



RENT STABILIZATION BOARD
Regular Meeting
Thursday, July 15, 2021
7:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City of Berkeley Rent Stabilization Board (Rent Board) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, **there will not be a physical meeting location available.**

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/89905412558?pwd=cXIrSEdBeW9zdlllNDhXNkM4bWVydz09>. 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 Meeting ID: 899 0541 2558 and Passcode: 359712. 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 an e-mail comment, email amueller@cityofberkeley.info with the Subject Line in this format: "RENT BOARD MEETING PUBLIC COMMENT ITEM." Please observe a 150 word limit. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 5:00 p.m. on the day of the meeting in order to be included.**

Please be mindful that this meeting will be recorded, and all other rules of procedure and decorum will apply for Rent Board meetings conducted by teleconference or videoconference.

This meeting will be conducted in accordance with Government Code Section 54953, 54956, and all current state and local requirements allowing public participation in meetings of legislative bodies. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Matt Brown, Acting Executive Director, at (510) 981-7368. The Rent Board may take action related to any subject listed on the Agenda.

RENT STABILIZATION BOARD
Regular Meeting
Thursday, July 15, 2021
7:00 p.m.

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. **Approval of Agenda** – 1 min.*
3. **Public Comment** – 2 min. per speaker for *non*-agendized items*
4. **SPECIAL PRESENTATION on Housing Legislation including Assembly Bill (AB) 832 by Brian Augusta & Associates, Rent Board Lobbyist**
5. **SPECIAL PRESENTATION – Update on hiring and recruitment process and presentation by Human Resource Consultant Rebecca Burnside.**
6. **Public Comment** – 2 min. per speaker for items on the agenda*
7. **ACTION ITEMS**
 - a. **From Board Members, Committees, and Executive Director**
 - (1) Recommendation to adopt Resolution 21-19 to adopt a policy to establish an amnesty period to allow for the automatic waiver of penalties of rent-controlled and Measure MM properties that did not pay Registration Fees on time (Budget & Personnel Committee and Acting Executive Director) – 20 min.*
 - (2) Recommendation to observe Board recess in August and not have any Board or Committee meetings – *Verbal* (Chair Simon-Weisberg) – 5 min.*
 - (3) Recommendation to approve the Rent Board Office closure every Wednesday, and reduce service hours until September 7, 2021 (Acting Executive Director) – 10 min.*
8. **INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES**

Please Note: The Board may move Information Items to the Action Calendar.

 - a. **Reports from Board Members/Staff**
 - (1) Update on Governor's Executive Order N-08-21 and the extension of the allowance for remote meetings through September 30, 2021 – (Acting Executive Director) – 5 min.*

- (2) Revenue collection update – *Verbal* (Acting Executive Director and Registration Unit Supervisor) – 5 min.*
- (3) Updated Market Medians report through the first quarter of 2021 (Acting Executive Director) – 3 min.*
- (4) Commissioner attendance at Board and Committee meetings through the second quarter of 2021 (Acting Executive Director) – 2 min.*
- (5) Date to submit agenda topics/items for the August 19, 2021 Rent Board meeting:
Monday, August 9th

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget and Personnel Committee (Commissioner Selawsky, Chair) – 5 min.*
Next regularly-scheduled meeting: Thursday, September 9th at 5:00 p.m.
 - (1) July 8th agenda
- b. Eviction/Section 8/Foreclosure Committee (Commissioner Mendonca, Chair) – 5 min.*
Next regularly-scheduled meeting: Thursday, July 29th at 5:30 p.m.
- c. IRA/AGA/Registration Committee (Commissioner Kelley, Chair) – 3 min.*
Next regularly-scheduled meeting: Wednesday, July 14, 2021 at 5:00 p.m.
 - (1) July 14th agenda
- d. Outreach Committee (Commissioner Laverde, Chair) – 5 min.*
Next regularly-scheduled meeting: Wednesday, July 21st at 5:30 p.m.
- e. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Chair TBD) – 3 min.*
Next regularly-scheduled meeting: TBD
- f. 4 x 4 Joint Committee on Housing: City Council/Rent Board – 10 min.*
Committee Co-Chairs: Mayor Arreguín and Chair Simon-Weisberg
Next regularly-scheduled meeting: Wednesday, July 28th at 3:00 p.m.
 - (1) June 23rd agenda
- g. Ad Hoc Committee on RSB Technology Issues (Chair TBD) – 3 min.*
Next meeting date: TBD
- h. Updates and Announcements – 3 min.*

- i. Discussion of items for possible placement on future agenda – 3 min.*

10. 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.

REPORT TO
BERKELEY
RENT
STABILIZATION
BOARD

UPDATE ON COVID-19 EVICTION PROTECTIONS

AB 832

EXTENDED COVID-19 PROTECTIONS

- Extends protections enacted in AB 3088 and SB 91 until September 30, 2021.
- State eviction protections for non-payment extended until September 30, 2021.
- Civil actions for COVID-19 rental debt may not begin before November 1, 2021.

AB 832

EXTENDED
COVID-19
PROTECTIONS

Most other sunset dates in SB 91 will also be extended by 3 months with two exceptions:

- The sunset on masking of unlawful detainer and debt collection actions will be deleted, making those provisions permanent.
- Local preemption provision will be extended through 3/31/2022.

NEW EVICTION PROTECTIONS AFTER SEPTEMBER

- From October 1, 2021, through March 31, 2022, landlord cannot commence eviction case unless the landlord can show that they applied for rental assistance and the application was denied.
- Tenants can seek a stay of eviction case if application for rental assistance is pending.
- Case will be dismissed if receipt of rental assistance resolves the case.

NEW RULES ON RENTAL ASSISTANCE PAYMENTS

- Tenants and landlords eligible for 100% of rental arrears accrued since April 1, 2020.
- Tenants may apply directly on their own if their landlord does not apply for rental assistance.
- Eligible tenants can get 100% of prospective rent up to a maximum of 18 months of total rental assistance to the tenant.
- Relief is available where tenant has already moved out, but payments can only go directly to landlords.

STATE RENTAL ASSISTANCE PROGRAM

- Application process has reportedly been simplified.
- To date, funding has been slow to reach landlords and tenants.
- General agreement that dollars must get out more quickly.

CONCLUSION

Questions?



Rent Stabilization Board
Office of the Executive Director

MEMORANDUM

DATE: July 15, 2021

TO: Honorable Members of the Berkeley Rent Stabilization Board

FROM: Honorable Members of the Budget & Personnel Committee MB
By: Matt Brown, Acting Executive Director

SUBJECT: Proposed Resolution 21-19 to establish an amnesty period of 90 days for fully covered units and 120 days for Measure MM units to automatically waive penalties associated with late payment of Registration Fees for those landlords that were not able to pay the fees due to financial hardship associated with COVID-19 and for first-time registration of Measure MM units without consideration of COVID-19 financial hardship

Recommendation:

That the Board adopt proposed Resolution 21-19 to authorize an amnesty period through September 30, 2021, for fully covered rental units in which staff shall waive penalties for all rental units where a landlord failed to pay the Fiscal Year 2021/2022 Registration Fee by July 1, 2021, if the landlord alleges financial hardship associated with the COVID-19 pandemic. The proposed Resolution would also authorize an amnesty period through October 31, 2021, for landlords of partially covered rental units required to register their rental units for the first time due to the passage of Measure MM. The Budget & Personnel Committee reviewed this proposal at its June 8, 2021 committee meeting and voted to recommend that the Board adopt it.

Background and Need for Rent Stabilization Board Action:

The Rent Board is a Special Fund Department and collects the vast majority of its revenue from Registration Fees. Chapter 6 of the Rent Ordinance provides that “[t]he board shall finance its reasonable and necessary expenses by charging landlords annual registration fees in amounts deemed reasonable by the board.”¹ Chapter 8 of the Rent Ordinance establishes the rules for collection of annual Registration Fees. All fees are due on July 1 of each calendar year. If a fee

¹ Berkeley Municipal Code (BMC) Section 13.76.060N.

is not paid on or before July 1, it is declared delinquent and assessed a 100% penalty. Landlords have the option to request that the Board waive all or part of the penalty upon showing of good cause for late payment.²

When adopting the budget last year, the Board anticipated some short-term gaps in revenue collection associated with the COVID-19 pandemic and subsequent shelter-in-place orders issued by the City, county, and state. The Board's budget adopted on June 18, 2020, anticipated that the agency would collect slightly less revenue from Registration Fees than in years past, and while the Board collected more fees than anticipated, there were a number of accounts that remained delinquent following the July 1st payment deadline.

Proposal for Fully Covered Units

The Board adopted Resolution 20-14 last year which established an amnesty period for landlords affected by the COVID-19 pandemic who failed to timely pay their Registration Fees. The amnesty program last year was very successful and allowed staff to settle delinquent accounts for 310 rental units and collect over \$75,000 in Registration Fees.³ The proposal this year for fully covered units mirrors the amnesty program that the Board adopted last year.

Given the impact of the continuing shelter in place orders (some of which have recently been lifted), staff has received a number of communications from landlords expressing concerns that they would have trouble paying the Board's Registration Fee due to ongoing vacancies. There have been a number of landlords who have informed staff that they are unable to fill many of their units (particularly in properties near the campus).

Typically, the Board has forgiven the vast majority of penalties for landlords who fail to pay their Registration Fees on time under its two-tiered waiver process. The Board adopted Regulation 883 that allows staff to administratively waive penalties on delinquent accounts in accordance with a schedule that factors in how many times the landlord has paid late during the previous six years – the fewer times a landlord has paid late, the greater amount of penalty may be administratively waived. The elected Commissioners do not review these cases; Regulation 883 grants staff the authority to waive a certain amount of penalties based on the schedule. Landlords have until August 31 (60 days from the date the fee is due) to avail themselves of the administrative waiver process established by Regulation 883.

The second mechanism for landlords to apply for a waiver of penalties is to establish good cause for failure to pay the Registration Fee on time.⁴ Landlords must apply to the Board for a discretionary waiver under the terms established by Regulation 884. The elected Commissioners review each individual case and determine whether to grant the landlord's request to waive all or part of the penalty.

² BMC Section 13.76.080F.

³ It is important to note that Registration Unit staff spends a significant amount of time on compliance efforts each year following the July 1st deadline, so not only did the amnesty period allow for the collection of important revenue for the agency, it also eased some of staff's burden as it relates to processing delinquent accounts.

⁴ BMC Section 13.76.080F.

While the Rent Ordinance is a voter-adopted initiative, and the 100% penalty on delinquent accounts for Registration Fees is hard-coded in the Ordinance, Commissioners have regularly articulated that compliance is more important than imposing a punitive application of the law. For that reason, the Board has generally waived a majority of the penalties when landlords apply for discretionary waivers.

