



RENT STABILIZATION BOARD
Regular Meeting
Thursday, April 18, 2024 – 6:00 p.m.
School District Board Room – 1231 Addison Street, 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.

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/86351823870?pwd=6u9aivTslet7SqNRO_IBL3QRcsH57w.WN9X-NdkqPRvYdDc. 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: 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.

To submit a written communication for the Board's consideration and inclusion in the public record, please email amueller@berkeleyca.gov with the Subject line in this format: "RENT BOARD MEETING PUBLIC COMMENT ITEM." Please observe a 150-word limit. **Email comments must be submitted to the email address above by 4:00 p.m. on the day of the meeting in order to be included.**

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

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



COMMUNICATION ACCESS INFORMATION:

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

Regular Meeting

Thursday, April 18, 2024

6:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley

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Minutes - *Approved*

1. **Roll call** – Chair Simon-Weisberg called the meeting to order at 6:16 p.m.
Aimee Mueller called roll.
Commissioners present: Alpert, Elgstrand, Johnson (left at 7:35 p.m.), Kelley, Marrero, Martinac, Mizell, Walker, Simon-Weisberg
Commissioners absent: None
Staff present: Brown, Eberhart, Kim, Lecky, Mueller, Williams
2. **CLOSED SESSION** – Pursuant to California Government Code Section 54957(b)(1), the Board convened in closed session for a Public Employee Evaluation of Performance:

Title: Executive Director

After the closed session, the Chair announced that the Board took no reportable action.

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

The Land Acknowledgement Statement was read aloud.

4. **Approval of Agenda**

M/S/C (Mizell/Elgstrand) APPROVE THE AGENDA WITH THE FOLLOWING CHANGE: MOVE ITEM 9.d. TO CONSENT. Roll call vote. YES: Alpert, Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

5. **Public Comment** – There were no speakers.
6. **SPECIAL PRESENTATION:** *Rent Registry (3Di) Enhancements* by Amanda Eberhart, Senior Management Analyst – Amanda Eberhart presented and took questions from the Board.
7. **CONSENT ITEMS**

Action Item 9.d. was moved to Consent by a prior vote of the Board.

- a. Approval of the March 21st 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

2417 MCGEE
1175 CAMELIA
287 THE UPLANDS
2444 SPAULDING
1994 SAN ANTONIO AVE
838 BANCROFT WAY
968 ADDISON ST
1019 CHANNING WAY
1124 OXFORD ST
1165-1167 ARCH ST
1361 NORTHSIDE AVE
1409 SPRUCE ST #B
1422 ADDISON ST
1432 KAINS AVE
1434 6TH ST.
1437 MLK JR. WAY
1439 67TH ST
1533 BONITA AVE
1536 TYLER ST

Discretionary Waivers

Waiver No. Property Address

W5117 2113 WOOLSEY

M/S/C (Alpert/Elgstrand) APPROVE ALL CONSENT ITEMS AS WRITTEN, INCLUDING ITEM 9.d. THAT WAS MOVED TO CONSENT. ***Friendly***

amendment by Commissioner Elgstrand (accepted): AMEND ITEM 7.a. (MARCH 21st REGULAR MEETING MINUTES), TO REFLECT THAT COMMISSIONER ELGSTRAND VOTED “NO” ON ITEM 9.b. Roll call vote. YES: Alpert, Elgstrand, Kelley, Marrero, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Johnson. Carried: 8-0-0-1.

8. APPEAL – Case No. RWN-1663 (1337 Josephine Street, In-Law Unit)

Appearances:
Elite Golomb, appellant.

M/S/C (Alpert/Marrero) UPHOLD THE HEARING EXAMINER’S DECISION. Roll call vote. YES: Alpert, Elgstrand, Kelley, Marrero, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Johnson; RECUSED: Martinac*. Carried: 7-0-0-1-1.

*Commissioner Martinac recused herself because of a conflict of interest.

9. ACTION ITEMS

from Board Members, Committees, Executive Director or Staff

Public comment heard prior to the Board’s vote on each action item listed below – There were no speakers.

