



RENT STABILIZATION BOARD

Regular Meeting

Thursday, May 28, 2026 – 7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley, CA 94702

**Teleconference Location – 2010 Fifth Street, Apt. 260, Berkeley, CA 94710 and
2719 K Street, Sacramento, CA 95816**

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: 820 9135 5216 and Passcode: 505132. 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, Chair Alpert announced that two commissioners would be participating remotely under the “just cause” provision of the Brown Act. Vice Chair Walker stated that she would be participating remotely due to health issues; and Commissioner Martinac stated that she would be participating remotely due to feeling unwell.

1. **Roll call** – Chair Alpert called the meeting to order at 7:12 p.m.
Aimee Mueller called roll.
Commissioners present: Elgstrand, Johnson, Kelley, Marrero (via Zoom), Martinac, Mizell, Twu, Walker, Alpert
Commissioners absent: None
Staff present: Brown, Calimbas, Eberhart, Ehlinger, Kim, Lapira, Mueller, Williams
2. **Approval of Agenda** – M/S/C (Twu/Mizell) APPROVE AGENDA WITH ONE CHANGE: CONTINUE CONSENT ITEM 6.d. TO THE NEXT MEETING. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.
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 Acknowledgment Statement was played aloud.
4. **Public Comment for Unions representing Rent Board staff** – No speakers.
5. **Public Comment** – Monica Jones spoke about habitability issues in her unit. Kathryn Poltoratsky spoke about Evans Manor habitability issues affecting her health. Derek Rodriguez ceded his time to Derek Wallace. Derek Wallace spoke about Evans Manor

habitability issues affecting his health and the health of other tenants at the property. Erin Horne spoke in support of Commissioner Marrero's March resolution regarding accessibility and its recommendations. Eric Estrin spoke about the waiver request for 3236 King. Phillip Feldman spoke about his lease at Evans Manor. "415.370.6778" spoke in support of Commissioner Marrero's proposals. Vanessa Garza spoke in support of Monica Jones and the issues she discussed during her earlier public comment. Rori Abernathy spoke in support of Commissioner Marrero's proposal and encouraged equitable treatment of all commissioners.

6. **Consent Items**

- a. Approval of the April 16th regular meeting minutes
- b. Request to restore the stipend deduction for Commissioner Marrero's absence from the March 13, 2026, meeting of the Climate Resilience & Habitability Committee (Commissioner Marrero)
- c. Recommendation to adopt Resolution 26-19 to modify the contract with QuickCaption, Inc. by an amount not to exceed \$12,000 for Fiscal Year 2026-2027 (Executive Director)
- d. Recommendation to adopt Resolution 26-20 amending the Rent Board's Records Retention Schedule to include updated retention code descriptions and periods for enhanced records management (Executive Director)
- e. Proposal to approve staff recommendations on requests for waivers of late registration penalties (Executive Director/Registration Unit Manager)

Prior to the vote, Chair Alpert stated regarding Consent Item 6.b. that the statement in the item that "proper noticed was provided" is not accurate. For the relevant absence, proper notice was not given which is why there's a need for this item.

M/S/C (Twu/Kelley) APPROVE ALL CONSENT ITEMS AS WRITTEN WITH THE EXCEPTION OF CONSENT ITEM 6.d. WHICH WAS CONTINUED TO THE NEXT MEETING BY AN EARLIER VOTE. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

7. **Special Presentation:** Rent Board Research Project Final Recommendations by the Student Policy Institute at Berkeley
Sanjna Shah, Anshika Agrawal and Kimia Mostowfi presented and took questions from the Board.
8. **Special Presentation:** City of Berkeley Auditor's Office – Introductions and information
Jenny Wong (City Auditor), Katie Wysong (Auditor I) and Caitlin Palmer (Performance Audit Manager) introduced themselves and spoke briefly about their office's mission and the imminent performance audit of the Rent Board.
9. **Special Presentation:** Legislative Update
Presenter: Rent Board Legislative Advocate Brian Augusta

Chair Alpert announced that the special presentation would not be heard this evening.

- a. Possible action to adopt Resolution 26-21 and Report Board Action on Legislated Bills (Chair Alpert and Commissioner Twu)

M/S/C (Twu/Mizell) TAKE THE FOLLOWING POSITIONS ON THESE CALIFORNIA STATE BILLS: SUPPORT SENATE BILL (SB) 1091, ASSEMBLY BILL (AB) 2020, AB 2350 AND AB 2626; AND OPPOSE AB 2689. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

It was noted that SB 1243 and AB 2064 died in committee.

- b. Recommendation to support Senate Bill 868 (Wiener) Electricity: Portable solar generation devices (Climate Resilience & Habitability Committee)

Prior to the vote, Chair Alpert noted that the Board has already taken a “support” position on SB 868.

