment: There were no public speakers.
6. Discussion and possible action regarding recent eviction data. Staff Attorney Ehlinger provided a report on eviction notices received by the agency. The Committee discussed the report and took no action.
7. Discussion and possible action regarding track eviction trends after Measure BB. The Committee discussed this item and took no action.
8. Confirm next meeting date. The Committee set December 9, 2025 at 6:00 pm as its next meeting.
9. Adjournment. Commissioner Johnson moved to adjourn at 7:01 pm. Commissioner Mizell seconded. Roll call vote: 3-0-0-0.

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

COMMITTEE: Stefan Elgstrand, Xavier Johnson, Nathan Mizell, Dominique Walker



Memorandum

DATE: May 12, 2026
TO: Honorable Members of the Eviction/Section 8/Foreclosure Meeting
FROM: Oliver Ehlinger, Staff Attorney
SUBJECT: Rent Board Eviction Data: September 1, 2025- March 31, 2026

Under Berkeley Municipal Code section 13.76.130.D, any landlord covered by the Good 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 September 1, 2025 through March 31, 2026, the Board received the following eviction filings:

Total Termination Notices: 281 (approximately 40 a month)

Termination Notices alleging non-payment of rent: 234

Termination Notices alleging substantial violations of a material term of the rental agreement: 30

Termination Notices alleging substantial damage to the rental unit: 2

Termination Notices alleging destruction of the peace: 8

Termination Notices alleging Owner Move-in: 5

Termination Notices alleging

Termination Notices alleging withdrawal of units under Ellis Act: 3

Unlawful Detainer Complaints: 56 (8 a month)



Landlord Petition Package for Rent Ceiling Increase to the Maximum Level Allowed by the Government Subsidizing Agency (Regulation 1283)

If you are having trouble accessing or filling out this form, please contact us for help.

Traducción disponible. Llámanos! 提供翻譯。 致電我們 ! ارجمة متاحة. اتصل بنا !

PHONE: (510) 981-7368 • **EMAIL:** rent@berkeleyca.gov • **OFFICE:** 2000 Center St., Suite 400, Berkeley, CA 94704
• **TTD:** (510) 981-6903 • **FAX:** (510) 809-3921 • **WEBSITE:** rentboard.berkeleyca.gov

ABOUT LANDLORD PETITIONS FOR RENT INCREASE TO THE MAXIMUM AMOUNT ALLOWED BY THE GOVERNEMENT SUBSIDIZING AGENCY

The rent for units with certain government subsidies is affected by both the Rent Ordinance, which sets a maximum allowable rent (called a “rent ceiling”), and the government subsidizing agency’s “rent reasonableness” analysis for contract rent increase requests. A landlord cannot collect a contract rent higher than the rent ceiling even if the rent ceiling is less than what the government subsidizing agency could otherwise allow through a rent reasonableness analysis. To close this gap, landlords can file this petition to raise the rent ceiling to the maximum contract rent allowed by the government subsidizing agency, so long as the tenant’s portion of the rent is not increased because of the new maximum contract rent.

CONDITIONAL APPROVAL ALLOWED

If the government subsidizing agency has not yet issued a determination that the contract rent increase you are applying for is reasonable, you may still file this petition and request a conditional approval of the rent ceiling increase. The rent ceiling increase would go into effect once the government subsidizing agency authorizes the new rent in its rent reasonableness determination. Or, if the government subsidizing agency has already issued its rent reasonableness determination, you may include a copy with this petition (the government subsidizing agency cannot begin issuing the higher payment approved in the rent reasonableness determination until this petition to increase the rent ceiling is approved by the Rent Board).

QUALIFYING RENTAL UNITS

Qualifying rental units are those under the Section 8 Voucher Program (including the Housing Choice Vouchers, Project-based vouchers, and the Veterans Affairs Supportive Housing Program) and the Shelter Plus Care Program. In addition, the rental unit must be in habitable condition (the petition form requires landlords to attest to this).

SECTION 8 PROJECT-BASED VOUCHER UNITS

Landlords of multiple Section 8 Project-Based Voucher (PBV) units typically apply for a contract rent increase at the same time for multiple PBV units at the property. When this is done, the landlord can also file this petition for multiple PBV units (and seek conditional approval as explained above). Only

one petition needs to be completed, but you will need to use the Unit Information Attachment to provide information for each unit. See the section below on Filing the Petition and the instructions in the Unit Information Attachment for more details.