The global pandemic and resulting widescale economic shutdown caused by the spread of the novel coronavirus COVID-19 has caused a number of unexpected vacancies in rental property. Landlords have expressed to the elected Commissioners and staff alike that they are experiencing economic difficulties due to the vacancies. Moreover, it is safe to assume that landlords have similarly experienced other economic hardships associated with the pandemic and resultant shelter-in-place orders.

Berkeley's City Council granted tenants financially impacted by the global pandemic eviction relief through the COVID-19 Emergency Response Ordinance (BMC Section 13.110), initially adopted on March 17, 2020, and amended several times since. This and subsequent state legislation protect tenants from eviction for nonpayment of rent if the tenant was financially impacted by the shelter-in-place orders, had to care for dependents, or became ill due to COVID-19 during the local State of Emergency.

The proposed Regulation would allow landlords of fully covered units an amnesty period to pay their Registration Fees if they failed to pay them by July 1, 2021. The amnesty period would extend to September 30, 2021 – all penalties for late payment of fees for Fiscal Year 2021/2022 would be waived.

In order to qualify for waiver of penalties under the current proposal, landlords would have to declare under penalty of perjury that the reason they did not pay the Fiscal Year 2021/2022 Registration Fee by July 1, 2021, arose from any of the following financial impacts caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, including:

- A material decrease in household income caused by layoffs or a reduction in the number of compensable hours of work; or
- A material decrease in household income caused by caregiving responsibilities; or
- A material decrease in business income caused by a reduction in opening hours or consumer demand; or
- Material out-of-pocket medical expenses.

As it did last year, this proposal will grant relief to a number of landlords who have been financially affected by the COVID-19 pandemic and its resultant shelter-in-place orders from Registration Fee penalties hard-coded in the Rent Ordinance. Moreover, this proposal will relieve staff and the Board from reviewing a number of waiver applications that would likely be granted. Therefore, this proposal also promotes administrative efficiency.

Proposal for Measure MM Units

The Board began notifying landlords of Measure MM units in February of this year and has continued to attempt to communicate with them since our initial communications. There have been some issues with the data that we received regarding the pool of eligible units, and Registration Unit staff have been surprised to receive regular contact from landlords that the information we have is incorrect. As of the drafting of this memo, there is not reliable information regarding the number of delinquent Measure MM accounts (Registration staff are still processing a number of payments), but we believe there will be a substantial number of units that remain unregistered after the July 1st deadline.

Given that this is the first time the vast majority of Measure MM landlords have had to register their rental units and given that compliance efforts are very time-consuming for staff, we recommend granting a 120-day amnesty period for these landlords that would extend through October 31, 2021. Furthermore, we recommend that this amnesty period not be connected to any COVID-19 impact. The goal for these units is to register as many as possible, so that we are able to start providing important enhanced services and gather critical information regarding the tenancies in these units.

Regulation 883

If the Board adopts this proposal, Resolution 21-19 will also extend the deadline established by Regulation 883 from August 31, 2021, to September 30, 2021, for fully covered units and to October 31, 2021, for partially covered units subject to Measure MM registration requirements. This way, landlords will be able to choose the previously-established option to have penalties administratively waived (without having to declare COVID-19 impact) under the same timeframes as proposed for the COVID-19 hardship waivers and Measure MM first-time registration waivers. Maintaining two different timelines would be administratively complicated and difficult to explain to landlords who may otherwise be eligible for the standard waiver process.

Conclusion

Landlords have been economically affected by the impacts of the COVID-19 pandemic and the resultant shelter-in-place orders; particularly as it relates to their ability to collect rents from tenants who may be unable to pay during this time. In order to encourage landlords to comply with the registration requirements of the Rent Ordinance and in recognition of the economic impact of the current health crisis, the committee should recommend this proposal to allow landlords relief from penalties that they would otherwise owe under the requirements of the ordinance.

Furthermore, for Measure MM units, the information the agency used to contact potential landlords has been somewhat unreliable, and a number of landlords remain out of compliance with the initial Registration Fee. An amnesty program will aid the agency's efforts to register more units and ensure we have the most reliable information in order to communicate with this community regarding the rights and responsibilities associated with the Rent Ordinance.

The Budget & Personnel Committee reviewed this proposal on July 8, 2021, and recommended that the Board adopt it.

Proposed Resolution 21-19 is attached.

Name and Telephone Number of Contact Person:

Matt Brown, Acting Executive Director (510) 981-7368
Rent Stabilization Board

RESOLUTION 21-19

ESTABLISHING AN AMNESTY PERIOD TO WAIVE FISCAL YEAR 2021/2022 REGISTRATION FEE PENALTIES FOR LANDLORDS OF FULLY COVERED UNITS WHO WERE FINANCIALLY IMPACTED BY COVID-19 OR THE RESULTANT SHELTER-IN-PLACE ORDERS AND FOR MEASURE MM LANDLORDS WITHOUT CONSIDERATION OF COVID-19 FINANCIAL IMPACT

BE IT RESOLVED by the Rent Stabilization Board of the City of Berkeley (the “Board”) as follows:

WHEREAS, in November of 2020 the Berkeley voters adopted Measure MM which, with few exceptions, now requires landlords of rented single family homes, condominiums, and units that qualify as new construction under the definition of B.M.C. Section 13.76.050I. to register their rental units; and

WHEREAS, the vast majority of landlords of rental units covered by Measure MM have never had to register their units with the Rent Board; and

WHEREAS, Board staff has endeavored to communicate with Measure MM landlords beginning in February of this year, but many landlords remain out of compliance at least partly due to the fact that the Board received somewhat unreliable information regarding the units that needed to be registered; and

WHEREAS, on May 6, 2021, the Board adopted the 2021/2022 Registration Fee of \$250 for all fully covered units and \$150 for almost all Measure MM units that are required to be registered; and

WHEREAS, it is hard-coded in the Rent Ordinance (Berkeley Municipal Code (BMC) Section 13.76.080F.) that the annual Registration Fee is due on July 1st of each calendar year, and there is a 100% penalty for failure to timely pay; and

RESOLUTION 21-19

ESTABLISHING AN AMNESTY PERIOD TO WAIVE FISCAL YEAR 2021/2022 REGISTRATION FEE PENALTIES FOR LANDLORDS OF FULLY COVERED UNITS WHO WERE FINANCIALLY IMPACTED BY COVID-19 OR THE RESULTANT SHELTER-IN-PLACE ORDERS AND FOR MEASURE MM LANDLORDS WITHOUT CONSIDERATION OF COVID-19 FINANCIAL IMPACT (Page 2)

WHEREAS, BMC Section 13.76.080F. gives the elected Commissioners authority to waive penalties associated with late payment of annual Registration Fees when landlords can show good cause for failure to timely pay; and

WHEREAS, in 1983 the Board adopted Rent Board Regulation 883 which grants Board staff the authority to administratively waive penalties based on a schedule that takes into account how many times the landlord has paid late over the previous six years if landlords pay the Registration Fee by August 31st of each year; and

WHEREAS, all landlords are still entitled to file a waiver application to the elected Board to have the Commissioners review and determine whether there was good cause for late payment of the Registration Fee; and

WHEREAS, the Board generally waives a majority of the Registration Fee penalties when reviewing discretionary waivers and has most often taken the position that encouraging compliance is more important than imposing statutory penalties; and

WHEREAS, the global pandemic and resulting widescale economic shutdown caused by the spread of the novel coronavirus COVID-19 has caused a number of unexpected vacancies in rental property; and

WHEREAS, Landlords have expressed that they are experiencing economic difficulties due to the vacancies, and it is safe to assume that landlords have similarly experienced other economic hardships associated with the pandemic and resultant shelter-in-place orders; and

RESOLUTION 21-19

ESTABLISHING AN AMNESTY PERIOD TO WAIVE FISCAL YEAR 2021/2022 REGISTRATION FEE PENALTIES FOR LANDLORDS OF FULLY COVERED UNITS WHO WERE FINANCIALLY IMPACTED BY COVID-19 OR THE RESULTANT SHELTER-IN-PLACE ORDERS AND FOR MEASURE MM LANDLORDS WITHOUT CONSIDERATION OF COVID-19 FINANCIAL IMPACT (Page 3)

WHEREAS, Berkeley's City Council granted tenants relief through the COVID-19 Emergency Response Ordinance (BMC Section 13.110) which protects tenants from eviction for nonpayment of rent if the tenant has been financially impacted by the shelter-in-place orders, had to care for dependents, or became ill due to COVID-19 during the local State of Emergency; and

WHEREAS, a complete waiver of Fiscal Year 2021/2022 Registration Fee penalties shall be granted if landlords of fully controlled units pay the fee by September 30, 2021, and if they declare that under penalty of perjury that they have been financially impacted by the COVID-19 pandemic or any resultant shelter-in-place orders that may have impacted their business or household income; and

WHEREAS, the Board will extend the waiver period established in Regulation 883 from August 31, 2021, to September 30, 2021, for fully controlled units and from August 31, 2021, to October 31, 2021 for Measure MM units so that the deadline to pay Registration Fees and have penalties administratively waived is the same for both the amnesty period established this year and the long-standing administrative waiver procedures outlined in Regulation 883.

