



RENT STABILIZATION BOARD

Regular Meeting

Thursday, December 18, 2025 – 7:00 p.m.

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

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 Board may take action related to any subject listed on the Agenda.

To access this meeting by Zoom

[Join the meeting 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: 825 9492 2748 and Passcode: 157031. To comment during the public comment part of the agenda, Press *9 and wait to be recognized by the Chair.

Email comments

Email comments must be submitted to amueller@berkeleyca.gov by **4:00 p.m.** on the day of the meeting in order to be considered by the Board and included in the public record. Format your subject line: "RENT BOARD MEETING PUBLIC COMMENT ITEM." 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.

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Minutes – *Approved*

Prior to Roll call, General Counsel Matt Brown announced that Chair Alpert would be participating in tonight's meeting under the Brown Act's provision for unanticipated remote participation. Chair Alpert stated that his remote participation was due to illness. General Counsel Brown indicated that no vote was required to proceed.

1. **Roll call** – The Chair called the meeting to order at 7:05 p.m.

Aimee Mueller called roll.

Commissioners present: Elgstrand, Johnson, Kelley (arrived at 7:35 p.m.), Marrero, Martinac, Twu, Alpert

Commissioners absent: Mizell, Walker

Staff present: Brown, Bursell, Eberhart, Ehlinger, Kim, Lecky, Mueller, Williams

2. **Approval of Agenda** – M/S/C (Elgstrand/Martinac) APPROVE THE AGENDA WITH THE FOLLOWING CHANGES: MOVE TO HEAR ITEM 9.b. AFTER ITEM 6.; CONTINUE THE DISCRETIONARY WAIVER FOR 2315 DWIGHT WAY TO THE NEXT MEETING; MOVE ITEM 9.g. TO CONSENT; CONTINUE CONSENT ITEM 7.a. TO THE NEXT MEETING; AND CONTINUE ITEMS 4.a., 4.b., AND 4.c. TO THE JANUARY 2026 MEETING. Roll call vote. YES: Elgstrand, Johnson, Marrero, Martinac, Twu, Alpert; NO: None; ABSTAIN: None; ABSENT: Kelley, Mizell, Walker. Carried: 6-0-0-3.

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 was played aloud.

4. **Special Order of Business**

- a. Election of Rent Board Chair

- b. Election of Rent Board Vice Chair

- c. Comments from newly elected Chair and Vice Chair

Items 4.a. - 4.c. were tabled to the January meeting by an earlier vote of the Board.

5. Public Comment for Unions representing Rent Board staff – There were no speakers.

- 6. Public Comment** – Derek Rodriguez spoke about disability accessibility in rent-controlled units. Monalisa Vu spoke about the ministerial waiver for 1915 Berryman Street. Derek Wallace of the Evans Manor Tenants Union spoke about Evans Manor habitability issues. Daniel Sepulveda spoke about Evans Manor habitability issues.

7. Consent Items

- a. Approval of the October 10th special meeting minutes
- b. Approval of the November 20th regular meeting minutes
- c. Proposal to approve staff recommendations on requests for waivers of late registration penalties (Executive Director/Registration Unit Manager)

M/S/C (Marrero/Kelley) APPROVE CONSENT ITEMS WITH THE FOLLOWING CHANGES: INCLUDE ACTION ITEM 9.g. MOVED TO CONSENT BY AN EARLIER VOTE; CONTINUE ITEM 7.a. TO THE NEXT MEETING; CONTINUE THE DISCRETIONARY WAIVER FOR 2315 DWIGHT WAY TO THE NEXT MEETING; AND MOVE THE MINISTERIAL WAIVER FOR 1915 BERRYMAN STREET TO ACTION AS A DISCRETIONARY WAIVER. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Twu, Alpert; NO: None; ABSTAIN: None; ABSENT: Mizell, Walker. Carried: 7-0-0-2.

8. Appeal in Case No. T-6124 (2243 Ashby Ave., Unit 1/2) – Parties present: Ashley Taylor (Respondent) and Nha Brillhart aka Emily Ng (Appellant).

M/S/C (Kelley/Martinac) MOTION TO UPHOLD THE HEARING EXAMINER'S DECISION. Roll call vote. YES: Elgstrand, Johnson, Kelley, Martinac, Alpert; NO: Marrero; ABSTAIN: Twu; ABSENT: Mizell, Walker. Carried: 5-1-1-2.