LANDLORD ELIGIBILITY

To be eligible, a landlord must be in full compliance with the Berkeley Rent Ordinance, which means that all required forms, including vacancy registration forms, must be filed with the Rent Board, and there cannot be any outstanding registration fees or penalties (unless you have requested a penalty waiver). A landlord must also confirm that they are not being sued by the tenant for claims of harassment under the Berkeley Tenant Protection Ordinance, and that there has not been a court judgment finding the landlord in violation of the Tenant Protection Ordinance.

FAST TRACKING THE PETITION

A petition will be fast tracked if it is unopposed by the tenant. An unopposed petition should be confirmed by including a completed Agreement of Parties or Waiver of Right to Hearing (a copy is included) signed by you and the tenants. This will allow the petition to be processed without the need for a hearing.

You may find it helpful to review Section 12 of the Rent Ordinance and Chapter 12 of the Regulations on our website. Rent Board counselors are available to answer questions. Call, email, or go to our website.

FILING INSTRUCTIONS

A complete petition package must have:

1. **Petition:** This starts on page 4.
2. **Supporting Evidence:** Copies of supporting documentation as indicated in the Schedules. Unless you are seeking conditional approval of the rent ceiling increase, supporting documents must include the government subsidizing agency's rent reasonableness determination authorizing the new maximum contract rent and confirming that the new rent does not increase the tenant household's portion of the rent.
3. **Proof of Service, unless you are filing and serving the petition by email:** A Proof of Service verifies that you've given the opposing parties (the tenants) *and the government subsidizing agency* copies of everything you are filing with the Rent Board. There is a Proof of Service included with this package. If you are filing and serving the petition by email, you do not have to complete the Proof of Service; copy all opposing parties on the email as proof of service.

Bring or mail to our office the complete petition package, or email it to FileRentPetition@berkeleyca.gov. Rent Board staff will contact you if anything is incorrect, incomplete, or doesn't comply with the Rent Board's [filing rules](#). Deficient petition packages may cause processing delays.

If you are seeking a rent ceiling increase for multiple units at the property, the process for filing and serving the petition is different. You will need to complete the Unit Information Attachment for each unit, which contains special instructions for filing the petition and sending a copy to the tenant households. The purpose of those instructions is to ensure that unit information is not shared between tenant households to protect their privacy.

AFTER YOU FILE THE PETITION

We send the tenants an objection form they can use to dispute your claims. Tenants have 20 days to file the objection and must give you a copy of the completed form. If a hearing is required, we will send the parties a notice with the hearing date. A hearing is where the parties present evidence to a hearing

examiner. Evidence can include things like testimony, documents, and photos. A hearing is less formal than a court trial. After the hearing, the hearing examiner will issue a written decision about your claims.

If the tenants do not file an objection, or the petition includes an Agreement of Parties/Waiver of Right to a Hearing signed by all affected tenants, the hearing examiner may issue a decision without a hearing. A copy of the Agreement of Parties/Waiver of Right to a Hearing is included in this packet.

HELP WITH UNDERSTANDING LANDLORD PETITIONS FOR RENT INCREASE OR DECREASE

While not required, we strongly recommend that you speak with a Rent Board housing counselor to discuss your claims. Housing counselors can answer questions, help with the petition process, and review your petition package for completeness, but they cannot provide legal advice or guarantee the outcome of your case. To contact a housing counselor: Use our online appointment form by going to rentboard.berkeleyca.gov and clicking on the “Housing Counselor Appointments” button; call (510) 981-7368 (RENT); or email rent@berkeleyca.gov.

The laws and regulations for these types of petitions can be found at [Berkeley Municipal Code section 13.76.120](#) and [Regulations Chapter 12](#).

(Petition starts on next page.)



Landlord Petition for Rent Ceiling Increase to the Maximum Level Allowed by the Government Subsidizing Agency

PETITION NUMBER L- _____
(Assigned by Rent Board staff)

PROPERTY ADDRESS

Street Number and Name _____

Unit Number _____ Zip Code _____

LANDLORD INFORMATION

Name _____

Mailing Address _____

Phone: _____ Email Address: _____

Relationship to Property (Check One): Owner Manager Master Tenant

REPRESENTATIVE INFORMATION

If someone is representing you (for example, an attorney), provide their contact information below. Parties are welcome to represent themselves.