RESOLUTION 21-19

ESTABLISHING AN AMNESTY PERIOD TO WAIVE FISCAL YEAR 2021/2022 REGISTRATION FEE PENALTIES FOR LANDLORDS OF FULLY COVERED UNITS WHO WERE FINANCIALLY IMPACTED BY COVID-19 OR THE RESULTANT SHELTER-IN-PLACE ORDERS AND FOR MEASURE MM LANDLORDS WITHOUT CONSIDERATION OF COVID-19 FINANCIAL IMPACT (Page 4)

NOW, THEREFORE, BE IT RESOLVED, the Board hereby establishes that Board staff may waive all penalties associated with late payment of the Fiscal Year 2021/2022 Registration Fee for fully controlled units under the following conditions:

1. Landlords must declare under penalty of perjury that the reason they did not pay the Fiscal Year 2021/2022 Registration Fee by July 1, 2021, arose from any of the following financial impacts caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, including:
 - A material decrease in household income caused by layoffs or a reduction in the number of compensable hours of work; or
 - A material decrease in household income caused by caregiving responsibilities; or
 - A material decrease in business income caused by a reduction in opening hours or consumer demand; or
 - Material out-of-pocket medical expenses.
2. Staff shall be granted the authority to waive the penalties upon receipt of the landlord's declaration under penalty of perjury of COVID-19 financial impact (the elected Board will not have to review these claims); and
3. Landlords must pay the Fiscal Year 2021/2022 Registration Fee by September 30, 2021, in order to avail themselves of the complete waiver established by this Resolution; and

BE IT FURTHER RESOLVED, the Board hereby establishes that Board staff may waive all penalties associated with late payment of the Fiscal Year 2021/2022 Registration Fee for Measure MM units if landlords pay the Registration Fee by October 31, 2021; and

RESOLUTION 21-19

ESTABLISHING AN AMNESTY PERIOD TO WAIVE FISCAL YEAR 2021/2022 REGISTRATION FEE PENALTIES FOR LANDLORDS OF FULLY COVERED UNITS WHO WERE FINANCIALLY IMPACTED BY COVID-19 OR THE RESULTANT SHELTER-IN-PLACE ORDERS AND FOR MEASURE MM LANDLORDS WITHOUT CONSIDERATION OF COVID-19 FINANCIAL IMPACT (Page 5)

BE IT FURTHER RESOLVED, Landlords shall continue to have the option to have their Registration Fee penalties administratively waived pursuant to Rent Board Regulation 883 which establishes a schedule that takes into consideration how many times the landlord has paid late over the previous six years and has nothing to do with waiving penalties pursuant to a COVID-19 claim of financial impact or any other reason for late payment; and

BE IT FURTHER RESOLVED, that the Board hereby extends the timeframe for administrative waiver of Registration Fee penalties articulated in Rent Board Regulation 883 to September 30, 2021, for fully controlled rental units (allowing for a 90-day waiver period rather than the 60-day waiver period established in the regulation); and

BE IT FURTHER RESOLVED, that the Board hereby extends the timeframe for administrative waiver of Registration Fee penalties articulated in Rent Board Regulation 883 to October 31, 2021, for Measure MM rental units (allowing for a 120-day waiver period rather than the 60-day waiver period established in the regulation).

BE IT FURTHER RESOLVED, that, other than extending the timeframe for waiver of penalties for the Fiscal Year 2021/2022 Registration Fee for all units that are required to be registered, Rent Board Regulation 883 shall operate as adopted.

**ESTABLISHING AN AMNESTY PERIOD TO WAIVE FISCAL YEAR 2021/2022
REGISTRATION FEE PENALTIES FOR LANDLORDS OF FULLY COVERED UNITS
WHO WERE FINANCIALLY IMPACTED BY COVID-19 OR THE RESULTANT
SHELTER-IN-PLACE ORDERS AND FOR MEASURE MM LANDLORDS WITHOUT
CONSIDERATION OF COVID-19 FINANCIAL IMPACT (Page 6)**

Dated: July 15, 2021

Adopted by the Rent Stabilization Board of the City of Berkeley by the following vote:

YES:

NO:

ABSTAIN:

ABSENT:

Leah Simon-Weisberg, Chairperson
Rent Stabilization Board


Attest: _____
Matt Brown, Acting Executive Director



Rent Stabilization Board
Office of the Executive Director

DATE: July 15, 2021

TO: Honorable Members of Berkeley Rent Stabilization Board

FROM: Matt Brown, Acting Executive Director 

SUBJECT: Proposed Office Closure for all Wednesdays through the end of the year and Revised Office Hours through September 30, 2021

Earlier this year, the Board received results from an internal survey conducted by Keren Stashower in preparation for hiring a new permanent executive director. One of the primary findings was that all too often Board staff have dealt with important issues at the last minute and that this frenzy of activity creates uncertainty and discomfort – particularly for staff that serve the public on a regular basis. Many Board employees have expressed that it would be helpful to work in a more structured environment where there is a focus on strategic planning and a more cohesive framework for teamwork across all units at the Rent Board.

Approximately half the staff have positions that require daily contact with members of the public. Given the demands of these positions, many of these employees are unable to engage in any serious planning or other functions that allow them to connect on a regular basis with employees from other units. Board staff is currently engaged in a review of all agency protocols with an equity and inclusion lens. In order to promote fairness and involve all staff members, it is imperative to dedicate time to these planning and coordination activities in such a way that allows all staff members to participate.

At its May 6, 2021 meeting, the Board approved a proposal to close the office to the public every second and fourth Wednesday of each month and Voluntary Time Off (VTO) days. Staff advocated for this change, and Commissioners supported a structure that would allow all staff the opportunity to meet across the agency's various units and dedicate considerably more time to necessary strategic planning.

More recently, other City departments have contemplated closing their offices to the public one day a week for the remainder of the year. While there is not yet a final plan, it is likely that other departments will also reduce their office hours to four days a week. Moreover, the City closes offices to the public on all VTO days already – the proposal before you would have the Board office open on VTO days.

This proposal ensures that all staff have the opportunity to meet internally at least four days a month. It also would allow the Board to reconsider whether to continue with this

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schedule at the end of the calendar year. Staff will devise a system to ensure that we attend to emergencies should any arise.

The agency has recently lost two valuable employees through resignation – one housing counselor and one analyst in the Registration Unit. Additionally, the Public Information Unit (PIU) Supervisor is on leave until the end of August, so housing counselors are taking on additional responsibilities. I have made an offer to a replacement housing counselor, but that person will not be fully trained for four to six months, so PIU will be considerably short-staffed for quite some time. I also put in a requisition to Human Resources for another analyst to replace the outgoing person in the Registration Unit, but hiring a replacement will take at least six weeks.

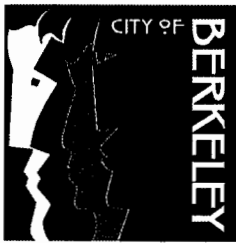
These losses come at a time when the agency is managing several large projects, like the conversion of the RTS database to the fully integrated 3di system, the website replacement project (which the City has indicated will begin moving forward quickly), and the tenant survey. We are also in the midst of implementing the Fair Chance Ordinance.

In short, we are operating on very thin margins right now. Various staff have also been hard-pressed to return to the office for a normal working schedule given that some employees had to temporarily relocate and many are not able to access the same level of dependent care and public transportation that they relied on prior to the COVID-19 pandemic.

Currently, we have staff from the Administration, Planning, and Legal units filling in for counseling shifts, but this arrangement is not sustainable long-term as these employees are also very busy with their daily duties. Given the shortages, staff have proposed that we maintain walk-in hours from 9:00 a.m. to 2:00 p.m. on days the agency is open to the public. This will allow staff the ability to maintain considerable flexibility to work remotely which is something a number of employees have informed me is very important to them. This proposal is temporary and would only be in place through September 30, 2021, at which time the Board can reassess.

If the Board approves of this proposal, staff will maintain constant contact with community members who request our service. The proposal to limit the hours that our office is open to the public will only limit walk-in clients, but others will be able to call and speak to a housing counselor between 9:00 a.m. – 4:45 p.m. on days we are serving the public. If a community member is unable to reach an employee, there are protocols in place to ensure that staff reach out to clients as soon as they are able.


Board staff have been able to maintain the high level of customer service the community expects from us, and this proposal will do nothing to change our commitment to responding to calls as soon as we are able. This proposal simply allows us to operate more fluidly with fewer staff available who are dedicated to direct services. Board staff have been seeing the public in the office in some limited capacity since the end of May and more expansively since July 6th. There have been very few walk-in clients as many from the community continue to contact us by phone and email. Moreover, we will continue to evaluate this plan and adapt it to client demand as necessary.



Rent Stabilization Board
Office of the Executive Director

DATE: July 15, 2021

TO: Honorable Members of the Berkeley Rent Board

FROM: Matt Brown, Acting Executive Director 

SUBJECT: Governor's Executive Order N-08-21 regarding allowance for continued remote meetings through September 30, 2021

The Governor issued Executive Order N-08-21 on June 11, 2021. The order eliminates portions of previous stay-at-home orders since the COVID-19 pandemic began and extends/modifies others. Among the items addressed is that the Brown Act requirement of in person meetings is further suspended until September 30, 2021.¹ In other words, we should expect to continue with fully remote, teleconference meetings through the end of September.

Of course, there could be orders the Governor issues in the future that further modify this, but *Commissioners should expect to resume in-person Board meetings in October*. This is true for both full Board and committee meetings, since both qualify as legislative bodies under the Brown Act. All full Board meetings will continue to be held in the Berkeley Unified School District Board Room located at 1231 Addison Street, and all committee meetings will be at the Rent Board office located at 2125 Milvia Street.

Once Board meetings resume in person the Brown Act requirements will again apply.² Commissioners may still participate remotely, but a quorum of the Commissioners must be present at the meeting in order for there to be remote participation. Moreover, each teleconference location must be identified in the agenda and made accessible to the public. As a functional matter, we may not have sufficient equipment to allow for more than one person to participate remotely during any meeting – this has proved a problem in the past.

*Attachment – Executive Order N-08-21

¹ Paragraph 42 of Executive Order N-08-21.

² The relevant teleconference restrictions are enumerated in California Government Code Section 54953.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-08-21

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS since March 2020, the State has taken decisive and meaningful actions to reduce the spread, and mitigate the impacts, of COVID-19, saving an untold number of lives; and

WHEREAS as a result of the effective actions Californians have taken, as well as the successful and ongoing distribution of COVID-19 vaccines, California is turning a corner in its fight against COVID-19; and

WHEREAS on June 11, 2021, I issued Executive Order N-07-21, which formally rescinded the Stay-at-Home Order (Executive Order N-33-20, issued on March 19, 2020), as well as the framework for a gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020); and

WHEREAS in light of the current state of the COVID-19 pandemic in California, it is appropriate to roll back certain provisions of my COVID-19-related Executive Orders; and

WHEREAS certain provisions of my COVID-19 related Executive Orders currently remain necessary to continue to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic, including California's ongoing vaccination programs, and the termination of certain provisions of my COVID-19 related Executive Orders during this stage of the emergency would compound the effects of the emergency and impede the State's recovery by disrupting important governmental and social functions; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would continue to prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

1) State of Emergency Proclamation dated March 4, 2020:

- a. Paragraph 10. Any facility operating under a waiver pursuant to this provision, memorialized in an All Facilities Letter, may operate pursuant to such a waiver through the stated expiration in the All Facilities Letter or September 30, 2021, whichever occurs first;
- b. Paragraph 11;
- c. Paragraph 12; and
- d. Paragraph 13.

2) Executive Order N-25-20:

- a. Paragraph 1; and
- b. Paragraph 7, and as applicable to local governments per Executive Order N-35-20, Paragraph 3. Effective July 1, 2021, the waivers in Executive Order N-25-20, Paragraph 7, and Executive Order N-35-20, Paragraph 3, of reinstatement requirements set forth in Government Code sections 7522.56(f) and (g) are terminated.