Action Item 9.d. was moved to Consent by a prior vote of the Board.

a. Chair Update (Chair Simon-Weisberg)

- (1) Discussion and possible action for the elected Board to take a position on CouncilMembers’ Kesarwani, Humbert, and Taplin’s Supplemental Item to amend the Demolition Ordinance submitted at the March 26, 2024 City Council meeting – The Board discussed this item, but no action was taken.

b. SPECIAL PRESENTATION: Spring Legislative Update by Brian Augusta, Rent Board Legislative Advocate – Brian Augusta presented and took questions from the Board.

- (1) Discussion and possible action for the Board to take a position on state legislative bills discussed in meeting

M/S/C (Simon-Weisberg/Alpert) SEND LETTERS OF SUPPORT FOR THE FOLLOWING BILLS: ASSEMBLY BILL (AB) 2304 (LEE); SENATE BILL (SB) 1212 (SKINNER); AB 2539 (CONNOLLY); SB 1201 (DORAZO). YES: Alpert, Elgstrand, Kelley, Marrero, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Johnson.

Carried: 8-0-0-1.

- c. Recommendation to adopt proposed amendments to Regulation 1013 [Vacancy Rent Adjustment] to allow the Board to enforce AB 1620 – *First Reading* (LIRA Committee)

M/S/C (Simon-Weisberg/Mizell) ADOPT PROPOSED AMENDMENTS TO REGULATION 1013 ON FIRST READING. Roll call vote. YES: Alpert, Elgstrand, Kelley, Marrero, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Johnson. Carried: 8-0-0-1.

- d. Recommendation to adopt Resolution 24-11 authorizing the pass-through of a portion of the Fiscal Year 2024-2025 registration fee for fully-controlled rental units to certain tenants (Budget & Personnel Committee and Executive Director) – MOVED TO CONSENT BY A PRIOR VOTE OF THE BOARD.

10. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

**ALL ITEMS BELOW WERE MENTIONED OR BRIEFLY DISCUSSED.
UNDERLINED ITEMS HAVE ADDITIONAL COMMENTS.**

- a. Update on the Rent Board office move to 2000 Center Street – *Verbal* (Executive Director/Board Secretary)
- b. Update on the Rent Board File Scanning Project – *Verbal* (Project Manager Basil Lecky)
- c. December 2023 U.S. Department of Education West Regional Advisory Committee report: *Identifying and Addressing Priority Education Needs* (Commissioner Marrero)
- d. Update on approved Executive Assistant position (Executive Director)
- e. Deadline to submit agenda items/topics for May's regular Rent Board meeting: **Friday, May 3rd by 5:00 p.m.** (Board Secretary)

11. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget & Personnel Committee (Commissioner Walker, Chair)
Next regularly-scheduled meeting: To Be Announced (TBA)

April 11th agenda

- b. Environmental Sustainability Committee (Commissioner Martinac, Chair)
Next regularly-scheduled meeting date: Wednesday, May 1st at 6:00 p.m.

April 3rd agenda

- c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair)
Next regularly-scheduled meeting: Tuesday, April 23rd at 6:00 p.m.
- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee)
(Commissioner Kelley, Chair)
Next regularly-scheduled meeting: Tuesday, May 7th at 5:30 p.m.

April 9th agenda

- e. Outreach Committee (Vice-Chair Alpert, Chair)
Next regularly-scheduled meeting: TBA
- 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
(Commissioner Marrero, Co-Chair)
Next meeting date: TBA
- h. Ad Hoc Committee to Consider Rent Ordinance Amendments at the 2024 November General Election (Commissioner Johnson, Chair)
Next meeting date: TBA
- i. Updates and Announcements – Commissioner Marrero provided an update on a new federal rule regarding accessibility for websites and mobile apps.
Commissioner Mizell provided an update on the letter he sent to UC leadership about police action related to People’s Park.
- j. Discussion of items for possible placement on future agenda

12. ADJOURNMENT

M/S/C (Alpert/Marrero) ADJOURN THE MEETING. YES: Alpert, Elgstrand, Kelley, Marrero, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Johnson. Carried: 8-0-0-1. The meeting adjourned at 9:53 p.m.