Name _____

Mailing Address _____

Phone: _____ Email Address: _____

UNIT INFORMATION

Complete this section if you are seeking a rent ceiling increase for only one rental unit. For multiple rental units, skip this section and use the Unit Information Attachment that is included in this petition package.

Unit #: _____ Tenancy Start Date: _____ Initial Rent: _____ Current Rent: _____

Name: _____ Phone: _____ Email: _____

Name: _____ Phone: _____ Email: _____

Name: _____ Phone: _____ Email: _____

Name: _____ Phone: _____ Email: _____

GOVERNMENT SUBSIDY & AGENCY

Specify the type of subsidy, and provide information on the subsidizing government agency.

- Section 8 Housing Choice Voucher
- Section 8 Project-Based Voucher
- Section 8 Veteran Affairs Supportive Housing
- Shelter Plus Care

Agency Name _____

Name of Agency Contact _____

Mailing Address _____

Phone _____ Email Address _____

RENT REASONABLENESS DETERMINATION

This petition is your request to increase the rent ceiling to the maximum rent allowed by the government subsidizing agency in its rent reasonableness determination. Check the box that applies to you.

- The government subsidizing agency has **not** yet issued a rent reasonableness determination authorizing the amount of the new maximum rent I am applying for. If this petition is granted, The Board will issue a **conditional approval** for a rent ceiling increase that will go into effect as of the date the government subsidizing agency authorizes my application.. The rent reasonableness determination must confirm that the new contract rent does not increase the tenant household's portion of the rent.
- The government subsidizing agency has already authorized the amount of the new maximum contract rent in its rent reasonableness determination, and the new contract rent does not increase the tenant household's portion of the rent. I am attaching a copy of the government subsidizing agency's rent reasonableness determination that provides the new rent information.

RENT BOARD REGISTRATION COMPLIANCE

By checking the boxes below, you are confirming compliance with the Rent Board's registration requirements.

- I have no outstanding registration fees or penalties for **any** Berkeley rental units (or I have a penalty waiver request that is pending).
- I have filed all required forms with the Rent Board, including Vacancy Registration forms for all fully covered rental units and Tenancy Registration forms for partially covered units, if any.

COMPLIANCE WITH THE IMPLIED WARRANTY OF HABITABILITY

By checking the boxes below, you are confirming compliance with the Implied Warranty of Habitability.

- There are no outstanding warnings or other notices of abatement of housing assistance payments issued by the government subsidizing agency.
- There are no outstanding violations of Housing Quality Standards issued by the government subsidizing agency.

- There are no outstanding housing or health code violations issued by the City of Berkeley or other applicable jurisdiction.
- I do not have knowledge or notice of any condition at the rental which violates any applicable housing quality ordinance, law, or regulation.

EMAIL SERVICE

Indicate your choice by checking the appropriate box below. When filing and serving the petition or any documents related to the petition by email, you must copy the other party on the email and include the petition number or property address in the email (you do not need to fill out a Proof of Service).

If you decline email service, the petition and all documents related to the petition must be served on the respondents by hand delivery or mail along with a completed Proof of Service.

If you choose email service, each respondent will have the opportunity to decline email service, or to designate a different email address for service. If a respondent declines email service, you must thereafter serve all petition-related materials to that respondent by hand delivery or mail along with a completed Proof of Service.

- I want to use email service.** By checking this box, I verify that I will serve documents on the respondent(s) using the email address(es) provided in this petition. I further verify that each respondent gave me the email address designated for that respondent, and I have used it within the last year to correspond with that respondent.
- I decline email service.**

CERTIFICATION OF PETITION

Signatures must be handwritten, not typed.

I declare under penalty of perjury under the laws of the State of California that the information in this petition and the documents included with it are true and correct to the best of my knowledge and belief.

Name: _____

Signature: _____

Date of Signing: _____

Name: _____

Signature: _____

Date of Signing: _____



Unit Information Attachment

WHEN TO USE THIS ATTACHMENT

Use this Attachment if you are seeking rent ceiling increases for multiple units on the property.