3) Executive Order N-26-20:

- a. Paragraph 1;
- b. Paragraph 2;
- c. Paragraph 3;
- d. Paragraph 5;
- e. Paragraph 6; and
- f. Paragraph 7.

4) Executive Order N-27-20:

- a. Paragraph 1;
- b. Paragraph 2; and
- c. Paragraph 3.

5) Executive Order N-28-20:

- a. Paragraph 3; and
- b. Paragraph 6.

6) Executive Order N-31-20:

- a. Paragraph 1; and
- b. Paragraph 2.

7) Executive Order N-35-20:

- d. Paragraph 10. The State Bar shall receive the time extension in the aforementioned order for any nomination submitted to the State Bar by the Governor on or before June 30, 2021; and
- e. Paragraph 11 (as extended and clarified by N-71-20, Paragraph 6). Claims accruing before June 30, 2021 will remain subject to the 120-day extension granted in the aforementioned orders.

8) Executive Order N-36-20, Paragraph 1. To the extent the Secretary exercised their authority pursuant to this provision, the Secretary shall allow each facility to resume intake in a manner that clears intake backlog as soon as feasible.

9) Executive Order N-39-20:

- a. Paragraph 1. Any facility operating under a waiver pursuant to this provision, memorialized in an All Facilities Letter, may operate pursuant to such a waiver through the stated expiration in the All Facilities Letter or September 30, 2021, whichever occurs first;
- b. Paragraph 4; and
- c. Paragraph 7. The leases or agreements executed pursuant to this provision shall remain valid in accordance with the term of the agreement.

10) Executive Order N-40-20:

- a. Paragraph 1. For rulemakings published in the California Regulatory Notice Register pursuant to Government Code section 11346.4(a)(5) prior to June 30, 2021, the deadlines in the aforementioned order shall remain extended in accordance with the order;
- b. Paragraph 2 (as extended and clarified by N-66-20, Paragraph 12, and N-71-20, Paragraph 10). Notwithstanding the expiration of this provision, state employees subject to these training requirements shall receive the benefit of the 120-day extension granted by the aforementioned orders. All required training due on or before June 30, 2021 must be completed within 120 days of the statutorily prescribed due date;
- c. Paragraph 7 (as extended and clarified by N-66-20, Paragraph 13 and N-71-20, Paragraph 11). With regard to appeals received on or before June 30, 2021, the State Personnel Board shall be entitled to the extension in the aforementioned order to render its decision;
- d. Paragraph 8. To the extent the deadlines specified in Government Code section 22844 and California Code of Regulations, title 2, sections 599.517 and 599.518 fell on a date on or before June 30, 2021 absent the extension, they shall expire pursuant to the timeframes specified in the aforementioned orders;

- d. Paragraph 12. For vacancies occurring prior to June 30, 2021, the deadline to fill the vacancy shall remain extended for the time period in the aforementioned order.

12) Executive Order N-46-20:

- a. Paragraph 1; and
- b. Paragraph 2.

13) Executive Order N-47-20:

- a. Paragraph 2; and
- b. Paragraph 3.

14) Executive Order N-48-20, Paragraph 2 (which clarified the scope of N-34-20).

15) Executive Order N-49-20:

- a. Paragraph 1;
- b. Paragraph 3. For determinations made on or before June 30, 2021, the discharge date shall be within 14 days of the Board's determination; and
- c. Paragraph 4.

16) Executive Order N-50-20, Paragraph 2.

17) Executive Order N-52-20:

- a. Paragraph 6;
- b. Paragraph 7. To the extent an individual has commenced a training program prior to June 30, 2021, that was interrupted by COVID-19, that individual shall be entitled to the extended timeframe in the aforementioned order; and
- c. Paragraph 14; and
- d. Paragraph 16.

18) Executive Order N-53-20:

- a. Paragraph 3;
- b. Paragraph 12 (as extended or modified by N-69-20, Paragraph 10, and N-71-20, Paragraph 27); and
- c. Paragraph 13 (as extended or modified by N-69-20, Paragraph 11, and N-71-20, Paragraph 28).

19) Executive Order N-54-20, Paragraph 7. To the extent the date governing

or before June 30, 2021 shall remain subject to the extended deadline in the aforementioned order;

- b. Paragraph 4;
- c. Paragraph 5;
- d. Paragraph 6;
- e. Paragraph 8;
- f. Paragraph 9;
- g. Paragraph 10;
- h. Paragraph 13;
- i. Paragraph 14. Statutory deadlines related to beneficiary risk assessments occurring on or before June 30, 2021 shall remain subject to the extended deadline in the aforementioned order; and
- j. Paragraph 16. Deadlines for fee-for-service providers to submit information required for a Medical Exemption Request extended on or before June 30, 2021 shall remain subject to the extended deadline granted under the aforementioned order.

21) Executive Order N-56-20:

- a. Paragraph 1;
- b. Paragraph 6;
- c. Paragraph 7;
- d. Paragraph 8;
- e. Paragraph 9; and
- f. Paragraph 11.

22) Executive Order N-59-20, Paragraph 6.

23) Executive Order N-61-20:

- a. Paragraph 1;
- b. Paragraph 2;
- c. Paragraph 3; and
- d. Paragraph 4.

24) Executive Order N-63-20:

- a. Paragraph 8(a) (as extended by N-71-20, Paragraph 40). The deadlines related to reports by the Division of Occupational Safety and Health (Cal/OSHA) and the Occupational Safety & Health Standards Board on proposed standards or variances due on or before June 30, 2021 shall remain subject to the extended timeframe;
- b. Paragraph 8(c). To the extent the date upon which the Administrative Director must act upon Medical Provider Network

issue any citation under the Labor Code, including a civil wage and penalty assessment pursuant to Labor Code section 1741, that, absent the aforementioned order, would have occurred or would occur between May 7, 2020 and September 29, 2021 shall be extended to September 30, 2021. Any such deadline that, absent the aforementioned order, would occur after September 29, 2021 shall be effective based on the timeframe in existence before the aforementioned order;

- e. Paragraph 9(b) (as extended and modified by N-71-20, Paragraph 41);
- f. Paragraph 9(c) (as extended and modified by N-71-20, Paragraph 39). Any deadline setting the time for a worker to file complaints and initiate proceedings with the Labor Commissioner pursuant to Labor Code sections 98, 98.7, 1700.44, and 2673.1, that, absent the aforementioned order, would have occurred or would occur between May 7, 2020 and September 29, 2021 shall be extended to September 30, 2021. Any such deadline that, absent the aforementioned order, would occur after September 29, 2021 shall be effective based on the timeframe in existence before the aforementioned order;
- g. Paragraph 9(d) (as extended and modified by N-71-20, Paragraph 39). Any deadline setting the time for Cal/OSHA to issue citations pursuant to Labor Code section 6317, that, absent the aforementioned order, would have occurred or would occur between May 7, 2020 and September 29, 2021 shall be extended to September 30, 2021. Any such deadline that, absent the aforementioned order, would occur after September 29, 2021 shall be effective based on the timeframe in existence before the aforementioned order;
- h. Paragraph 9(e) (as extended and modified by N-71-20, Paragraph 41);
- i. Paragraph 10;
- j. Paragraph 12. Any peace officer reemployed on or before June 30, 2021 pursuant to the aforementioned order shall be entitled to the extended reemployment period set forth in the order;
- k. Paragraph 13;
- l. Paragraph 14; and
- m. Paragraph 15 (as extended by N-71-20, Paragraph 36).

25) Executive Order N-65-20:

- a. Paragraph 5 (as extended by N-71-20, Paragraph 35; N-80-20, Paragraph 4; and N-01-21). Identification cards issued under Health and Safety Code section 11362.71 that would otherwise have expired absent the aforementioned extension between March 4.

27) Executive Order N-68-20:

- a. Paragraph 1. Notwithstanding the expiration of the aforementioned order, temporary licenses granted on or before June 30, 2021 shall be valid through September 30, 2021; and
- b. Paragraph 2. Renewal fee payments otherwise due to the to the California Department of Public Health absent the extension in the aforementioned order on or before June 30, 2021, shall be entitled to the extensions of time set forth in the aforementioned order.

28) Executive Order N-71-20:

- a. Paragraph 1;
- b. Paragraph 4;
- c. Paragraph 16. Where the statutory deadline for opening or completing investigations is set to occur on or before June 30, 2021, the deadline shall remain subject to the extension in the aforementioned order; and
- d. Paragraph 17. Where the statutory deadline for serving a notice of adverse action is due on or before June 30, 2021, the deadline shall remain subject to the extension in the aforementioned order.

29) Executive Order N-75-20:

- a. Paragraph 7. Children placed in foster care on or before June 30, 2021 shall receive such examinations on or before July 31, 2021;
- b. Paragraph 8;
- c. Paragraph 9;
- d. Paragraph 10. Any facility operating under a waiver pursuant to this provision may operate pursuant to such a waiver through the expiration as set forth by the California Department of Public Health, or September 30, 2021, whichever occurs first; and
- e. Paragraph 13.

30) Executive Order N-76-20, Paragraph 3.

31) Executive Order N-77-20:

- a. Paragraph 1;
- b. Paragraph 2; and
- c. Paragraph 3.

32) Executive Order N-78-20 (as extended and modified by N-03-21):

- a. Paragraph 1; and

- b. Paragraph 5 (which repealed and replaced N-71-20, Paragraph 19, which extended N-52-20, Paragraph 1, and N-69-20, Paragraph 3);
- c. Paragraph 6 (which repealed and replaced N-71-20, Paragraph 20, which extended N-52-20, Paragraph 2, and N-69-20, Paragraph 4); and
- d. Paragraph 7 (which repealed and replaced N-71-20, Paragraph 21, which extended N-52-20, Paragraph 3, and N-69-20, Paragraph 5).

34) Executive Order N-84-20:

- a. Paragraph 1;
- b. Paragraph 2;
- c. Paragraph 3; and
- d. Paragraph 5.

The following provisions shall remain in place and shall have full force and effect through July 31, 2021, upon which time they will expire subject to individual conditions described in the enumerated paragraphs below.

35) Executive Order N-39-20, Paragraph 8 (as extended by N-69-20, Paragraph 2 and N-71-20, Paragraph 8).

36) Executive Order N-53-20, Paragraph 11 (as extended or modified by N-68-20, Paragraph 15, and N-71-20, Paragraph 26).

37) Executive Order N-71-20, Paragraph 25.

38) Executive Order N-75-20:

- a. Paragraph 5; and
- b. Paragraph 6

The following provisions shall remain in place and shall have full force and effect through September 30, 2021, upon which time they will expire subject to individual conditions described in the enumerated paragraphs below.