M/S/C (Alpert/Martinac) ACCEPT THE CLIMATE RESILIENCE & HABITABILITY COMMITTEE’S RECOMMENDATION AND AUTHORIZE COMMISSIONER MARTINAC TO WORK WITH CHAIR ALPERT TO SEND A LETTER TO THE BILL’S AUTHOR CONVEYING THE BOARD’S SUPPORT FOR THIS BILL. Roll call vote. YES: Elgstrand, Johnson, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: Kelley; ABSENT: None. Carried: 8-0-1-0.

10. **Staff Presentation: Petitions & Mediations Statistical Report 2025**

Senior Hearing Examiner Omar Calimbas presented and took questions from the Board.

11. **Staff Presentation: Demolition Application Update**

Associate Planner Katrina Lapiro presented and took questions from the Board.

12. **Appeal in Case No. T-6133 (2414 Dwight Way, Unit 3)**

Parties present: Ryu Nishida (Tenant Appellant) and Sahil Mehta (Landlord Respondent)

Substitute motion: M/S/C (Elgstrand/Marrero) UPHOLD THE HEARING EXAMINER’S DECISION. Roll call vote. YES: Elgstrand, Marrero, Alpert; NO: Johnson, Kelley, Martinac, Mizell, Twu, Walker; ABSTAIN: None; ABSENT: None. Failed: 3-6-0-0.

Main motion: M/S/C (Mizell/Kelley) UPHOLD THE HEARING EXAMINER’S DECISION WITH THE CAVEAT THAT WE FIND THERE WAS A VIOLATION OF THE REASONABLE EXPECTATION OF PRIVACY. HOWEVER, THE BOARD LACKS THE LEGAL AUTHORITY TO MAKE A DECISION REGARDING ANY TYPE OF RENT REDUCTION GIVEN STATE LAW AND THE LACK OF ANY AGREEMENT ON THIS IN THE LEASE. Roll call vote. YES: Johnson, Kelley, Martinac, Mizell, Twu, Walker; NO: Elgstrand, Marrero, Alpert; ABSTAIN: None; ABSENT: None. Carried: 6-3-0-0.

13. Action Items

- a. **Chair Update** (Chair Alpert) – No update.
- b. Recommendation to adopt Resolution 26-22 extending the amnesty period to allow for the automatic waiver of penalties of Measure BB government-subsidized non-profit affordable properties (Executive Director)

M/S/C (Kelley/Mizell) ADOPT RESOLUTION 26-22 AS WRITTEN. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

- c. Recommendation to adopt amendments to the Right to Organize eligibility language (Chair Alpert & General Counsel Brown)

M/S/C (Kelley/Alpert) MAKE A RECOMMENDATION TO COUNCIL TO MODIFY THE RIGHT TO ORGANIZE ELIGIBILITY LANGUAGE TO REDUCE THE THRESHOLD FOR WHICH BUILDINGS CAN BE CONSIDERED FROM 10 UNITS TO FOUR. Roll call vote. YES: Elgstrand, Johnson, Kelley, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: Marrero; ABSENT: None. Carried: 8-0-1-0.

14. Information, Announcements and Articles/Media

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

- a. Copy of May 15, 2026, letter to the Alameda County Board of Supervisors conveying the Board's support for expanding Alameda County's investment in critical housing services in the upcoming budget cycle (Chair Alpert)
- b. Deadline to submit agenda items/topics for the June regular Rent Board meeting: **Friday, June 5th** by 5:00 p.m. (Board Secretary)

15. Committee/Board Meeting Updates and Announcements

THERE WERE NO COMMITTEE UPDATES.

- a. Budget & Personnel Committee (Vice-Chair Walker, Chair)
- b. Climate Resilience & Habitability Committee (Commissioner Martinac, Chair)
- c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair)
- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair)
- e. Outreach & Accessibility Committee (Commissioner Kelley, Chair)
- f. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Commissioner Marrero, Chair)
- g. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board (Councilmember Lunaparra & Chair Alpert, Co-Chairs)

- h. Updates and Announcements – Commissioner Twu alerted the Board to a San Francisco News article earlier this month about San Francisco’s current spike in the number of evictions and noted the possibility of this trend manifesting in the East Bay. Commissioner Marrero announced that she would be sharing some guidance from the Institute for Local Government’s Leadership and Governance Resources for Local Officials with five areas of focus that she found valuable and encouraged commissioners to review.
- i. Discussion of items for possible placement on future agenda

16. Adjournment – M/S/C (Kelley/Mizell) ADJOURN MEETING. Roll call vote. YES: Elgstrand, Johnson, Kelley, Marrero, Martinac, Mizell, Twu, Walker, Alpert; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

The meeting adjourned at 10:36 p.m.