9. Action Items

Discretionary Waiver for 1915 Berryman Street – Item moved from Consent to Action by an earlier vote:

M/S/C (Alpert/Kelley) MOTION TO WAIVE NINETY PERCENT OF THE PENALTIES FOR A TOTAL OF \$4,881.60 WAIVED. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Twu, Alpert; NO: None; ABSTAIN: None; ABSENT: Mizell, Walker. Carried: 7-0-0-2.

- a. Chair Update: Council action on amendments to Accessory Dwelling Unit (ADU) rules (Chair Alpert) – NO ACTION TAKEN.
- b. Special Ceremonial Act: Recommendation to adopt Resolution 25-29 Honoring Urban Compassion Project (Chair Alpert) – Chair Alpert introduced Supriya Golas and Vincent

Williams of the Urban Compassion Project who also spoke about their organization after the Board's vote:

M/S/C (Twu/Martinac) ADOPT RESOLUTION 25-29 AS WRITTEN. Roll call vote. YES: Elgstrand, Johnson, Marrero, Martinac, Twu, Alpert; NO: None; ABSTAIN: None; ABSENT: Kelley, Mizell, Walker. Carried: 6-0-0-3.

- c. Demolition Ordinance Update: City of Berkeley Demolition projects status (Senior Planner Lief Bursell) – Following Lief Bursell's presentation, the Board took the following action:

M/S/C (Kelley/Marrero) SEND A LETTER TO THE PLANNING DEPARTMENT STATING THE BOARD'S OPPOSITION, AS A MATTER OF PUBLIC POLICY, TO THE PROPOSAL TO DEMOLISH FOUR RENT-CONTROLLED UNITS AT 2703-2705 BENVENUE AVENUE, GIVEN THAT IT WOULD REDUCE THE AVAILABILITY OF AFFORDABLE HOUSING STOCK IN BERKELEY; AND ATTACH THAT LETTER TO RENT BOARD STAFF'S LETTER TO THE PLANNING DEPARTMENT ABOUT THE SAME PROPOSAL. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Twu, Alpert; NO: None; ABSTAIN: None; ABSENT: Mizell, Walker. Carried: 7-0-0-2.

- d. Evans Manor property discussion and possible action to adopt Resolution 25-30 (General Counsel)

Prior to the motion, Commissioner Elgstrand noted that the property addresses in the fourth "WHEREAS" clause of the Resolution should be corrected to read "2315 Dwight Way and 2316 Haste Street".

M/S/C (Kelley/Elgstrand) ADOPT RESOLUTION 25-30 WITH THE CORRECTION NOTED THIS EVENING. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Alpert; NO: None; ABSTAIN: None; ABSENT: Mizell, Walker; RECUSED: Twu. Carried: 6-0-0-2-1.

- e. Discussion and recommendation to adopt Resolution 25-31 establishing the Board's 2026 Regular Meeting Schedule (Executive Director)

M/S/C (Kelley/Twu) ADOPT RESOLUTION 25-31 WITH THESE MODIFICATIONS: CHANGE THE DATE OF THE MARCH REGULAR BOARD MEETING TO MONDAY, MARCH 23, 2026, AND CHANGE THE DATE OF THE MAY REGULAR BOARD MEETING TO WEDNESDAY, MAY 20, 2026, PENDING CONFIRMATION OF BUSD BOARD ROOM AVAILABILITY ON THAT DATE. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Twu, Alpert; NO: None; ABSTAIN: None; ABSENT: Mizell, Walker. Carried: 7-0-0-2.

These commissioners stated their availability for the record:
Commissioner Johnson cannot attend in November.
Commissioner Martinac cannot attend in June.

- f. Recommendation to adopt Resolution 25-32 to extend the amnesty period to allow for the automatic waiver of penalties for late payment of Measure BB Registration Fees for non-profit affordable housing providers (Executive Director)

M/S/C (Kelley/Elgstrand) ADOPT RESOLUTION 25-32 AS WRITTEN. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Twu, Alpert; NO: None; ABSTAIN: None; ABSENT: Mizell, Walker. Carried: 7-0-0-2.

- g. Recommendation to adopt Resolution 25-33 authorizing the Executive Director to amend a contract with Goldfarb & Lipman LLP to increase the amount of the contract by \$150,000 (General Counsel) – ITEM MOVED TO CONSENT BY AN EARLIER VOTE.