39) State of Emergency Proclamation dated March 4, 2020:

- a. Paragraph 3; and
- b. Paragraph 14. Any facility operating under a waiver pursuant to this provision may operate pursuant to such a waiver through the expiration as set forth by the Department of Social Services, or September 30, 2021, whichever occurs first.

40) Executive Order N-25-20:

42) Executive Order N-29-20, Paragraph 3, is withdrawn and replaced by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, a least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow members of the public to attend the meeting and offer public

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

All of the foregoing provisions concerning the conduct of public meetings shall apply through September 30, 2021.

43) Executive Order N-32-20:

- a. Paragraph 1;
- b. Paragraph 2; and
- c. Paragraph 3.

46) Executive Order N-40-20:

- a. Paragraph 12 (as extended or modified by N-66-20, paragraph 16, N-71-20, paragraph 14, and N-75-20, Paragraph 12). To the extent the Director exercised their authority pursuant to this provision on or before September 30, 2021, the extension shall remain valid until the effective expiration of the applicable waiver; and
- b. Paragraph 18.

47) Executive Order N-42-20.

48) Executive Order N-43-20.

49) Executive Order N-49-20, Paragraph 2.

50) Executive Order N-54-20:

- a. Paragraph 8 (as extended by N-80-20, Paragraph 6); and
- b. Paragraph 9. To the extent any timeframe within which a California Native American tribe must request consultation and the lead agency must begin the consultation process relating to an Environmental Impact Report, Negative Declaration, or Mitigated Negative Declaration under the California Environmental Quality Act extends beyond September 30, 2021, the tribe and lead agency will receive the benefit of the extension so long as the triggering event occurred on or before September 30, 2021.

51) Executive Order N-55-20:

- a. Paragraph 2;
- b. Paragraph 3;
- c. Paragraph 7. All on-site licensing visits which would have been due on or before September 30, 2021 shall occur before December 31, 2021;
- d. Paragraph 11; and
- e. Paragraph 12.

52) Executive Order N-56-20, Paragraph 10 is withdrawn and superseded by the following text:

Paragraph 42 of this Order, including the conditions specified therein, shall apply to meetings held pursuant to Article 3 of Chapter 2 of Part 21 of Division 3 of Title 2 of the Education Code and Education Code section 47604.1(b).

working days following submittal of the sworn statement or verbal attestation for benefits to continue;

- b. Paragraph 2 (as extended and modified by N-69-20, Paragraph 14, and N-71-20, Paragraph 31);
- c. Paragraph 3 (as extended and modified by N-69-20, Paragraph 15, and N-71-20, Paragraph 32); and
- d. Paragraph 4 (as extended and modified by N-69-20, Paragraph 16, and N-71-20, Paragraph 33).

55) Executive Order N-63-20:

- a. Paragraph 8(b). To the extent filing deadlines for claims and liens fall on or before September 30, 2021, absent the extension in the aforementioned order, they shall remain subject to the extended timeframe; and
- b. Paragraph 11.

56) Executive Order N-66-20, Paragraph 6.

57) Executive Order N-71-20:

- a. Paragraph 15;
- b. Paragraph 22; and
- c. Paragraph 23.

58) Executive Order N-75-20:

- a. Paragraph 1;
- b. Paragraph 2; and
- c. Paragraph 4.

59) Executive Order N-80-20:

- a. Paragraph 3; and
- b. Paragraph 7.

60) Executive Order N-83-20

- a. Paragraph 2 is withdrawn and replaced by the following text:

The deadline to pay annual fees, including any installment payments, currently due or that will become due during the proclaimed emergency, as specified in Business and Professions Code sections 19942, 19951, 19954, 19955, 19984, and any accompanying regulations is September 30, 2021; the deadlines for

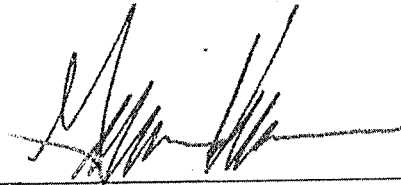
61) Executive Order N-03-21, Paragraph 3, is withdrawn and replaced by the following text:

As applied to commercial evictions only, the timeframe for the protections set forth in Paragraph 2 of Executive Order N-28-20 (and extended by Paragraph 21 of Executive Order N-66-20, Paragraph 3 of Executive Order N-71-20, and Paragraph 2 of Executive Order N-80-20) is extended through September 30, 2021.

IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 11th day of June 2021.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State



Rent Stabilization Board

DATE: July 15, 2021

TO: Honorable Members of the Rent Stabilization Board

FROM: Matt Brown, Acting Executive Director

By: Lief Bursell, Senior Planner

Jen Fabish, Community Services Specialist

SUBJECT: Market Medians: January 1999 through March 2021

Attached is the Market Medians Report for the first quarter of 2021. New tenancies for the first quarter were up by 24.20% (390 new tenancies) compared to the first quarter of 2020 (314 new tenancies). The median market rate rent for studio units and one-bedroom units, rose slightly in the first quarter of 2021 compared to the first quarter of 2020. The median market rents for two- and three-bedroom units fell.

The table below compares the market median rent data from the first quarter of 2021 to the first quarter of 2020 for residential rental units that are subject to rent stabilization in Berkeley.

Unit Size	Q1 2020 Median Rent	Q1 2021 Median Rent	% Change
0	\$1,600	\$1,638	2.34%
1	\$2,000	\$2,025	1.25%
2	\$2,672	\$2,550	-4.57%
3	\$4,113	\$3,475	-15.51%

Attachment: Market Medians Report: January 1999 to March 2021



Rent Stabilization Board

MEMORANDUM

DATE: July 15, 2021

TO: Matt Brown, Acting Executive Director

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

SUBJECT: Market Medians: January 1999 through March 2021

The tables below update and supplement medians provided for the fourth quarter of 2020. Medians reported in the first section (Medians by Calendar Quarter) are derived from only those units which have had a new tenancy recorded in the Rent Tracking System (RTS) during the reported period.

We have updated the “Citywide” medians (includes all “rented” units regardless of tenancy date by number of bedrooms) and “All Units” medians (reflective of neither the unit size or tenancy date) to include medians as of March 31, 2021. For comparison purposes, December 31, 1998 medians are included below. Changes to previously reported figures are denoted by an asterisk (*).

Medians for 12/31/1998

# BR	Rent	# Units
Studio	\$527	3,725
1 BR	\$624	8,075
2 BR	\$777	5,651
3 BR	\$1,083	915

Medians by Calendar Quarter (new tenancies only)

#BR	1999 (new tenancies)									
	1 st Q 1999		2 nd Q 1999		3 rd Q 1999		4 th Q 1999		12/31/1999 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$689	297	\$715	360	\$745	489	\$725	167	\$715	1,145
1 BR	\$880	487	\$970	601	\$950	683	\$950	326	\$950	1,927
2 BR	\$1,150	303	\$1,350	456	\$1,350	401	\$1,450	161	\$1,300	1,245
3 BR	\$1,500	41	\$1,800	69	\$1,700	57	\$1,745	21	\$1,650	172

2000 (new tenancies)										
#BR	1 st Q 2000		2 nd Q 2000		3 rd Q 2000		4 th Q 2000		12/31/2000 (Year)	
	Rent	# Units	Rent	# Units	Rent	# Units	Rent	# Units	Rent	#Units
Studio	\$750	262	\$800	344	\$850	466	\$850	130	\$800	1,073
1 BR	\$975	415	\$1,100	644	\$1,150	681	\$1,195	292	\$1,100	1,861
2 BR	\$1,300	233	\$1,500	454	\$1,500	408	\$1,500	146	\$1,500	1,173
3 BR	\$1,650	28	\$2,000	76	\$2,000	56	\$1,900	21	\$1,980	171

2001 (new tenancies)										
#BR	1 st Q 2001		2 nd Q 2001		3 rd Q 2001		4 th Q 2001		12/31/2001 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$875	159	\$900	302	\$900	479	\$880	157	\$900	1,002
1 BR	\$1,195	322	\$1,200	557	\$1,200	607	\$1,200	289	\$1,200	1,647
2 BR	\$1,550	144	\$1,775	395	\$1,685	357	\$1,500	165	\$1,650	1,007
3 BR	\$2,000	21	\$2,400	71	\$2,100	36	\$1,500	12	\$2,100	133

2002 (new tenancies)										
#BR	1 st Q 2002		2 nd Q 2002		3 rd Q 2002		4 th Q 2002		12/31/2002 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$875	230	\$875	409	\$875	544	\$800	170	\$850	1,251
1 BR	\$1,100	341	\$1,195	722	\$1,195	661	\$1,100	313	\$1,150	1,932
2 BR	\$1,500	193	\$1,765	526	\$1,600	416	\$1,450	170	\$1,600	1,253
3 BR	\$1,900	22	\$2,250	87	\$2,200	51	\$1,800	27	\$2,150	182

2003 (new tenancies)										
#BR	1 st Q 2003		2 nd Q 2003		3 rd Q 2003		4 th Q 2003		12/31/2003 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$820	231	\$850	365	\$875	478	\$850	130	\$850	1,142
1 BR	\$1,100	321	\$1,150	645	\$1,100	747	\$1,050	262	\$1,100	1,892
2 BR	\$1,400	200	\$1,645	506	\$1,495	463	\$1,350	176	\$1,500	1,326
3 BR	\$1,850	25	\$2,000	84	\$2,100	52	\$1,800	17	\$1,999	185

2004 (new tenancies)										
#BR	1 st Q 2004		2 nd Q 2004		3 rd Q 2004		4 th Q 2004		12/31/2004 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$800	205	\$825	357	\$825	528	\$800	140	\$800	1,129
1 BR	\$1,000	313	\$1,100	596	\$1,050	804	\$1,000	272	\$1,050	1,896
2 BR	\$1,300	194	\$1,500	521	\$1,449	485	\$1,295	149	\$1,400	1,294
3 BR	\$1,650	19	\$2,150	77	\$2,000	68	\$1,550	17	\$2,020	174

2005 (new tenancies)										
#BR	1 st Q 2005		2 nd Q 2005		3 rd Q 2005		4 th Q 2005		12/31/2005 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$825	225	\$850	322	\$850	545	\$830	117	\$850	1,132
1 BR	\$1,050	282	\$1,100	594	\$1,100	800	\$1,050	226	\$1,095	1,832
2 BR	\$1,300	188	\$1,545	527	\$1,476	560	\$1,350	110	\$1,450	1,383
3 BR	\$1,650	15	\$2,030	71	\$2,000	59	\$1,900	7	\$2,000	160