COMPLETE A SEPARATE UNIT INFORMATION ATTACHMENT FOR EACH UNIT

You will need to complete an Attachment for each unit on the property for which you are seeking a rent ceiling increase. If done properly, each Attachment will contain information for only one unit.

SPECIAL INSTRUCTIONS FOR SERVING AND FILING

For privacy reasons, unit information should not be shared between tenant households. Compile separate petition packages for each tenant household containing:

1. The petition.
2. The single Unit Information Attachment that applies to the receiving household.
3. Supporting documentation that is specific to the receiving household.
4. The completed Agreement of Parties/Waiver of Right to a Hearing that was signed by the receiving household, if there is one.

If You Are Filing and Serving the Petition Package by Email

You must serve each tenant household separately with just the petition package for that household. You serve the tenant household by copying the tenants on the email you send to the Rent Board to file the petition package (FileRentPetition@berkeleyca.gov). Since you must serve each tenant household separately, this means you will have to send multiple emails to the Rent Board. You only have to copy the government subsidizing agency on one email.

If You Are Filing and Serving the Petition Package by Mail or Hand Delivery

You must file with the Rent Board a completed proof of service for each tenant household.

TENANCY INFORMATION

Unit #: _____ Tenancy Start Date: _____ Initial Rent: _____ Current Rent: _____

Name: _____ Phone: _____ Email: _____

Name: _____ Phone: _____ Email: _____

Name: _____ Phone: _____ Email: _____

Name: _____ Phone: _____ Email: _____

Name: _____ Phone: _____ Email: _____

Name: _____ Phone: _____ Email: _____

Name: _____ Phone: _____ Email: _____



Agreement of Parties/Waiver of Right to a Hearing

Petition No. L- _____ *If the petition involves more than one unit, use a separate form for each unit.*

Property Address: _____ Unit No. _____

AGREEMENT OF PARTIES

This box must be checked by the tenant for the waiver and agreement to be valid.

- I understand that the requested rent ceiling increase cannot affect the portion of the rent that I owe.
- I understand that the requested rent ceiling increase can only increase the housing assistance payment provided by the government subsidizing agency.
- I have received a copy of the petition and supporting documents and have no objections to the requested rent ceiling increase.
- I am satisfied that my unit is in habitable condition.
- I have not started a court action against the landlord alleging violations of the Berkeley Tenant Protection Ordinance.

WAIVER OF RIGHT TO A HEARING

This box must be checked by the tenant for this waiver to be valid.

- I give up my right to a hearing.
- I understand that a decision may be issued without a hearing and be based on the petition, supporting documents, and the Board's records.

WAIVER CERTIFICATION

I declare under penalty of perjury under the laws of the State of California that the above assertions are made voluntarily and without financial or other inducement. *Signatures must be handwritten, not typed.*

LANDLORD SIGNATURE

PRINTED NAME

DATE

TENANT SIGNATURE

PRINTED NAME

DATE

TENANT SIGNATURE

PRINTED NAME

DATE

TENANT SIGNATURE

PRINTED NAME

DATE

TENANT SIGNATURE

PRINTED NAME

DATE



Proof of Service

PURPOSE OF PROOF OF SERVICE

Use this form to confirm that you've given copies of any forms/documents you are filing with the Rent Board to all opposing parties **AND the government subsidizing agency**. This is called "service." You can serve documents in three ways: in person (hand delivery), by first-class mail, or by email. *If you are filing and serving by email, you do not need to complete this form. Just copy the opposing parties on the email and include the petition number or property address in the email.*

TO BE COMPLETED BY THE PERSON SERVING THE DOCUMENTS

I live in _____ County (Berkeley is in Alameda County) and was at least 18 years old when I delivered the following documents (for example, Tenant Petition for Rent Decrease, Schedule C, Housing Code Enforcement Report, and email correspondence):

Date when the documents were delivered or mailed: _____

I delivered the documents in the following way (*Check the appropriate box*):

I delivered the documents in person to the following individuals:

Name _____ Name _____
Name _____ Name _____

I mailed the documents by first-class mail to the following addresses:

Print name and address as shown on the envelope

Name _____ Address _____
Name _____ Address _____
Name _____ Address _____
Name _____ Address _____

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Name _____ **Date of Signing** _____

Signature (must be handwritten, not typed) _____