- h. Recommendation to adopt proposed Regulation 1283 to allow for rent ceiling increases to government-subsidized tenancies that are now subject to rent control due to Ordinance amendments of Measure BB – First Reading (LIRA Committee/General Counsel)

M/S/C (Kelley/Johnson) ADOPT PROPOSED REGULATION 1283 ON FIRST READING. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Twu, Alpert; NO: None; ABSTAIN: None; ABSENT: Mizell, Walker. Carried: 7-0-0-2.

- i. Recommendation to adopt Resolution 25-34 modifying the Fiscal Year 2025/26 Staffing Model to reflect the addition of an Assistant Planner to the Planning Unit (Executive Director)

M/S/C (Kelley/Marrero) ADOPT RESOLUTION 25-34 AS WRITTEN. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Twu, Alpert; NO: None; ABSTAIN: None; ABSENT: Mizell, Walker. Carried: 7-0-0-2.

10. Information, Announcements and Articles/Media

NOTE: The Board may vote to move Information Items to the Action calendar.

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

- a. Special Presentation: Registration 365 (Amanda Eberhart, Registration Unit Manager) – Item tabled to the next meeting.
- b. Copy of November 24, 2025, letter to Council titled, “Measure BB Implementation, Affordable Housing Registration Fees, and Amnesty Extension” (Chair Alpert/Executive Director)
- c. Owner Move-in Eviction Tracking Report: July 2022 - June 2025 (Eviction/Section 8/Foreclosure Committee)
- d. Deadline to submit agenda items/topics for the January 2026 regular Rent Board meeting: Monday, January 5th by 5:00 p.m. – Verbal (Board Secretary)

11. Committee/Board Meeting Updates and Announcements

- a. Ad Hoc Committee to Consider Rent Ordinance Amendments at the November 2026 Election (Chair Alpert, Chair) – Chair Alpert said that the Committee is making progress on the amendments which will come to the full Board before they're referred to the 4 x 4 Committee. The Committee will meet again in January.
- b. Budget & Personnel Committee (Vice-Chair Walker, Chair) – Chair Alpert said that this Committee considered the Staffing Model change item that is on tonight's agenda. The Committee also discussed a returned check policy and the setting of the annual registration fee, both of which will come before the full Board in due time.
- c. Climate Resilience & Habitability Committee (Commissioner Martinac, Chair) – Committee Chair Martinac said the Committee hasn't met.
- d. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair) – Committee Chair Elgstrand said the Committee was unable to meet this month but hope to schedule their next meeting in the next month or two.
- e. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair) – Chair Alpert said the Committee met and considered the regulation on Section 8.
- f. Outreach Committee (Commissioner Kelley, Chair) – Committee Chair Kelley said the Committee discussed a proposal on a language access policy that Commissioners Marrero and Twu are taking the lead on drafting and that the Committee hopes to bring to the full Board in January or February. He said the Committee plans to meet twice in January to get on a new schedule.
- g. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Commissioner Marrero, Chair) – Committee Chair Marrero said the Committee will meet on January 26th.
- h. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent (Councilmember Lunaparra & Chair Alpert, Co-Chairs) – Chair Alpert said the Committee met on November 7th. The Committee's next meeting is scheduled for January 23rd.
- i. Updates and Announcements – Commissioner Kelley said that the Alameda County Board of Supervisors will, in January, hopefully be voting on adopting an inclusionary housing requirement in Alameda County. He will share information with the Board on the corresponding Community Roadshow. Commissioner Twu shared that many new state laws will go into effect on January 1st and staff has put out a great social media piece that highlights some of the major ones.
- j. Discussion of items for possible placement on future agenda – Commissioner Kelley would like to see a discussion about the availability of interpreters or translators for hearings included on petition forms and/or related webpages. Chair Alpert asked that commissioners email him with their preferred committee assignments for 2026 which he will bring to the January meeting.

12. Adjournment – M/S/C (Martinac/Elgstrand) MOTION TO ADJOURN MEETING. Roll call vote.
YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Twu, Alpert; NO: None; ABSTAIN: None;
ABSENT: Mizell, Walker. Carried: 7-0-0-2.

The meeting adjourned at 11:03 p.m.