2006 (new tenancies)										
#BR	1 st Q 2006		2 nd Q 2006		3 rd Q 2006		4 th Q 2006		12/31/2006 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$825	186	\$890	332	\$875	554	\$850	90	\$875	1,159
1 BR	\$1,060	298	\$1,150	664	\$1,150	784	\$1,100	176	\$1,100	1,944
2 BR	\$1,400	188	\$1,650	550	\$1,500	537	\$1,445	108	\$1,550	1,430
3 BR	\$1,700	19	\$2,240	77	\$2,000	80	\$2,000	9	\$2,100	191

2007 (new tenancies)										
#BR	1 st Q 2007		2 nd Q 2007		3 rd Q 2007		4 th Q 2007		12/31/2007 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$900	190	\$925	371	\$920	496	\$885	130	\$900	1,099
1 BR	\$1,100	301	\$1,200	698	\$1,200	826	\$1,175	196	\$1,200	1,930
2 BR	\$1,495	166	\$1,700	649	\$1,600	525	\$1,490	122	\$1,600	1,421
3 BR	\$2,400	17	\$2,300	80	\$2,200	98	\$2,250	19	\$2,250	210

2008 (new tenancies)										
#BR	1 st Q 2008		2 nd Q 2008		3 rd Q 2008		4 th Q 2008		12/31/08 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$925	195	\$990	375	\$995	506	\$950	128	\$980	1,116
1 BR	\$1,185	308	\$1,300	704	\$1,290	860	\$1,200	201	\$1,275	1,980
2 BR	\$1,570	202	\$1,898	632	\$1,750	522	\$1,650	102	\$1,775	1,412
3 BR	\$2,200	24	\$2,590	83	\$2,400	113	\$2,400	15	\$2,450	230

2009 (new tenancies)										
#BR	1 st Q 2009		2 nd Q 2009		3 rd Q 2009		4 th Q 2009		12/31/09 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$925	164	\$985	352	\$975	447	\$845	124	\$950	1,081
1 BR	\$1,150	277	\$1,350	633	\$1,250	757	\$1,175	222	\$1,250	1,887
2 BR	\$1,585	138	\$1,900	638	\$1,675	462	\$1,450	143	\$1,700	1,406
3 BR	\$2,450	21	\$2,500	112	\$2,395	86	\$2,100	24	\$2,400	254

2010 (new tenancies)										
#BR	1 st Q 2010		2 nd Q 2010		3 rd Q 2010		4 th Q 2010		12/31/2010 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$925	173	\$985	337	\$950	518	\$900	98	\$950	1,038
1 BR	\$1,195	244	\$1,295	648	\$1,195	787	\$1,200	189	\$1,225	1,828
2 BR	\$1,500	142	\$1,900	580	\$1,600	523	\$1,500	115	\$1,660	1,365
3 BR	\$1,850	16	\$2,500	113	\$2,395	98	\$2,000	16	\$2,395	241

2011 (new tenancies)										
#BR	1 st Q 2011		2 nd Q 2011		3 rd Q 2011		4 th Q 2011		12/31/2011 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$895	122							\$895	122
1 BR	\$1,175	235							\$1,175	235
2 BR	\$1,495	139							\$1,495	139
3 BR	\$2,050	21							\$2,050	21

2012 (new tenancies)										
#BR	1 st Q 2012		2 nd Q 2012		3 rd Q 2012		4 th Q 2012		12/31/2012 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$900	152	\$1,025	427	\$1,050	408	\$1,095	87	\$1,050	1050
1 BR	\$1,200	226	\$1,395	578	\$1,345	701	\$1,300	162	\$1,325	1689
2 BR	\$1,600	123	\$2,095	641	\$1,750	501	\$1,700	99	\$1,850	1431
3 BR	\$2,300	16	\$2,700	113	\$2,595	93	\$2,600	12	\$2,595	247

2013 (new tenancies)										
#BR	1 st Q 2013		2 nd Q 2013		3 rd Q 2013		4 th Q 2013		12/31/2013 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$1,000	132	\$1,100	419	\$1,150	384	\$1,100	96	\$1,100	1139
1 BR	\$1,300	226	\$1,495	664	\$1,450	611	\$1,500	207	\$1,460	1906
2 BR	\$1,750	100	\$2,195	611	\$1,995	480	\$1,950	105	\$2,046	1522
3 BR	\$2,500	15	\$2,900	147	\$2,895	77	\$2,700	16	\$2,895	280

2014 (new tenancies)										
#BR	1 st Q 2014		2 nd Q 2014		3 rd Q 2014		4 th Q 2014		12/31/2014 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$1,050	147	\$1,249	465	\$1,275	446	\$1,263	124	\$1,250	1098
1 BR	\$1,400	232	\$1,595	721	\$1,620	634	\$1,650	177	\$1,595	1720
2 BR	\$1,900	113	\$2,395	623	\$2,248	457	\$2,000	86	\$2,250	1279
3 BR	\$2,850	16	\$3,250	112	\$3,000	79	\$2896	13	\$3,000	235

2015 (new tenancies)										
#BR	1 st Q 2015		2 nd Q 2015		3 rd Q 2015		4 th Q 2015		12/31/2015 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$1,295	160	\$1,495	350	\$1,495	358	\$1,548	86	\$1,475	966
1 BR	\$1,695	235	\$1,795	612	\$1,860	520	\$1,900	142	\$1,800	1520
2 BR	\$2,150	125	\$2,695	582	\$2,600	383	\$2,300	97	\$2,600	1194
3 BR	\$2,588	18	\$3,500	112	\$3,498	62	\$3,000	9	\$3,450	213

2016 (new tenancies)										
#BR	1 st Q 2016		2 nd Q 2016		3 rd Q 2016		4 th Q 2016		12/31/2016 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$1,450	105	\$1,695	279	\$1,600	369	\$1,633	90	\$1,600	912
1 BR	\$1,795	171	\$2,000	480	\$2,050	491	\$1,925	125	\$1,995	1387
2 BR	\$2,395	90	\$2,800	444	\$2,800	282	\$2,500	84	\$2,750	957
3 BR	\$3,300	13	\$3,750	101	\$3,495	51	\$3,150	11	\$3,595	190

2017 (new tenancies)										
#BR	1 st Q 2017		2 nd Q 2017		3 rd Q 2017		4 th Q 2017		12/31/2017 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$1,500	79	\$1,750	326	\$1,800	343	\$1,600	82	\$1,750	931
1 BR	\$1,995	169	\$2,150	526	\$2,025	457	\$2,000	157	\$2,027	1459
2 BR	\$2,600	75	\$3,012	456	\$2,800	289	\$2,500	88	\$2,800	1014
3 BR	\$3,240	10	\$4,100	105	\$3,650	53	\$3,200	5	\$3,900	186

2018 (new tenancies)										
#BR	1 st Q 2018		2 nd Q 2018		3 rd Q 2018		4 th Q 2018		12/31/2018 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$1,600	135	\$1,800	328	\$1,895	344	\$1,798	102	\$1,800	999
1 BR	\$1,950	223	\$2,295	592	\$2,195	590	\$2,150	171	\$2,195	1,646
2 BR	\$2,504	116	\$3,150	574	\$2,900	401	\$2,800	116	\$2,990	1,287
3 BR	\$3,150	20	\$4,066	113	\$3,900	75	\$3,438	16	\$3,900	241

2019 (new tenancies)										
#BR	1 st Q 2019		2 nd Q 2019		3 rd Q 2019		4 th Q 2019		12/31/2019 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$1,695	93	\$1,797	310	\$1,795	330	\$1,725	77	\$1,800	956
1 BR	\$1,995	163	\$2,233	577	\$2,195	485	\$2,020	146	\$2,150	1520
2 BR	\$2,723	78	\$3,195	506	\$2,895	330	\$2,650	76	\$2,995	1101
3 BR	\$3,500	17	\$4,250	83	\$3,650	76	\$3,200	9	\$3,850	198

2020 (new tenancies)										
#BR	1 st Q 2020		2 nd Q 2020		3 rd Q 2020		4 th Q 2020		12/31/2020 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$1,600	95	\$1,895	109	\$1,795	249	\$1,700	69	\$1,750	561
1 BR	\$2,000	132	\$2,200	215	\$2,100	319	\$1,950	135	\$2,085	898
2 BR	\$2,672	80	\$3,150	215	\$2,995	278	\$2,500	82	\$2,895	714
3 BR	\$4,113	6	\$3,975	38	\$3,950	57	\$3,450	12	\$3,850	123

2021 (new tenancies)										
#BR	1 st Q 2021		2 nd Q 2021		3 rd Q 2021		4 th Q 2021		03/31/2021 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$1,638	92							\$1,638	92
1 BR	\$2,025	147							\$2,025	147
2 BR	\$2,550	127							\$2,550	127
3 BR	\$3,475	17							\$3,475	17

Annual Citywide Medians By Number of Bedrooms
 (All Units)

Through	12/31/98		12/31/99		12/31/2000		12/31/2001		12/31/2002		12/31/2003	
#BR	Rent	Units	Rent	Units	Rent	Units	Rent	Units	Rent	Units	Rent	Units
Studio	\$527	3,725	\$560	3,840	\$596	3,895	\$650	3,871	\$719	3,854	\$731	3,910
1 BR	\$624	8,075	\$662	8,145	\$714	8,185	\$773	8,184	\$858	8,097	\$900	7,983
2 BR	\$777	5,651	\$835	5,659	\$900	5,693	\$975	5,643	\$1,100	5,562	\$1,200	5,500
3 BR	\$1,083	915	\$1,140	831	\$1,245	816	\$1,350	807	\$1,538	784	\$1,662	765

Through	12/31/2004		12/31/2005		12/31/2006		12/31/2007		12/31/08		12/31/2009	
#BR	Rent	Units	Rent	Units	Rent	Units	Rent	Units	Rent	Units	Rent	Units
Studio	\$750	3,905	\$775	3,928	\$795	3,919	\$825	3,834	\$865	3,762	\$895	3,740
1 BR	\$939	7,941	\$950	7,899	\$982	7,906	\$1,026	7,911	\$1,075	7,951	\$1,100	7,945
2 BR	\$1,250	5,442	\$1,280	5,430	\$1,321	5,451	\$1,395	5,571	\$1,450	5,667	\$1,500	5,721
3 BR	\$1,750	753	\$1,799	733	\$1,820	733	\$1,930	780	\$2,044	853	\$2,100	887

Through	12/31/2010		12/31/2011		12/31/2012		12/31/2013		12/31/2014		12/31/2015	
#BR	Rent	Units	Rent	Units	Rent	Units	Rent	Units	Rent	Units	Rent	Units
Studio	\$895	3,703	\$900	3,813	\$935	3,729	\$975	3,668	\$1,012	3,858	\$1,081	3,899
1 BR	\$1,101	7,895	\$1,129	7,906	\$1,177	7,855	\$1,225	7,893	\$1,293	7,928	\$1,350	7,950
2 BR	\$1,500	5,734	\$1,525	5,804	\$1,587	5,900	\$1,650	5,975	\$1,746	6,004	\$1,846	6,036
3 BR	\$2,150	890	\$2,150	934	\$2,241	987	\$2,350	1,026	\$2,450	1,027	\$2,595	1,034

Through	12/31/2016		12/31/2017		12/31/2018		12/31/2019		12/31/2020		03/31/2021	
#BR	Rent	Units	Rent	Units	Rent	Units	Rent	Units	Rent	Units	Rent	Units
Studio	\$1,178	4,002	\$1,273	4,042	\$1,395	4,127	\$1,495	4,145	\$1,550	4,068	\$1,563	4,067
1 BR	\$1,439	7,995	\$1,527	8,005	\$1,663	8,056	\$1,756	8,044	\$1,820	8,004	\$1,843	7,971
2 BR	\$1,957	6,046	\$2,076	6,044	\$2,295	6,059	\$2,404	6,045	\$2,495	6,033	\$2,500	6,008
3 BR	\$2,700	1,044	\$2,943	1,031	\$3,200	1,047	\$3,355	1,047	\$3,454	1,043	\$3,488	1,031

Annual Citywide Medians and Averages
(All Units—includes units with 4+ bedrooms)

12/31/1998			12/31/1999			12/31/2000			12/31/2001			12/31/2002		
Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units
\$643	\$720	19,253	\$690	\$787	18,788	\$750	\$865	19,178	\$810	\$943	18,767	\$882	\$1,008	18,784

12/31/2003			12/31/2004			12/31/2005			12/31/2006			12/31/2007		
Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units
\$900	\$1,028	18,617	\$932	\$1,046	18,652	\$950	\$1,062	18,418	\$994	\$1,092	18,534	\$1,042	\$1,147	18,545

12/31/2008			12/31/2009			12/31/2010			12/31/2011			12/31/2012		
Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units
\$1,100	\$1,213	18,798	\$1,150	\$1,260	18,893	\$1,159	\$1,274	18,797	\$1,195	\$1,297	19,027	\$1,236	\$1,345	19,030

12/31/2013			12/31/2014			12/31/2015			12/31/2016			12/31/2017		
Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units
\$1,300	\$1,419	19,093	\$1,375	\$1,498	19,087	\$1,474	\$1,606	19,252	\$1,572	\$1,710	19,411	\$1,675	\$1,816	19,451

12/31/2018			12/31/2019			12/31/2020			2021			2022		
Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units	Med	Avg	#Units
\$1,800	\$1,956	19,621	\$1,895	\$2,039	19,616	\$1,944	\$2,100	19,485	\$1,955	\$2,119	19,414			



Rent Stabilization Board

City of Berkeley

Number of Reported Qualifying Vacancy Registrations

By Submarket Area through 03/31/2021

(As of 06/29/2021)

(Excludes exempt units)

Housing Tracts by Area:

Area 1, tract nos. 11, 12, 13, 14, 15, 16, 17, 38

Area 2, tract nos. 18, 19, 22, 23, 30, 31

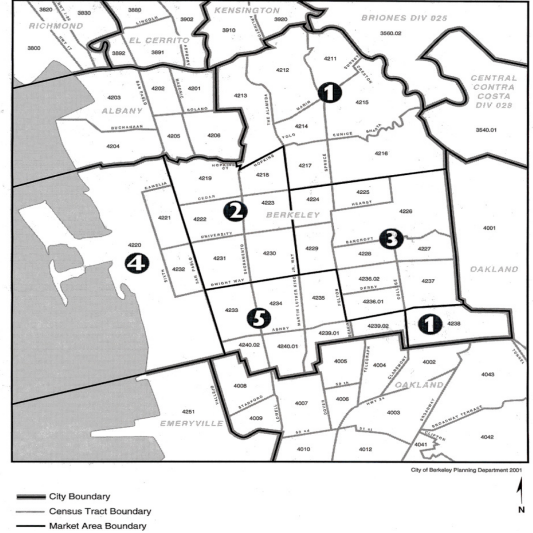
Area 3, tract nos. 24, 25, 27, 28, 29, 36, 37

Area 4, tract nos. 20, 21, 32

Area 5, tract nos. 33, 34, 35, 39, 40

City of Berkeley and Surrounding Cities

Census Tract Map and Market Areas



Total Number of Registered (“Rented”) Units by Submarket Area

	No. Units	% of total units	03/31/2021 Avg. Rent Ceiling
North Berkeley (Area 1)	1,400	7.21%	\$2,291.17
Central Berkeley (Area 2)	3,509	18.07%	\$1,930.34
University Area (Area 3)	10,024	51.63%	\$2,239.15
West Berkeley (Area 4)	790	4.07%	\$1,735.55
South Berkeley (Area 5)	3,424	17.64%	\$1,941.57
Total	19,414		\$2,118.88

	Submarket Area	No. Units	% of Submarket	03/31/2021 Avg. LRC
Tenancies Starting Before 1999				
1,858 units (9.57% of all units)				
	1	165	11.79%	\$988.01
	2	452	12.88%	\$890.30
Avg. Rent Ceiling	3	819	8.17%	\$920.95
All units = \$909.03	4	100	12.66%	\$828.61
1 BR = \$829.07 (891 units)	5	312	9.11%	\$891.87

Tenancies Starting 1/1/99 – 03/31/2021

17,556 units (90.43% of all units)	1	1,235	88.21%	\$2,465.27
	2	3,057	87.12%	\$2,084.12
Avg. Rent Ceiling	3	9,205	91.83%	\$2,356.43
All Units = \$2,246.92	4	690	87.34%	\$1,866.99
1 BR = \$1,948.46 (7,080 units)	5	3,112	90.89%	\$2,046.81

2125 Milvia Street, Berkeley, California 94704

TEL: (510) 981-7368 (981-RENT) • TDD: (510) 981-6903 • FAX: (510) 981-4940

E-MAIL: rent@cityofberkeley.info • INTERNET: www.cityofberkeley.info/rent/

Commissioner Attendance at Rent Stabilization Board Meetings: 2021 (through Q2)

Item 8.a.(4)

2021	Soli ALPERT	James CHANG	Xavier JOHNSON	Andy KELLEY	Paola LAVERDE	Mari MENDONCA	John SELAWSKY	Leah SIMON-WEISBERG	Dominique WALKER
January 21	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT
February 18	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT
March 18	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT
April 15	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT
May 6	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT
June 17	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT	PRESENT
July 15									
August 19									
September 23									
October 21									
November 18									
December 16									

* = Absent *with* compensation

** = Absent due to a medical reason

Bold and italicized = Special Meeting

**Commissioner Attendance at Rent Stabilization Board COMMITTEE Meetings:
January-March 2021 (Q1)**

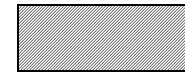
COMMITTEES	Soli ALPERT	James CHANG	Xavier JOHNSON	Andy KELLEY	Paola LAVERDE	Mari MENDONCA	John SELAWSKY	Leah SIMON-WEISBERG	Dominique WALKER
<i>Budget & Personnel</i>									
Thursday, January 28, 2021		Present					Present	Present	Present
Thursday, February 25, 2021		Present					Present	Present	Present
Thursday, March 25, 2021		Present					Present	Present	Present
<i>Eviction / Section 8 / Foreclosure</i>									
Thursday, February 11, 2021					Present	Present	Present		Present
Thursday, March 11, 2021					Present	Present	Present		Present
<i>Habitable & Sustainable Housing</i>									
<i>This Committee did not meet this quarter.</i>									
<i>IRA / AGA / Registration</i>									
Tuesday, February 9, 2021	Present		Present	Present				Present	
Tuesday, March 2, 2021	Present		Present	Present				Present	
<i>Outreach</i>									
Wednesday, February 10, 2021		Present		Present	Present	Present			
Wednesday, March 24, 2021		Present		Present	Present	Present			
<i>4 x 4 Joint Committee on Housing (City Council/Rent Board)</i>									
Wednesday, February 24, 2021	Present		Present	Present				Present	
Wednesday, March 10, 2021	Present		Present	Present				Present	

**Commissioner Attendance at Rent Stabilization Board COMMITTEE Meetings:
January-March 2021 (Q1)**

COMMITTEES	Soli ALPERT	James CHANG	Xavier JOHNSON	Andy KELLEY	Paola LAVERDE	Mari MENDONCA	John SELAWSKY	Leah SIMON- WEISBERG	Dominique WALKER
<i>2 x 2 Committee on Housing (BUSD/Rent Board)</i>									
<i>This Committee did not meet this quarter.</i>									
<i>Ad Hoc Committee on Technology Issues</i>									
<i>This Committee did not meet this quarter.</i>									

^ = Meeting cancelled due to lack of a quorum

* = Absent with compensation



= Not a member of this Committee at this time

**Commissioner Attendance at Rent Stabilization Board COMMITTEE Meetings:
April-June 2021 (Q2)**

COMMITTEES	Soli ALPERT	James CHANG	Xavier JOHNSON	Andy KELLEY	Paola LAVERDE	Mari MENDONCA	John SELAWSKY	Leah SIMON-WEISBERG	Dominique WALKER
<i>Budget & Personnel</i>									
Thursday, April 22, 2021		Present					Present	Present	Absent
Tuesday, April 27, 2021		Present					Present	Present	Present
Tuesday, June 1, 2021		Present					Present	Present	Present
<i>Eviction / Section 8 / Foreclosure</i>									
Thursday, May 13, 2021					Present	Present	Present		Present
<i>IRA / AGA / Registration</i>									
Tuesday, April 6, 2021	Present		Present	Present				Present	
<i>Outreach</i>									
Wednesday, April 21, 2021		Present		Present	Present	Present			
Wednesday, May 19, 2021		Present		Present	Present	Present			
Wednesday, June 16, 2021		Present		Present	Present	Present			
<i>4 x 4 Joint Committee on Housing (City Council/Rent Board)</i>									
Tuesday, May 4, 2021	Present		Present	Present				Present	
Wednesday, June 23, 2021	Present			Present				Present	Present
<i>2 x 2 Committee on Housing (BUSD/Rent Board)</i>									
<i>This Committee did not meet this quarter.</i>									

**Commissioner Attendance at Rent Stabilization Board COMMITTEE Meetings:
April-June 2021 (Q2)**

COMMITTEES	Soli ALPERT	James CHANG	Xavier JOHNSON	Andy KELLEY	Paola LAVERDE	Mari MENDONCA	John SELAWSKY	Leah SIMON- WEISBERG	Dominique WALKER
<i>Ad Hoc Committee on Technology Issues</i>									
<i>This Committee did not meet this quarter.</i>									

^ = Meeting cancelled due to lack of a quorum

* = Absent with compensation



= Not a member of this Committee at this time



RENT STABILIZATION BOARD
BUDGET & PERSONNEL COMMITTEE MEETING

Thursday, July 8, 2021

5:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE.

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the Rent Stabilization Board's **Budget & Personnel Committee** (Committee) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, **there will not be a physical meeting location available.**

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/98859118276?pwd=T3JhSWcySStKaXBQMxV2MStLejJDQT09>. 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 1-408-638-0968 and enter Webinar ID: 988 5911 8276 and Passcode: 974146. 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 e-mail comment to be read aloud during public comment, email mbrown@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM FOR BUDGET & PERSONNEL 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 3:00 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 will apply for meetings conducted 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. Questions regarding this matter may be addressed to Matt Brown, Acting Executive Director, at (510) 981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.



Rent Stabilization Board

RENT STABILIZATION BOARD
BUDGET & PERSONNEL COMMITTEE MEETING

Thursday, July 8, 2021 – 5:00 p.m.

AGENDA

1. Roll Call
2. Approval of Agenda
3. Public Comment
4. Approval of the June 1, 2021 Meeting Minutes (Attached to Agenda)
5. Revenue Collections Update
6. Discussion and Possible Action regarding Recommendation to full Board to establish a COVID-19 related waiver process for late payment of the Fiscal Year 2021-2022 Registration Fee (See attached staff memo)
7. Discussion and Possible Action regarding Recommendation to full Board to acquire Employment Practices Liability Insurance (EPLI)
8. Future agenda items
9. Discussion and Possible Action to set next Committee meeting
10. Adjournment

STAFF CONTACT: Matt Brown, Acting Executive Director (510) 981-7368

COMMITTEE: James Chang, John Selawsky (Chair), Leah Simon-Weisberg, Dominique Walker



RENT STABILIZATION BOARD
IRA / AGA / REGISTRATION COMMITTEE MEETING

Wednesday, July 14, 2021

5:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE.

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the Rent Stabilization Board's **IRA / AGA / Registration Committee** (Committee) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, **there will not be a physical meeting location available.**

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To join by phone: Dial 1-669-900-6833 and enter Webinar ID: 883 1343 4616 and Passcode: 016947. 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 e-mail comment to be read aloud during public comment, email mbrown@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM FOR IRA/AGA 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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Rent Stabilization Board

RENT STABILIZATION BOARD
IRA / AGA / REGISTRATION COMMITTEE MEETING

Wednesday, July 14, 2021 – 5:00 p.m.

AGENDA

1. Roll call
2. Approval of the agenda
3. Approval of Minutes from the April 6, 2021 IRA/AGA/Registration Committee (Attached)
4. Public Comment
5. Discussion and Possible Action regarding proposal to mandate disclosure of rent control protections in leases (See attached staff report)
6. Discussion and Possible Action regarding amending Regulation 503 to remove sunset language (See attached staff report)
7. Discussion and possible action regarding hiring an outside consultant to draft a report for the Board regarding the rent control impacts of Council’s “Initiation of Public Process and Zoning Concepts for 2023-2031 Housing Element Update” and any other potential demolition or land use issues (Chair Simon-Weisberg)
8. Discussion and possible action regarding future agenda items
 - ➔ Tenant Occupancy Limits (Commissioner Johnson)
 - ➔ General Plan update in two years (Committee Chair Kelley)
9. Confirm next meeting date
10. Adjournment

STAFF CONTACT: Matt Brown, Acting Executive Director (510) 981-4930

COMMITTEE: Soli Alpert, Xavier Johnson, Andy Kelley (Chair), Leah Simon-Weisberg



4x4 Committee on Housing
City Council and Rent Board

4 X 4 JOINT COMMITTEE ON HOUSING CITY COUNCIL/RENT STABILIZATION BOARD

Wednesday, June 23, 2021 – 3:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE.

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City Council and Rent Stabilization Board's **4 x 4 Joint Committee on Housing** (Committee) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, **there will not be a physical meeting location available.**

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To join by phone: Dial 1-669-900-6833 and enter Webinar ID: 918 3583 8630 and Passcode: 040237. 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 e-mail comment to be read aloud during public comment, email btran@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM FOR 4 X 4 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 1:00 p.m. on the day of the Committee meeting in order to be included.**

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4x4 Committee on Housing
City Council and Rent Board

AGENDA

4 X 4 JOINT COMMITTEE ON HOUSING CITY COUNCIL/RENT STABILIZATION BOARD

Wednesday, June 23, 2021 – 3:00 p.m.

1. Roll Call
2. Approval of the Agenda
3. Public Comment on Non-Agenda Matters
4. Approval of May 4, 2021 Committee Meeting Minutes
5. Assessment of the Effectiveness of Berkeley's COVID-19 Rental Forgiveness Program and Planning for Future Reopening (RBC Johnson)
6. Discuss Eviction Moratorium (Mayor Arreguín)
7. Discuss the Practice Around Rental Lease Co-Signers for Cal Students (Chair Simon-Weisberg)
8. Quick Updates on Previously Discussed Items
 - a. Measure MM Registration
 - b. Amendments to the Demolition Ordinance
9. Discussion of Possible Future Agenda Items
10. Adjournment

COMMITTEE MEMBERS:

Mayor Jesse Arreguín

City Councilmember Kate Harrison

City Councilmember Rigel Robinson

City Councilmember Terry Taplin

Rent Board Chairperson Leah Simon-Weisberg

Rent Board Vice-Chairperson Soli Alpert

Rent Board Commissioner Xavier Johnson

Rent Board Commissioner Andy Kelley



4x4 Committee on Housing
City Council and Rent Board

4 X 4 JOINT COMMITTEE ON HOUSING CITY COUNCIL/RENT STABILIZATION BOARD

Tuesday, May 4, 2021 – 3:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE.

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City Council and Rent Stabilization Board's **4 x 4 Joint Committee on Housing** (Committee) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, **there will not be a physical meeting location available.**

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To join by phone: Dial 1-669-900-6833 and enter Webinar ID: 913 9801 1329 and Passcode: 857447. 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 e-mail comment to be read aloud during public comment, email btran@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM FOR 4 X 4 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 1:00 p.m. on the day of the Committee meeting in order to be included.**

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4x4 Committee on Housing
City Council and Rent Board

**4 X 4 JOINT COMMITTEE ON HOUSING
CITY COUNCIL/RENT STABILIZATION BOARD
Tuesday, May 4, 2021 – 3:00 p.m.**

Minutes To Be Approved

1. Roll Call: Mayor Arreguín called the meeting to order at 3:02 p.m.
Present: RBC Alpert, Mayor Arreguín, CM Harrison (logged off at 5:29 p.m.), RBC Johnson, RBC Kelley, CM Robinson (logged off at 4:14 p.m.), RB Chair Simon-Weisberg, CM Taplin.
Absent: None.
Staff present: Diego Aguilar-Canabal, Matt Brown, Steven Buckley, Lief Bursell, Brendan Darrow, J.T. Harechmak, Stefan Elgstrand, Jen Fabish, Be Tran, Lynn Wu.
2. Approval of the Agenda: M/S/C (Simon-Weisberg/Harrison) Approve the agenda with the following change: hear item 8 before item 5. Roll call vote. YES: Alpert, Arreguín, Harrison, Johnson, Kelley, Robinson, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 8-0-0-0.
3. Public Comment on Non-Agenda Matters: There were three speakers.
4. Approval of March 10, 2021 Committee Meeting Minutes: M/S/C (Robinson/Alpert) Approve the minutes as written. Roll call vote. YES: Alpert, Arreguín, Harrison, Johnson, Kelley, Robinson, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 8-0-0-0.
5. Update on Amendments to Short Term Rental Ordinance (Planning Department): Council Member Harrison updated the committee that platform liability and requiring the posting of a zoning certificate on listings will be dealt with separately from potential ordinance amendments and enforcement issues given that the former could hold up the latter. The committee provided feedback. There was one public speaker.
6. Discuss Adoption of an Affordable Housing Overlay to allow for 100% Affordable Housing Developments (CM Taplin): Council Member Taplin presented and took questions and feedback from the committee. There were four public speakers, and four emailed comments were read into the record.
7. Discuss Possibility of Passing Rental Forgiveness for the Time Period During the Pandemic (RBC Johnson): The committee briefly discussed this item and agreed to consider it, along with Berkeley's eviction moratorium, at their next meeting. There were no public speakers.
8. Discuss SB 1079 Purchases (Ian Winters from Northern California Community Land Trust and Jocelyn Foreman): Jocelyn Foreman told her story of becoming the first person to purchase a home under SB 1079. Ian Winters presented on SB 1079 and requested support from Council and the Rent Board for changes being advocated by community land trusts. Mayor Arreguín will bring an item to Council, and Rent Board Chair Simon-Weisberg will bring a Resolution to the Rent Board.

9. Quick Updates on Previously Discussed Items
 - a. Amendments to the Demolition Ordinance (Mayor Arreguín): Mayor Arreguín reported that his office met with the Planning Department and Rent Board.
 - b. Amendments to the Relocation Ordinance (Mayor Arreguín): Mayor Arreguín reported that he will be convening a working group.
10. Discussion of Possible Future Agenda Items: Rent forgiveness and Berkeley's eviction moratorium (CM Johnson and Mayor Arreguín). Lease co-signers for Cal students (Rent Board Chair Simon-Weisberg).
11. Adjournment: M/S/C (Johnson/Arreguín) Motion to adjourn the meeting. Roll call vote. YES: Alpert, Arreguín, Johnson, Kelley, Simon-Weisberg, Taplin; NO: None; ABSTAIN: None; ABSENT: Harrison, Robinson. Carried: 6-0-0-2.

The committee agreed by consent to adjourn in honor and memory of Julia Lippman, the daughter of Peace and Justice Commissioner George Lippman. The meeting adjourned at 5:43 p.m.

COMMITTEEMEMBERS:

Mayor Jesse Arreguín
City Councilmember Kate Harrison
City Councilmember Rigel Robinson
City Councilmember Terry Taplin

Rent Board Chairperson Leah Simon-Weisberg
Rent Board Vice-Chairperson Soli Alpert
Rent Board Commissioner Xavier Johnson
Rent Board Commissioner Andy Kelley